MAPPING DIGITAL MEDIA:
TURKEY

OPEN SOCIETY
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Mapping Digital Media: Turkey

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Mapping Digital Media

The values that underpin good journalism, the need of citizens for reliable and abundant information, and the importance of such information for a healthy society and a robust democracy: these are perennial, and provide compass-bearings for anyone trying to make sense of current changes across the media landscape.

The standards in the profession are in the process of being set. Most of the effects on journalism imposed by new technology are shaped in the most developed societies, but these changes are equally influencing the media in less developed societies.

The **Mapping Digital Media** project, which examines the changes in-depth, aims to build bridges between researchers and policymakers, activists, academics and standard-setters across the world. It also builds policy capacity in countries where this is less developed, encouraging stakeholders to participate and influence change. At the same time, this research creates a knowledge base, laying foundations for advocacy work, building capacity and enhancing debate.

The Media Program of the Open Society Foundations has seen how changes and continuity affect the media in different places, redefining the way they can operate sustainably while staying true to values of pluralism and diversity, transparency and accountability, editorial independence, freedom of expression and information, public service, and high professional standards.

The Mapping Digital Media project assesses, in the light of these values, the global opportunities and risks that are created for media by the following developments:

- the switch-over from analog broadcasting to digital broadcasting;
- growth of new media platforms as sources of news;
- convergence of traditional broadcasting with telecommunications.

Covering 60 countries, the project examines how these changes affect the core democratic service that any media system should provide—news about political, economic and social affairs.

The **Mapping Digital Media** reports are produced by local researchers and partner organizations in each country. Cumulatively, these reports will provide a much-needed resource on the democratic role of digital media.

In addition to the country reports, the Open Society Media Program has commissioned research papers on a range of topics related to digital media. These papers are published as the **MDM Reference Series**.

Mapping Digital Media: Turkey Executive Summary

There is a strong appetite for digital media in Turkey. The reach of the internet—both fixed line and mobile—has expanded dramatically in recent years, connecting nearly half the population, although broadband access lags some way behind.

Digital broadcasting is limited to the dominant satellite platform, whilst progress towards digital terrestrial services has been negligible. Switch-over is due to be completed by 2014 but the process has been obstructed by a lack of transparency, public consultation, or a convergent regulatory framework. Progress towards digital radio has been hampered by reluctance among broadcasters to shoulder the additional costs of upgrading their services in the face of declining audiences. (Between 2005 and 2008, the reach of radio amongst the population fell from 75 to 68 percent.)

Television remains by far the dominant news medium. Since the public broadcaster lost its monopoly in 1990, the number of news outlets has proliferated, driven by the expansion of cable and satellite platforms. According to the government's Directorate General of Press and Information, there were 258 television channels in Turkey in 2008, of which 27 were national, 16 regional, and 215 local. But growth in the number of channels has not produced a significant shift in viewership away from traditional news bulletins. In 2009, 94 percent of adults still regularly watched the news programs of the five most popular channels.

Moreover, diversity in content is limited and there are concerns that the culture of immediacy in news provision has fostered growing homogenization. Recent moves to relax regulation on foreign ownership and the entrance of Al Jazeera Turkey in particular are seen as potentially positive developments in this respect. But it remains to be seen whether this, or digitization of broadcasting, will result in a more or less diverse news offer on television.

Beyond television, the relatively strong demand for online news is reflected in the growth of established newspaper brands online, as well as of 'pure play' news websites. Recent survey data suggest that up to 60 percent of internet users regularly access online news services. However, as with television, the multiplication

of news sources belies a structural trend towards homogenization of content, reflected in a burgeoning 'copy-paste' culture of recycled journalism.

Newspapers are still an important source of news, however, reaching 4.6 million people (predominantly in Istanbul and other urban centers) and with circulations and advertising revenues remaining relatively stable over the last decade. A declining share of the advertising market is nevertheless perceived as an ominous sign for the future sustainability of the print news sector. Perhaps because of this, there is little appetite to invest in analysis and in-depth coverage. This has fostered a rise in opinion journalism, mirroring the blogosphere culture, where columnists are given more credit than correspondents.

But the most significant threat to news diversity and quality remains the repressive legal restrictions under which journalists operate. If anything, this has intensified in response to the rise of digital media. Article 301 of the Turkish Penal Code, making it illegal to insult Turkey and national identity, has been used as a cover for internet censorship (notably in the banning of video-sharing website YouTube for more than two years between 2008 and 2010). But it is anti-terror laws which pose the most serious threat to journalism and free speech online. In 2011, 14 defendants from a news website called Oda TV were jailed on accusations of reporting and writing in the service of an alleged terrorist conspiracy known as Ergenekon.

The indictment did trigger wide-scale public outrage and waves of protest, however, suggesting that the battle over free speech online has not necessarily been won by the government. Certainly the internet has provided new opportunities for public discussion of sensitive social and political issues such as the Armenian genocide, Kurdish nationalism, homosexuality, and conscientious objection which are otherwise sidestepped by the conventional media.

The speedy dissemination of documents or leaked information has been a key weapon in the armory of digital activists in Turkey. An unpublished book by an investigative journalist behind bars was leaked on the internet and shared via Twitter in 2011. Ahmet Şık's *İmam'ın Ordusu* (The Imam's Army) was characterized by the 12th Court for Serious Crimes in Istanbul as an "illegal organizational document." The court ruled that anyone refusing to hand in copies of the book would be accused of "supporting a criminal organization." But this did little to stem the book's dissemination online, indicating obscure relations between the Gülen Islamist community and the police, and its possible embedding in the Turkish security forces.

Government control of the media has been extended through less direct means, notably via the market. In particular, recent mergers and acquisitions by Çalık Group, a pro-government conglomerate, have aroused controversy not least because they were partly funded by state banks. On the whole, there are strong indicators of political parallelism in both print and broadcasting sectors, and digitization appears to have had little if any effect on this.

In broadcasting, this parallelism is sustained largely between the public and commercial broadcasters with the former viewed by supporters of the ruling party as the most reliable source of news and as a vehicle for state propaganda by supporters of the opposition. The report makes clear however that political parallelism should

not be equated with political diversity as both pro- and anti-government outlets tend to fall into line on key issues, particularly relating to Turkish nationalism and security.

Nor has digitization done much to alter the market dominance of a handful of media conglomerates, and concentration looks set to increase with the relaxation of rules on foreign ownership of Turkish media outlets. Many of the most popular digital news outlets still belong to major conglomerates such as Doğan Medya Grup, although the monopolistic structure has been challenged somewhat by the recent emergence of Habertürk, a new conglomerate with cross-media assets. The attraction of political influence through the media has meant that many outlets are cross-subsidized and run as loss leaders but a lack of transparency of ownership has obscured funding sources, as well as the precise relationships among the political establishment, the Islamic networks, and media conglomerates.

In line with other countries, the provision of free content online has made it difficult for newspaper publishers to monetize digital news content. Some have opted to reproduce print editions in their entirety to try and maximize online advertising revenue. Others are more cautious, suggesting that some sort of subscription model is the solution. One low-budget daily national newspaper has begun mandatory online subscription for its readers although the sustainability of this model is still unclear.

The future funding of the public service broadcaster is another open question. While this report suggests that it will depend for the foreseeable future on a combination of advertising revenue and a levy applied to household electricity bills, waning public support and declining audiences may be ominous signs for public service broadcasting (PSB) in Turkey. PSB officials explain that the sector plays a key role in the government's digital switch-over plans which could potentially improve engagement with their audience and the recovery of ratings that are being lost to commercial rivals. However, they have not provided any information on anticipated digital services, which epitomizes the organization's lack of transparency and the closed-door nature of switch-over policy in general.

On the whole, media policy and regulation have been relatively unresponsive to the challenges posed by digitization. Regulatory authority is still split between broadcasting and telecoms agencies and recent changes in the law have not sufficiently adapted the spectrum allocation process to the specific issues and nuances associated with digital licensing. This unresponsiveness has been coupled with a dearth of public consultations and transparency in the digital policy process. Of particular concern for the authors of this report is the power vested in the telecoms authority to ban websites considered to host inappropriate content without recourse to judicial proceedings.

In light of this, the report calls for a host of measures aimed at depoliticizing the policy process in respect of digitization, strengthening legislative protections against digital censorship, and enhancing the transparency and accountability of regulatory institutions.

Context

Turkey is considered to be the world's 15th and Europe's 6th biggest economy, with 8.9 percent growth in 2010. The Organization for Economic Cooperation and Development (OECD) predicts that Turkey will overtake India as the second-fastest growing economy by 2017, and become the second-largest economy in Europe by 2050.[1]

As a founding member of the OECD and G20 group of countries, Turkey successfully overcame the negative consequences of its economic crisis in 2001, and reduced its inflation rate from 18.4 percent in 2003 to 9.3 percent in 2004. Nevertheless, unemployment reached a historic high in 2009, up to 12.3 percent from 10.6 percent in 2008. Economic growth was also around 0.5 percent in the third quarter of 2009, the lowest rate in the last six years.

One of the government's major economic concerns is the budget deficit, which was one of the main topics of the 2011 national budget talks. A decrease in the national budget deficit was observed with a 25 percent drop from 2009 to 2010, and in December 2010, the prime minister, Recep Tayyip Erdoğan, expressed his expectations of a further decrease in 2011. Inflation also reached its lowest point for 40 years when it sank below 4 percent in March 2011. Like many emerging economies, Turkey relies heavily on its dynamic population growth, where one-quarter of its residents are less than 15 years of age, while just 6 percent are over 65 in a population of 72 million.

In 2008, exports were recorded as US$ 141.8 billion, while the larger imports such as pharmaceuticals, cosmetic products, and chemicals used in cleaning and food processing reached US$ 204.8 billion. Talks were expected to open in 2007 on the Economic and Monetary Policy *acquis* chapter of Turkey's accession to the EU, but were postponed due to the French government's concerns. Although Turkey was assessed by the European Parliament as having complied fully with the Copenhagen Criteria, debates over Turkish accession continue, stoked by recent domestic political controversies, economic conditions, and the dominant role of

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1. Hürriyet, "*Türkiye, 2050'de dünya ikincisi olacak*" (Turkey to become the 2nd largest economy in Europe in 2050), 1 December 2011, at http://hurarsiv.hurriyet.com.tr/goster/haber.aspx?id=19363894&yazarid=44 (accessed 17 March 2012).

the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP),[2] which won landslide victories in the general elections in 2002 and 2007, and was granted observer membership in the center-right European People's Party in 2005.

The media sector has been adapting to new technology, embracing online opportunities to reach larger audiences. While the lack of diversity in media ownership and regulatory restrictions over the contents of analog and digital television channels are persistent problems, they are often ignored by the audience due to the low level of media literacy.

The rising popularity of blogs, online news websites, and forums are believed to provide new grounds for serving different tastes with easy access to online domestic and global services. Some of these services encourage their visitors to participate, though user-generated content, in sharing and creating information and data. Further practices for technological and functional compliance with digital are expected to bring legislative and executive practices onto the public policy agenda, in order to create a legal framework and regulate the digitization process and beyond.

2.	One of the primary political actions of the AKP was its involvement in the Ergenekon Operation, through which the members of the alleged ultra-nationalist Kemalist organization were charged in 2007. The *Turkey 2010 Progress Report: Enlargement Strategy and Main Challenges*, accompanying the Communication from the Commission to the European Parliament and the Council, stated that the large number of journalists charged during the Ergenekon case has been a major concern in terms of its potential negative influence on the democratic nature of the Republic of Turkey. It is also argued that the primary aim of the Ergenekon operation is to silence opponents of the AKP, as well as supporters of the Gülen Movement, a transnational civic society movement led by the Muslim theologian Fethullah Gülen.

Social Indicators

Population: 74.8 million (2009)
Households: 14.663 million (2010)

Figure 1.
Rural–urban breakdown (% of total population)
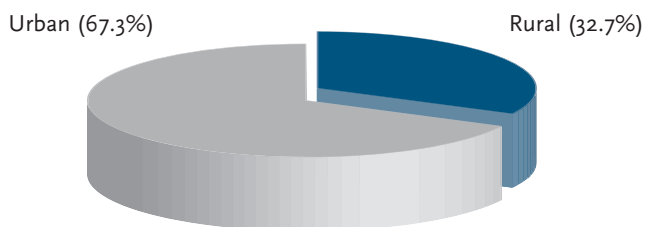
Urban (67.3%)   Rural (32.7%)

Source: Turkish Statistical Institute, *Turkey Statistical Yearbook* (*Türkiye Istatistik Yilliği*), Istanbul, 2010.

Figure 2.
Ethnic composition (% of total population), 2008

Kurdish (17%)   Other (3%)   Turks (80%)
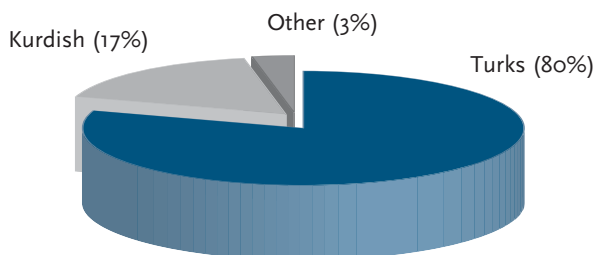
Note: Minority groups include Arabs, Armenians, Greeks, Jews, and Dönme (a small, separate group of Muslims, concentrated in Edirne and Istanbul, whose forbears converted from Judaism).

Source: Turkish Statistical Institute, *Turkey Statistical Yearbook* (*Türkiye Istatistik Yilliği*), Istanbul, 2010.

Linguistic composition

The official language is Turkish. Kurdish, Arabic, Armenian, and Greek are also used. The Latin alphabet has been in use since it superseded the Arabic alphabet in 1928.[3]

Figure 3.

Religious composition (% of total population)
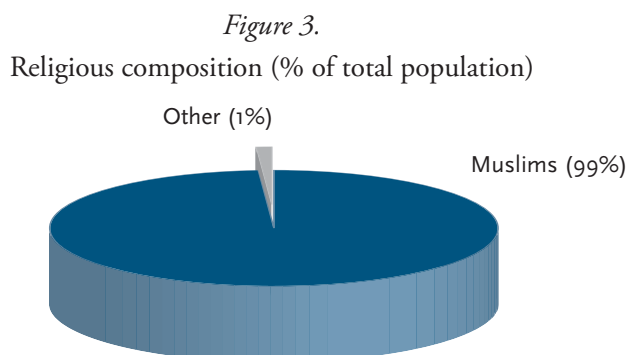
Other (1%)

Muslims (99%)

Note: Muslims are mostly Sunni though 10–25 percent of Muslims belong to the non-orthodox Alevi community. "Other" includes Christians (Greek Orthodox and Armenian Apostolic) and Jews.[4]

Source: Turkish Statistical Institute, *Turkey Statistical Yearbook* (*Türkiye Istatistik Yilliği*), Istanbul, 2010.

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3.   The Office of the United Nations High Commissioner for Refugees (UNHCR) Country Profile, available at http://www.unhcr.org/refworld/country,,,COUNTRYPROF,TUR,4562d8cf2,46f9135d0,0.html (accessed 3 December 2011).

4.   The Office of the United Nations High Commissioner for Refugees (UNHCR) Country Profile, at http://www.unhcr.org/refworld/country,,,COUNTRYPROF,TUR,4562d8cf2,46f9135d0,0.html (accessed 3 December 2011).

Economic Indicators

Economic indicators

	2005	2006	2007	2008	2009	2010	2011	2012
GDP (current prices), total in US$ million	482.6	529.1	649.1	730.3	614.4	741.8	797.6	876.5
GDP (current prices), per head in US$	7,108	7,766	9,422	10,484	8,711	10,398	11,054	12,012
Gross National Income (GNI) (current $), per head	6,200	7,150	8,090	8,890	8,700	9,500	n/a	n/a
Unemployment (% of total labor force)	10.5	10.2	10.2	10.9	14.0	11.8	11.4	11.0
Inflation[6] (average annual rate in % against previous year)	7.7	9.6	8.3	10.0	6.5	6.4	7.0	5.4

Notes: The indicators for 2012 are forecasts by the International Monetary Fund (IMF).
n/a: not available.
Sources: International Monetary Fund (IMF) (GDP, unemployment and inflation figures); World Bank (GNI) (2011).

1. Media Consumption: The Digital Factor

1.1   Digital Take-up

1.1.1   Digital Equipment

Digital broadcasting is in its infancy in Turkey, where switch-over is due to be completed by 2014. There is little information available on the main digital terrestrial television reception, which indicates that digital broadcasting has started to overtake analog among Turkish households. (See Table 2.) Moreover, much of the domestic equipment required for reception of digital media is in place: most Turks are only a set-top box away from being able to receive digital broadcasts once they become available on a nationwide terrestrial platform.

Almost all households have at least one television set (11 percent have three or more), most have radios (although statistics are not available), and some 40 percent have a PC and access to the internet. There are nine mobile phones for every 10 Turks. The main means of receiving television are terrestrial, satellite, and cable. Radio transmission is mostly terrestrial.

Average internet use in Turkey exceeds one hour a day. The information society branch of the Ministry of Development reported that 73 percent of users logged on to check email, 64 percent visited chat rooms, online forums, and interactive news sites, 59 percent read news, 56 percent searched for information about goods and services, and 51 percent for downloading games, music and films.[5]

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5.   Ministry of Development, "*Bilgi Toplumu Raporu*" (Information Society Report), 2011, at http://www.dpt.gov.tr/DocObjects/View/12808/ Bilgi_Toplumu_Istatistikleri_2011.pdf (accessed 4 December 2011).

Table 2.

Households owing equipment, 2005–2010

	2005		2006		2007		2008		2009		2010	
	No. of HH ('000)[6]	% of THH[7]	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH
TV set	11,588	100	15,196	100	16,592	100	14,072	100	14,266	100	14,663	100
PC	1,390	12	2,735	18	2,986	27	3,799	32	5,278	37	6,451	44

Notes: HH: households owning the equipment; THH: total number of households in the country; PC: personal computer.

Sources: Turkish Statistical Institute, *Turkey Statistical Yearbook* (*Türkiye Istatistik Yilliği*), Istanbul, 2010.

1.1.2   Platforms

The most important platforms for television reception are still terrestrial (23.6 percent) and satellite (70.4 percent ownership), though there is also a substantial cable presence (7.2 percent ownership). With the emergence of satellite services that offered high-definition (HD) broadcasts and thematic channels at the beginning of the 2000s, there has been a rising shift in satellite subscriptions instead of receiving terrestrial television services. Digiturk (Çukurova Group), D-Smart (Doğan Media Group, DMG), and the cable television service Türksat (national services) are the three main satellite platforms in the country.[8] D-Smart had 1.09 million subscribers by the end of 2009, of which 276,000 were pay-TV subscribers. According to the data collected by the Radio and Television Supreme Council (*Radyo ve Televizyon Üst Kurulu*, RTÜK) in June 2010, there were a total of 1,174,000 analog subscribers, and 120,000 digital cable households. (See Table 3.)

The public service broadcaster, the Turkish Radio and Television Corporation (*Türkiye Radyo ve Televizyon Kurumu*, TRT), started test digital broadcasting from Istanbul in 2006. In October 2009, a draft new Broadcasting Law on the Establishment of Radio and Television Enterprises and their Media Services was also submitted to Parliament and the bill was last updated in November 2010 (see section *6.1.1*). The law is to serve the implementation of the European Union's Audiovisual Media Services Directive (AVMSD), and addresses issues such as switch-over to digital terrestrial television and new broadcasting technologies, like IPTV, DVB-H, and HDTV. In regard to current IPTV services, TTNET, a subsidiary of Türk Telekom, launched a test service called IP Tivibu in September 2010, which includes 101 national and foreign channels, as well as 10 HD channels. TTNET also offers the online Tivibu combining streamed VOD and TV services.

Radio is well established: currently there are 36 national, 108 regional, and 944 local radio stations.

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6.   Total number of households owning the equipment.

7.   Percentage of total number of households in the country.

8.   MAVISE Database, at http://mavise.obs.coe.int/country?id=32 (accessed November 2011).

In 2002, the TRT launched DAB test transmissions in Band III to reach approximately 2 million listeners. With the addition of a 1KW transmitter, the single-frequency network was announced to be introduced to stations in Istanbul. The single-frequency network is expected to result in the efficient use of radio spectrum and expansion of the coverage of digital terrestrial broadcasting. However, no official statement has yet been made on introducing the new transmitter, or on applying the single-frequency network.

Radio stations have also been slow to take up digital technology due to its high cost given declining radio audiences.

Table 3.

Platform for the main TV reception and digital take-up, 2005–2010[9]

	2005		2006		2007		2008		2009		2010	
	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH
Terrestrial reception – of which digital	8,074	69.6	7,773	51.0	6,846	41.1	4,667	33.1 n/a	3,794	26.6	3,460	23.6
Cable TV reception – of which digital	1,165	10.0	1,442	9.0	1,233	7.3	1,098	7.8 n/a	1,028	7.2	1,059	7.2
Satellite reception – of which digital	2,375 2,375	20.4 20.4	6,081 6,081	40.0 40.0	8,580 8,580	51.6 51.6	8,340 8,340	59.1 59.1	9,485 9,485	66.4 66.4	10,329 10,329	70.4 70.4
Total – of which digital	11,614 2,375	100.0 20.4	15,296 6,081	100.0 40.0	16,659 8,580	100.0 51.6	14,105 8,340	100.0 59.1	14,307 9,485	100.0 66.4	14,848 10,329	100.0 70.4

Notes: HH: Households owning the equipment; TVHH: Total number of households in the country; n/a: not available.

Source: Médiamétrie/Eurodata TV Worldwide, 2010.

According to the "Digital Technology Use in 2010" survey by the Turkish Statistical Institute (*Türkiye İstatistik Kurumu*, TÜİK), 42.9 percent of households had access to the internet,[10] while a 2010 report by the telecommunications regulator, the Information and Communication Technologies Authority (*Bilgi İletişim ve Teknolojileri Kurumu*, BTK), put the number of internet users in Turkey at 35 million, 45 percent of the population.[11]

The pattern of telecoms usage has changed significantly in recent years as people have moved from fixed line to mobile telephony. According to the BTK, the number of fixed-line subscribers fell from 19 million in 2004 to 16 million in 2010. The most recent data (late 2009) show that the number of mobile phone subscribers

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9.   The figures refer to the main TV set in the households which are multi-TV households.

10.   See http://www.tuik.gov.tr/PreTablo.do?tb_id=60&ust_id=2 (accessed 2 November 2011).

11.   Information and Communication Technologies Authority (*Bilgi İletişim ve Teknolojileri Kurumu*, BTK), *Third Quarterly Market Report on Electronic Communication Sector in Turkey*, November 2010, at http://www.theBTK.gov.tr/Yayin/pv/ucaylik10_3.pdf (accessed 2 February 2011) (hereafter BTK, *Third Quarterly Market Report on Electronic Communication Sector*).

was 63 million. The mobile market leader, Turkcell, had 35 million subscribers, Vodafone 16 million, and Avea 12 million. In December 2010, the total number of 3G subscribers exceeded 7 million. The mobile penetration rate in Turkey was over 91 percent in 2010. (See Table 4.)

Table 4.
Internet penetration rate (total internet subscriptions as % of total population)
and mobile penetration rate (total active SIM cards as % of total population), 2005–2010

	2005	2006	2007	2008	2009	2010
Internet	3.3	4.4	19.7	25.4	41.6	42.9
of which broadband	2.2	3.8	6.5	7.7	8.5	n/a
Mobile telephony[12]	72.6	87.4	88.1	87.6	90.5	91.9
of which 3G	0	0	0	0	3.2	12.6

Sources: TÜİK (internet and broadband); BTK (on mobile telephony and 3G penetration).

However, despite the frequent recycling of news content on digital platforms, the web portals are main news providers for the population of Turkey. The İPSOS KMG report on internet use in 2009 revealed that 58.5 percent of users read online news on a daily basis.[13]

1.2   Media Preferences

1.2.1   Main Shifts in Media Consumption

The state's monopoly over broadcasting lasted until 1990. Since then, TV news outlets have proliferated. News is currently carried by the public service broadcaster, TRT, and by several other commercial providers. Television is the main news medium in Turkey. There have not been any shifts away from traditional bulletins towards rolling news channels. The mainstream television channels Kanal D, Show TV, and ATV broadcast the most popular TV news.[14] According to the broadcasting watchdog, RTÜK, 94 percent of adults watched TV news programs in 2009.[15]

Assessing the importance of radio as a news source is quite difficult due to declining listenership. According to a 2009 report by Ipsos KMG,[16] radio listening fell from 75 percent of the population in 2005 to 68 percent in 2008.

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12. BTK, *Third Quarterly Market Report on Electronic Communication Sector*.

13. Ipsos KMG, *İnternet Kullanım Alışkanlıkları Raporu,* 2009 (Report on Internet Usage Habits), at http://www.ipsos-kmg.com/node/789 (accessed 03 February 2011) (hereafter Ipsos KMG, *İnternet Kullanım Alışkanlıkları Raporu*).

14. Ipsos KMG, *İnternet Kullanım Alışkanlıkları Raporu.*

15. See the Radio and Television Supreme Council (RTÜK) report, "Television Viewing Tendencies," February 2009, at http://www.rtuk.org.tr/sayfalar/English.aspx (accessed May 2011) (hereafter RTÜK, "Television Viewing Tendencies").

16. Ipsos KMG, *Radio Listenership Annual Measurement System Report*, 2009, Istanbul.

The growing number and increasing popularity of online news portals, as well as the news websites of daily papers, are usually considered as primary drivers of digital migration. Newspapers are still an important source of news, however, both in print and online. Daily newspaper sales remained almost stable in the first decade of the 2000s, despite a slight decrease during the second half. Weekly overall newspaper sales are approximately 4.6 million, and newspaper websites enjoy large readerships. (See Tables 6 and 7.)

Although online news readership has not harmed the sales of daily newspapers, the Ipsos KMG findings reveal that "reading/following news websites" is the most popular activity among internet users who habitually read news online. According to this research, conducted in April 2010, 36.2 percent of internet users spent the majority of their time online reading news.[17]

Other trends in news readership have also emerged with the rising popularity of web portals such as Mynet.com, Haberler.com, and Ensonhaber.com. Launched in 1998, Mynet.com was one of the first news and entertainment web portals in Turkey, and achieved a loyal audience that has placed it among the most popular news web portals. Ekolay.com, another web portal, launched by Doğan Media Group (DMG), also draws a considerable amount of readers with its emphasis on entertainment and lifestyle content. Other popular portals such as Haberler.com and Ensonhaber.com offer a compilation of news provided by daily newspapers, although without any references.

There have also been major changes in terms of news and information consumption in Turkey which are directly linked with digital migration. In addition to news consumption, nearly 27,050 manuscripts and 10,000 magazines of the National Library have been transferred into digital forms and offered online as a part of the EU's digital library project, Europena. For the first time in the country's cultural history, images, paintings, maps, voice recordings, and newspapers were accessible to the public due to digitization.[18] These kinds of digitization projects make a major impact on the research patterns of journalists, researchers, and students and improve the accessibility of media sources.

1.2.2   Availability of a Diverse Range of News Sources

According to the government Directorate General of Press and Information (*Başbakanlık Basın-Yayın ve Enformasyon Genel Müdürlüğü*), there were 258 television channels in Turkey in 2008, of which 27 were national, 16 regional, and 215 local. Sixty-five of these channels were available on cable and 92 on satellite. According to the ratings of September 2010, Kanal D, ATV, NTV, CNN Türk, and Habertürk are the top five on the list, with TRT lagging far behind.[19]

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17.   Ipsos KMG, *PC and Internet Penetration Data Analysis*, April 2010, Istanbul.

18.   *Hürriyet Daily News*, "Turkey's National Library included in the EU Project," 25 January 2011, available at http://www.hurriyetdailynews.com/n.php?n=0124102043618-2011-01-24 (accessed 14 November 2011).

19.   E. Elmas and D. Kurban, *İletişimsel Demokrasi-Demokratik İletişim: Türkiye'de Medya—Mevzuat, Politikalar, Aktörler* (Communicative Democracy-Democratic Communication: Media in Turkey—Regulations, Politics and Actors), TESEV Yayınları, İstanbul, 2011.

There are many well-established offline news outlets offering a diverse range of news content. Prominent offline news agencies include Anadolu Ajansı (AA), Doğan Haber Ajansı (DHA), İhlas Haber Ajansı (İHA), Cihan Haber Ajansı (CİHA), and ANKA, which have high-tech facilities and a large staff.

Every national news outlet has its own website, providing up-to-date news, commentaries, columns, and blogs by their visitors. Thanks to the popularity of online editions of daily newspapers and independent web portals, online news sources have emerged as an alternative to traditional news media. However, it is still hard to talk about diversity and new methods of original news-making used by online journalists, due to the prevalence of copy-and-paste practices online (see section *4.1.1*).

Table 5.
The largest TV channels by audience share, 2010

TV channel	Audience share (%)	Rating (%)
Kanal D	13.9	27.9
Show	11.0	4.6
ATV	9.8	23.8
Star	9.1	25.1
Fox	7.5	9.7
Samanyolu TV	5.8	n/a
Kanal 7	4.8	2.2
TRT-1	3.3	n/a
Habertürk	1.8	n/a
Cine 5	1.1	33.8

Note: n/a: not available.
Source: IP Network/TV KeyFacts 2010.[20]

The major private television channels (see Table 5) in Turkey are ATV, Kanal D, Show TV, Star TV, and Fox TV, offering an amalgam of entertainment and news content. Kanal D is primarily an entertainment channel carrying domestic television serials during primetime. These serials attract a large number of audiences in the country and also in the Arab world. Show TV, ATV, and Star TV are also mainly entertainment channels broadcasting quiz shows, dramas, sitcoms, sensational news, and debate programs. Star TV and ATV are clearly pro-government channels and do not give any air time to the opposition's views. Samanyolu TV and Kanal 7 are channels with an Islamist ideological orientation, positioning themselves as religious conservative.

The diversity of news content in the mainstream media is highly deceptive due to the concentration of ownership and government partisanship, and can hardly be attributed to digitization over the last five years.

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20.   Television International Key Facts Website, available at: http://www.ip-network.com/rd/htm/tvkeyfacts.aspx (accessed 2 March 2011).

Although there are a considerable number of broadcast news sources, most television channels imitate the program content of the most watched news channels, which results in homogenization of news content across different outputs.

1.3.   News Providers

1.3.1   Leading Sources of News

1.3.1.1 Print Media

Newspapers are still an important source of news, despite the low circulation figures. The Directorate General of Press and Information reportedly stated in 2008 that there were 2,459 newspapers, of which 55 were national, 23 regional, and 2,381 local.[21]

The most read daily newspapers are *Zaman*, *Posta, and Hürriyet* (see Table 6). Recent changes in ownership structure and the emergence of new actors such as Ciner Yayın Holding, which started publishing the daily paper *Habertürk* in March 2009, have challenged the highly concentrated structure of the media in Turkey, and the dominance of several main players such as DMG. The emergence of new actors in the press sector has not had a substantial influence on newspaper sales. Only slight losses were observed due to the rising popularity of official websites of daily newspapers offering free content to the audience.[22]

Table 6.

Newspaper circulation figures (average monthly paid circulation, ranked by 2010 circulation), 2005–2010

Title	2005	2006	2007	2008	2009	2010
Zaman	523,138	577,783	617,212	751,976	768,051	778,918
Posta	623,651	663,527	641,317	637,267	593,401	522,763
Hürriyet	558,185	558,185	653,500	519,558	487,714	460,747
Sabah	551,125	551,125	549,910	435,086	434,406	366,769
Habertürk	n/a	n/a	n/a	n/a	195,610	286,747
Milliyet	240,366	240,366	241,307	257,035	230,521	255,510
Total	3,019,603	2,590,986	2,703,246	2,600,922	2,709,703	2,671,454

Note: Data from the annual newspaper circulation figures provided by Dördüncü Kuvvet Medya.
Source: Dördüncü Kuvvet Medya (Media as Fourth Estate), 2010.

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21.   MedyaRadar, "*Türkiye'de Gazete, Televizyon, Radyo ve Dergi Sayısı Ne Kadar?*" (Revealing the Number of Television Channels, Magazines, News-papers and Radio Stations in Turkey), 2 October 2008, at http://www.medyaradar.com/haber/gundem-21476/turkiyedeki--gazete--televizyon--radyo-ve-dergi-sayisi-ne-kadar--peki-kac-iletisim-fakultesi-var--iste-cok-ilginc-rakamlar.html (accessed 12 November 2010).

22.   Turkish Journalists' Association, "April 2009 Report," at http://www.tgc.org.tr/rapor.asp?rid=73 (accessed 6 April 2011).

However, the press sector suffers from a lack of in-depth news coverage and analysis. This leads to opinion journalism where columnists are given more credit than correspondents. Every newspaper on a daily basis uses roughly a dozen columnists writing on a large range of subjects ranging from foreign policy to economy who only occasionally provide inside information that correspondents cannot offer.

Istanbul, which is the most densely populated city of the country, accounts for 45 percent of daily newspaper circulation. People living outside Istanbul do, however, have access to all mainstream newspapers, including *Hürriyet*, *Milliyet*, *Sabah*, *Habertürk*, *Zaman*, and *Vatan*. (See Table 7.)

Table 7.

Annual circulation of newspapers and magazines by region of publishing, 2005–2009

	2005	2006	2007	2008	2009
Local	252,884,222	267,910,951	326,759,547	363,258,695	326,925,950
Regional	38,931,906	57,701,132	75,892,636	39,782,116	51,737,336
National	1,238,459,412	1,915,238,942	1,938,925,772	2,147,085,098	1,761,318,691
Total	1,530,275,540	2,240,851,025	2,341,577,955	2,550,125,909	2,139,981,977

Note: News magazine circulation figures are not available.

Source: Turkish Statistical Institute, *Turkey Statistical Yearbook* (*Türkiye Istatistik Yilliği*), Istanbul, 2010.

Stability in the print market has been partly assured by the increasing sales of *Zaman* over the last five years (approximately 60 percent growth over 2005–2009), to reach some 800,000 copies), offsetting declines in the readership of the top two most popular titles, *Posta* and *Hürriyet*, which both lost almost 10 percent of their loyal readership in a five-year period. But the most significant stabilizing factor has been the emergence of *Habertürk* in 2009, which became one of the highest-selling newspapers in the country in less than a year.

News magazine readership remains low, considering the size of the population of the country. *Aksiyon* is one of the primary news magazines with weekly sales of around 38,000, owned by the Feza Group. This magazine is Islamist in ideology. Other popular news and economic magazines include *Ekonomist*, selling approximately 9,000 copies a week, *Para*, and *Newsweek Türkiye* (5,000), which closed in January 2011 due to low circulation.

1.3.1.2 News Websites

The most popular online news providers are the Turkish versions of Msn.com: Mynet.com and Ekolay.net (see Table 8). They offer news as well as entertainment, such as competitions among their visitors, interesting videos, and chat rooms. Established print media have also adapted successfully to the online market. Web versions of daily newspapers, Hurriyet.com.tr (*Hürriyet*), and Milliyet.com.tr (*Milliyet*) are also quite popular among internet users seeking news, each drawing approximately 3 million unique visitors in a month. There are also alternative and popular news platforms like Donanimhaber.com, providing up-to -date content about technology news and drawing approximately 2 million unique visitors a month. Other online news

portals, including Haber7.com, Haberdar.com, and Turktime.com, emerged as carbon copies of the printed press, due to their limited budget for hiring their own journalists and providing up-to-date news about recent political affairs.

All the main national newspapers and TV channels have websites updated throughout the day, some of which are available in English, including *Today's Zaman* (Todayszaman.com) and *Hürriyet Daily News* (Hurriyetdailynews.com).[23] These websites provide news in parallel with their political perspectives, also reflected on broadcasting and radio channels owned by multi-sector groups. News content in English offered by *Today's Zaman* and *Hürriyet Daily News* is often a translation of news provided on Turkish versions of these websites. In both English and Turkish websites, there is a lack of diversity due to the highly concentrated structure of the media in Turkey, often influenced by the political interests of major media owner groups.[24, 25]

Table 8.
The most visited news websites, January 2010

Media	Total unique visitors ('000)	% reach	Average daily visitors ('000)	Total minutes (MM)	Total pages viewed (MM)	Total visits ('000)	Average minutes per visit	Average visits per visitor
Hürriyet.com.tr	7,752	36.4	1,277	416	915	62,79	6.6	8.1
Milliyet.com.tr	7,341	34.5	1,28	191	826	60,255	3.2	8.2
Mynet.com	3,851	18.1	700	64	122	30,86	2.1	8.0
Haberler.com	3,796	17.8	243	13	35	8,489	1.5	2.2
Tumgazeteler.com	3,351	15.7	176	8	19	5,706	1.4	1.7
Ekolay News	3,293	15.5	343	3	23	12,301	0.2	3.7
Haberturk.com	3,251	15.3	447	177	338	20,971	8.4	6.4

Note: MM is million per month.
Source: comScore, 2010.[26]

1.3.1.3 Radio

The number of private radio stations currently broadcasting in Turkey is 1,087, with 100 of them also available on cable. Of these 36 are national, 100 are regional, and 951 are local radio stations.[27]

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23. Nine newspapers for minority groups are also published in several languages in Turkey: the weekly bilingual *Agos* (Armenian and Turkish), *Jamanak* (Armenian), *Apoyevmatini* and *Iho* (Greek), *Azadiya Welat* (Kurdish), the weekly *Şalom* (Ladino and Turkish), *Today's Zaman* and *Hürriyet Daily News* (English), and *Türkei Kurier* (German).

24. A. Akkor Gül "Monopolization of Media Ownership as a Challenge to the Turkish Television Broadcasting System and the European Union," *Ankara Review of European Studies* 10(2) (2011), p. 29.

25. H. Çakır, "*Geleneksel Gazetecilik Karşısında İnternet Gazeteciliği*" (Traditional Journalism vs. Online Journalism), *Sosyal Bilimer Enstitüsü Dergisi* (Social Sciences Institute Journal) 22(1) (2007), p. 143.

26. comScore is an internet marketing research company measuring online audience. See http://www.comscore.com (accessed 11 March 2011).

27. Kurban, D. & Sözeri, C. (2010). *Mediam Report, Turkey*, at http://www.mediadem.eliamep.gr/wp-content/uploads/2010/05/Turkey.pdf (accessed 6 April 2011).

There are several radio stations that carry news, such as TRT, Habertürk, Fox, CNN Türk, and NTV Radyo, each broadcasting news in parallel with the content they provide on television channels. Another radio station to mention is Açık Radyo, which offers on a daily basis news programs with public discussions on sensitive issues such as environmental concerns (e.g. the construction and operation of nuclear power plants in Turkey) and media hate speech against women. Açık Radyo differentiates itself from other radio stations for being financially supported by its listeners.

According to a 2010 survey by RTÜK, 60 percent of the population still listens to radio stations on a regular basis.[28] The radio stations with the greatest listenership in Turkey are mainly music-oriented stations playing popular songs in Turkish. Kral FM, owned by DMG, has a strong market position and has been able to maintain its audience since its establishment in 2005. Having content similar to that offered by Kral FM, radio stations such as Power Türk, Süper FM,[29] Alem FM, and Radyo D also play 24-hour Turkish popular music. (See Table 9.)

Table 9.
Listenership of the most popular radio stations, 2010

Radio station	Listenership (%)
Kral FM	32.7
TRT FM	30.5
Power Türk	10.3
Süper FM	7.6
Slow Türk	7.3
Best FM	5.0
Alem FM	4.8
Radyo 7	4.4
Radyo D	3.9
Show Radyo	3.6

Source: RTÜK, *Radyo Dinleme Eğilimleri Araştırması II* (Radio Listenership Tendencies Report II), Ankara, 2010.

TRT is still one of the most popular radio stations, with its content heavily based on news and news-related discussion programs.[30] According to RTÜK statistics in 2010, TRT FM is the most popular radio station for news, with programs such as "*Haberler*" (News), "*Ekonomi Günlüğü*" (Diary of Economics), "*Gün Ötesi*"

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28. Haber 7, "*RTÜK'ten en fazla dinlenen radyolar anketi*" (RTÜK reveals the radio stations with the most listenership), 10 February 2010, at http://www.haber7.com/haber/20100210/RTUKun-en-fazla-dinlenen-radyolar-anketi.php (accessed 2 November 2011) (hereafter Haber 7, "*RTÜK'ten en fazla dinlenen radyolar anketi*").

29. The Canadian media group Canwest bought four major radio stations (Süper FM, Metro FM, Joy FM, and Joy Türk) in 2007. However, two years later Canwest decided to withdraw from the Turkish market and sold all four stations to Spectrum Media Group. It stated that its reasons for withdrawal were the legal constraints on foreign ownership in Turkey and changes in its priorities as the result of the global financial crisis.

30. Haber 7, "*RTÜK'ten en fazla dinlenen radyolar anketi*."

(Beyond the Day), and "*Gündem*" (Agenda). Among TRT's other radio stations are Radyo 3 (pop-jazz), TRT Nağme (folk music), and TRT Türkü (folk).[31]

According to a nationwide study by İpsos KMG in 2010,[32] over 70 percent of listeners have confidence in radio news sometimes, most of the time, or always. (See Figure 4.)

Figure 4.
Confidence in news content delivered by radio stations, 2010 (%)

Figure 5.
Radio listenership, 2010

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31. RTÜK, *Radyo Dinleme Eğilimleri Araştırması II* (Radio Listenership Tendencies Report II), Ankara, Turkey, 2010.
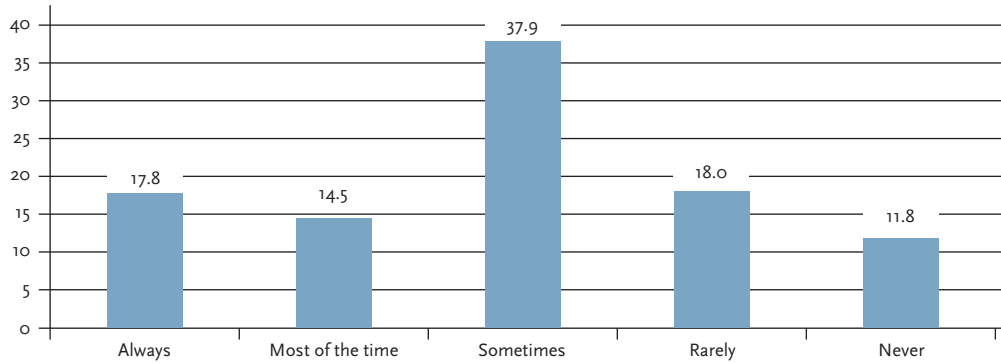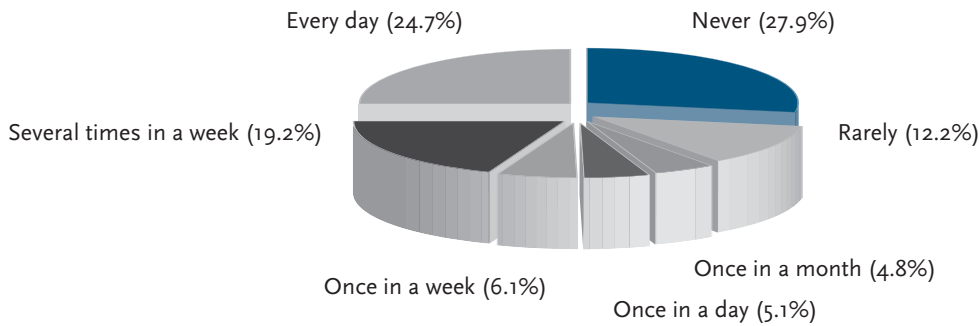
32. "Guide to Understanding Turkey: Life Styles and Trends," 2010, research coordinated by Prof. Halil Nalçaoğlu with nationwide sample data collected by Ipsos KMG.

1.3.1.4 Television

For most Turks, television is the main source of news. The most popular news programs are commercial, with TRT lagging far behind. News programs offered by private television channels such as Kanal D, Fox TV, Star, Show TV, and ATV remain at the top of the ratings list on a daily basis. The main reason for this is the employment of respected anchors for evening news programs such as Ali Kırca, Uğur Dündar, and Mehmet Ali Birand. (See Table 10.)

The development of multi-channel television has led to a proliferation of news providers. The major rolling news channels include Habertürk, CNN Türk (a joint venture with CNN International), NTV, Channel 24, and Sky Türk. There are also television channels such as BBC World, CNN, and TV5 that are available to audiences using cable. Roj TV, a pro-PKK channel that broadcasts from abroad by satellite, is also quite popular among areas with dense Kurdish populations.[33] The numerical growth of television providers has outstripped their news content diversity.

Commercial television channels have dominated the television market in Turkey since Star TV, the first of its kind, was launched in 1989. Kanal D (DMG), ATV (Çalık Holding), Star TV (DMG), and Show TV (Çukurova Holding) are currently the main rivals in the ratings battle, while 24-hour news channels and TRT lag way behind.

Table 10.
Viewership of television channels, May 2010

Channel	Total (%)	Primetime (%)
Kanal D	15.4	22.5
ATV	11.8	15.2
Star TV	8.7	9.0
Show TV	8.5	9.1
Fox TV	7.7	7.0
Samanyolu TV	4.4	4.5
Kanal 7	4.1	3.8
Habertürk	1.7	1.1

Source: AGB Nielsen, *Television Audience Measurement Report*, Istanbul, 2010.

Fox TV is the main rival of established television channels like Kanal D, ATV, Star TV, and Show TV. It was renamed after Huzur TV Radyo AŞ, an incorporated business of İhlas Holding, and sold the brand name and broadcast rights of Turkish Newspaper Radio Television (*Türkiye Gazetesi Radyo Televizyonu*, TGRT) to Fox

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33. The PKK (Kurdistan Workers' Party, *Partiya Karkerên Kurdistan*) is a Marxist-Leninist terrorist organization and an ethnic Kurdish political faction, founded by Abdullah Öcalan in 1978. By September 2008, according to the Turkish military, the PKK had caused the deaths of more than 12,000 Turkish security officials, soldiers, and civilians.

News Corporation. The pro-Islamic content of TGRT was replaced with a brand new compilation of local TV series, news, and sports programs drawing loyal audiences.

Habertürk, a 24-hour news channel, is a newly emerging actor, owned by Ciner Group since its entrance into the market in June 2007. Habertürk started broadcasting in October 2008, and surpassed the audience share of other news channels such as NTV and CNN Türk in a short period of time. Habertürk emerged as the eighth television channel with the most viewers across the country in 2010 (see Table 10).

1.3.2 Television News Programs

The most popular TV news programs in Turkey are the bulletins of Kanal D, ATV, Star Show TV, and Fox TV (see Table 11). The average duration of daily evening bulletins is 45–50 minutes.

Table 11.

The most popular TV news programs, by audience share (%), April 2010

TV news program	Audience share (%)
"*M. Ali Birand'la Kanal D Ana Haber*" (KanalD)	22.9
"*ATV Ana Haber Bülteni*" (ATV)	15.1
"*Uğur Dündar'la Star Haber*" (Star TV)	9.5
"*Nazlı Tolga ile Fox Ana Haber*" (Fox TV)	7.8
"*Ali Kırca ile Ana Haber*" (Show TV)	7.4
"*Samanyolu Ana Haber Bülteni*" (STV)	4.1
"*Kanal 7 Ana Haber Bülteni*" (Kanal 7)	1.5

Source: Medyaline Rating Measurements, 2010, at http://www.medyaline.com/haberler.asp?katID=3 (accessed 2 February 2011).

TRT offers a wide range of news and discussion programs, such as "*Dünyamız Detay,*" (World in Detail), "*45 Dakika*" (45 Minutes), "*Gazeteci Gözüyle*" (Journalist's Eye View), and "*Ekonomi Ajandası*" (Economy Agenda). Reliable recent audience ratings of TRT programs are unavailable due to a dispute between AGB Nielsen Research and the corporation (see sections *2.1.1* and *2.2.1*).

Samanyolu and Kanal 7, both Islam-oriented channels, also have large audiences for their evening news bulletins, and Roj TV reportedly has a significant share among Kurds in south-eastern Anatolia.[34]

Migration to digital and the availability of digital platforms as official websites of television channels and daily newspapers, offering live and recorded broadcasts of news programs, has not affected the audience share

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34.   Roj TV website, at http://www.roj.tv (accessed 2 August 2011).

of mainstream television channels. The conventional platform is still the most popular medium in Turkey, with an average of 5.5 hours' viewership per person a day.[35]

1.3.3　Impact of Digital Media on Good-quality News

Digitization has had a substantial influence in the context of an expanding online news sector. The print and broadcast news media have also adapted to the online world by maintaining websites. In terms of offering good-quality news, however, there has been little impact, as most supposedly news-oriented websites do little more than copy and paste content from news agencies and the mainstream print media (see section *4.1.1*). Digital broadcasting is also at an early stage of development (see section *5.2.3*).

In terms of comparing the popularity of the websites of public service and private new media, TRT ranks lower than the official news sites of daily newspapers such as *Milliyet, Habertürk, Sabah,* and *Vatan*, as well as "pure play" online news sites such as Ekolay.net, Mynet.com, Internethaber.com, and Ensonhaber.com, according to a survey by the online statistics provider Alexa.com.[36]

All the national newspapers and television channels have online editions updated throughout the day, and there is a small number of web-only news outlets that employ their own journalists, such as Bianet and T24, offering content on diverse categories such as culture, education, freedom of expression, gender, health, women, and youth (see section *4.3.3*).[37]

1.4　Assessments

The main impact of digitization in Turkey has been through the ever-increasing role of websites in news provision, both those of mainstream print and broadcast news media and independent web portals. Also web radio broadcasting and Turkish news portals specifically designed for tablets, such as Zete.com, can be considered as the first steps by brand new digital platforms for news distribution.

Digitization in broadcasting remains a new phenomenon: only 1.6 percent of the population had started to use digital platforms for television by the end of 2009.[38]

Although TRT's digital technologies meet global standards and TRT has acknowledged cultural diversity in Turkey, it is far from competing with the news quality of private radio stations and television channels. TRT's poor performance on news coverage mostly stems from its close links with the ruling party.

35.　A. Tunc, "Turkey", in *KAS Democracy Report: Media and Democracy*, Vol. II, Konrad Adenauer Shiftung, e.V., Berlin, 2008.

36.　See http://www.alexa.com/topsites/countries/TR (accessed 14 April 2011).

37.　See http://www.t24.com.tr/ (accessed 2 March 2011).

38.　RTÜK, "Television Viewing Tendencies."

2. Digital Media and Public or State-Administered Broadcasters

2.1 Public Service and State Institutions

2.1.1 Overview of Public Service Media; News and Current Affairs Output

Turkey's public service broadcaster is TRT. It had a monopoly until 1990 but its audience share plummeted as soon as it faced competition. According to AGB Nielsen, whose contractor in Turkey is the Television Audience Research Board (*Televizyon İzleme Araştırma Komitesi*, TİAK), its most popular TV channel, TRT 1, had a daily audience share of just 3 percent in 2010.[39]

TRT has 10 domestic and three international TV channels, and broadcasts in 35 languages, including Kurdish and Armenian. TRT 1 is a family and entertainment channel; TRT Haber (until 2010 TRT 2) carries news, sports reports, and weather forecasts during the day and serious documentaries, arts programs, and international cinema in the evenings; TRT 3 broadcasts sports events and parliamentary sessions; TRT Çocuk is a children's channel which shares the airwaves with the educational channel TRT 4; and TRT 5 Anadolu broadcasts regional programs. TRT GAP exists to support a major regional development scheme, the South-Eastern Anatolia Project; and TRT 6, launched in January 2009, is a 24-hour Kurdish-language service. The other domestic channels are TRT Müzik (24-hour music), TRT Belgesel (24-hour multilingual tourist-oriented documentaries), and TRT HD (high-definition).

TRT's international TV channels are the Turkish-language TRT Türk (until 2009 TRT Int. aimed at Turkish speakers in Europe), the multilingual TRT Avaz (for Turkic audiences in Europe and Asia), and the Arabic-language TRT al Turkiye.

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39. Television Audience Research Board (*Televizyon İzleme Araştırma Komitesi*, TİAK), *Audience Data Source: Eurodata TV Worldwide*, Istanbul, Turkey, 2011.

TRT started radio broadcasting in 1965, and currently owns 14 radio stations. After the AKP came to power, TRT was alleged to have entered into a close relationship with the government,[40] which led to parliamentary inquiries by opposition parties, as well as criticism from journalists, pointing out the changes in program content and official appointments to the channel board. In 2011, proposed changes to the structure of the institution had the effect of pressuring personnel above the age of 45 into retirement.[41] There are concerns that this new decree may increase nepotism in TRT, opening its doors to government supporters and people close to Islamist networks rather than to highly qualified skilled journalists and trained technical staff. It may also damage the long-standing tradition of coaching and mentoring staff. All this is likely to affect TRT program content.

TRT operates one of the largest news and information networks, locally and internationally, with 14 television channels, including TRT 1, TRT News, TRT Music, TRT HD, TRT Avaz, and TRT Şeş.[42] TRT's website also offers an interactive platform to audiences with opportunities of viewing and listening to all programs live and commenting on shows, which commercial channels can rarely offer. (See Table 12.)

Table 12.
List of TRT radio stations

Radio stations	Content
TRT Radyo 1	News, education, culture
TRT FM (2)	Popular music
Radyo 3	Classical/jazz music
Radyo 4	Folk music
TRT Türkü	Turkish classical & folk music
Türkiye'nin Sesi Radyosu (Voice of Turkey)	Turkish classical music
TRT Haber Radyo (TRT News Radio)	News
TRT Nağme	News, folk music
TRT Avrupa FM	News, sports, education, popular music
TRT Gap Diyarbakır Radyosu (regional)	News, folk music
TRT Trabzon Radyosu (regional)	News, folk music
TRT Erzurum Radyosu (regional)	News, folk music
TRT Antalya Radyosu (regional)	News, folk music
TRT Çukurova Radyosu (regional)	News, folk music

Source: TRT website at http://www.trt.net.tr/anasayfa/anasayfa.aspx (accessed 12 November 2011).

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40. *Milliyet Daily*, "*TRT Borazan Değil, Vuvuzela Oldu!*" (TRT: The Vuvuzela of the Government!), 8 July 2011, at http://www.milliyet.com.tr/trt-borazan-degil-vuvuzela-oldu-/siyaset/sondakika/08.07.2010/1261003/default.htm (accessed 29 February 2012).

41. *Kanun Hükmünde Kararname* (Statutory Decree), no. 661 item 24; Art. 13 as Amendment.

42. Interview with Can Soysal, TRT producer, 4 January 2011.

2.1.2 Digitization and Services

Digitization has enabled the state media to carry its news services on digital platforms. TRT launched its website, Trt.net.tr, in May 1999. It includes services such as breaking news from Turkey and the world, latest economic developments, sports news, the weather forecast, the radio and television schedule, and promotions. Live radio and television programs are available on the internet to enable global users to have access to TRT services. The channel successfully adapted its offline content to the internet with services such as online audiovisual streaming, podcasts of offline radio broadcasts, mobile applications, and RSS feeds in order to share up-to-date news. The TRT website has also been designed in various languages. The news and entertainment radio station, the Voice of Turkey, started broadcasting in 26 languages in 2011.

2.1.3 Government Support

State subsidies have been guaranteed for TRT through income received by the Turkish Electricity Distribution Authority (*Turkiye Elektrik Dagitim AŞ*, TEDAŞ) (see section *6.2.1*). State support is not, however, necessarily related to digitization. Rather, it is to ensure the sustainability of public service media in Turkey. On the other hand, the digital switch-over has been carried out jointly with private broadcasters, with the expected establishment of a transmitter company called Anten AŞ, which was to be shared in the following proportions: 70 percent for national private broadcasters, 20 percent for TRT, and 10 percent for regional and local channels.[43] Thus, the state does not play a financial role in actualizing the digitization process.[44]

2.1.4 Public Service Media and Digital Switch-over

The process of digitizing terrestrial platforms has helped public media to increase their influence over the Turkish audience. Although TRT has lost its former monopolistic power and respectability in terms of offering reliable news content, TRT officials explain that the channel plays a key role in the government's digital switch-over plans. This could potentially result in a more efficient engagement with their audience. However, the channel representatives have not provided any information on anticipated digital services, which epitomizes the organization's lack of transparency.

Despite falling behind commercial channels in popularity, TRT still has a privileged position in terms of accessing new technologies with government support. According to Can Soysal, a long-serving TRT producer:

> Digital broadcasting has not started to work efficiently in Turkey. TRT has been the forerunner
> of terrestrial broadcasting in the country, and thanks to this, its audience will soon have
> the chance to buy digital bundles. Due not only to digitization, but also to the increase
> in commercial broadcasting and thematic television channels, the popularity of public
> broadcasting has been affected both in Turkey and all around the world. However, TRT is

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43. Anten AŞ is still expected to be established by the end of 2014, which RTÜK says is the year in which the completion of the digital switch-over process is anticipated.

44. Interview conducted by Babacan Taşdemir with Taha Yücel, board member of RTÜK.

adapting by launching new thematic television channels and renewed content, including new television series and reality shows, similar to the content provided by commercial broadcasters.[45]

2.2 Public Service Provision

2.2.1 Perception of Public Service Media

Public perception of TRT has been shaped by its history and its structural closeness to the government. Although TRT was established as an autonomous corporation in 1964, it functioned as a propaganda outlet. Moreover, it enjoyed a monopoly in television broadcasting until the early 1990s. Nevertheless, its programs were criticized several times by government officials for broadcasts about youth protests and daily life in Anatolia, which were seen as harmful to the preservation of national harmony and unity. Its autonomy was also undermined by accusations of pro-leftist bias. As a result, the Justice Party (*Adalet Partisi*) amended the law on the regulation of TRT in 1969, making it easier for government officials to influence its content.

TRT's autonomy has also been explicitly undermined by the government's influence over appointments to the board of directors. According to Law no. 6112 on the Establishment of Radio and Television Enterprises and their Media Services, board membership reflects the political parties' presence in the cabinet. This ensures that the most powerful political parties dominate the board's deliberations.

Despite the public perception of its pro-government news content and making state propaganda, TRT still ranks as the most reliable news source for the citizens of Turkey in general.[46] But perceptions are polarized according to political partisanship. Supporters of the AKP approved TRT as the most authentic news source, while supporters of the opposition Republican People's Party (*Cumhuriyet Halk Partisi*, CHP) and Nationalist Movement Party (*Milliyetçi Hareket Partisi*, MHP) favored Star TV.[47]

However, TRT has lost ground to competing television channels over the past two decades. According to 2008 Television Audience Shares statistics, TRT was far behind private television channels such as Kanal D, Show TV, ATV, and Star TV. TRT withdrew from the rating measurements of AGB Nielsen Media Research in 2010, with the claim that the results provided by the research company do not reflect the growing audience reach of the broadcaster.[48] (See Figure 6.)

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45. Interview with Can Soysal, TRT producer, 4 January 2011.

46. Dördüncü Kuvvet Medya, *"Medyaya Duyulan Güven Araştırmasından Çarpıcı Sonuçlar,"* 19 February 2010, at http://www.dorduncukuvvetmedya.com/1412-medyaya-duyulan-guven-arastirmasi-ndan-cikan-carpici-sonuclar.html (accessed November 2011) (hereafter Dördüncü Kuvvet Medya, *"Medyaya Duyulan Güven Araştırmasından Çarpıcı Sonuçlar"*).

47. Dördüncü Kuvvet Medya, *"Medyaya Duyulan Güven Çarpıcı Sonuçlar."*

48. See http://www.ntvmsnbc.com/id/25043679 (accessed 12 February 2011).

Figure 6.

TV audience shares: all day and all viewers (%), 2008
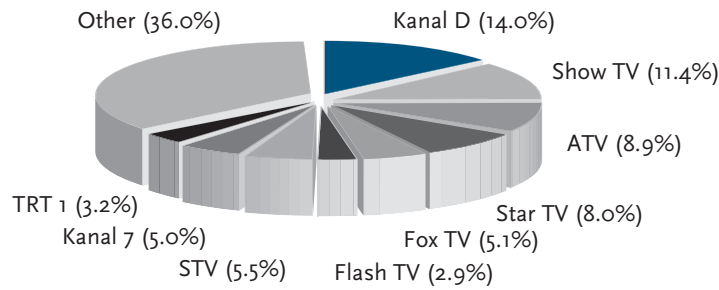
Source: AGB Nielsen Media Research, *TV Audience Shares Report,* Istanbul, 2008.

Haluk Şahin, a professor of the School of Communication at Istanbul Bilgi University, says that the public perception of TRT is biased:

> TRT is heavily slanted in favor of the party in power and their supporters. No news critical of the government is likely to make it into the news broadcasts. These broadcasts reflect the new ideological status quo, i.e., present a mixture of religion-tinted conservatism, superficial liberalism, and a pragmatic pro-governmental line.[49]

On TRT morning shows where daily newspapers are reviewed, only pro-government newspapers are highlighted, whereas critical headlines and editorials of the oppositional press are always excluded. This general bias in news coverage creates skepticism among the public, which has resulted in non-payment of license fees.

2.2.2   Public Service Provision in Commercial Media

No specific obligations are imposed on commercially funded media to produce public service content. (Spectrum allocation policy is discussed in section *5.1.1*.) The regulations on public service provision in commercial media are not covered by RTÜK's code on licensing transactions and applications for radio and television. In order to acquire a license for a television or radio station, the applicant has to demonstrate its financial capacity to RTÜK in respect of its proposed offering to the audience. RTÜK also requires the technical and administrative requirements to be guaranteed, which would be enough for the applicant company to receive a temporary license for broadcasting.[50] RTÜK has not provided a permanent license to any applicant company since 1995, and temporary licenses cover a five-year time period.

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49.   Interview with Professor Haluk Şahin at İstanbul Bilgi University, 24 December 2010.

50.   RTÜK's code on Licensing Transactions and Applications for Radio and Television, at http://www.rtuk.org.tr/sayfalar/IcerikGoster.aspx?icerik_id=17e4a071-abaa-4579-80ea-ab53c88fd3b3 (accessed 14 April 2011).

2.3 Assessments

Digital media have given TRT the opportunity to offer its content across multiple platforms including television and radio streaming via its official website. Despite this obvious advantage, with commercialization, public service broadcasting has lost the upper hand in the competitive Turkish broadcasting market. TRT has functioned as the voice of the government for decades. The parties in power have consistently used the public broadcasting services for propaganda purposes, despite TRT's independence being enshrined under the protection of the constitution (Art. 133). The major weakness of TRT as an institution is party nepotism with its overstaffed structure. The content of many programs, including children's cartoons or educational shows, are conservative and religious in content, which can be regarded as a problematic development in terms of the philosophy of public service broadcasting.

As discussed, there have been some positive developments in recent years in terms of TRT's audience reach, particularly in its multilingual content. For instance, programming in Kurdish has triggered a series of political debates and has been perceived by the EU as a positive step towards the democratization of the country.[51] However, the institution currently lacks credibility and reliability, and state provisions remain scant. Given the social and political circumstances of Turkey, the objectivity of public broadcasting is essential to fulfill and reflect the democratic, cultural, and social needs of the country.

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51. Turkey 2009 Progress Report: Enlargement Strategy and Main Challenges, accompanying the Communication from the Commission to the European Parliament and Council, Brussels.

3. Digital Media and Society

3.1   User-Generated Content (UGC)

3.1.1   UGC Overview

The internet has become part of most people's lives in Turkey. According to the Minister of Transport and Communications, Binali Yıldırım, the number of internet users exceeded 35 million in 2010.[52] Social media are widely popular, with 16 million Facebook and approximately 5.6 million MSN visitors on a monthly basis. (See Table 13.)

Websites dedicated to social networking and entertainment purposes are more popular than news sites and blogs. Facebook is currently the most visited website, with the highest number of unique visitors. It is followed by Live.com, second, and Msn.com, third, which offer a collection of services such as chat and email, as well as websites with news and entertainment content.

Among the websites with the highest number of unique visitors, only two out of 20 can be classified as news portals launched by print media organizations. These are *Hürriyet* (owned by DMG) and *Milliyet* (formerly also owned by DMG, but sold to DK Publishing House in April 2011). Online platforms of both *Hürriyet* and *Milliyet* employ several UGC services with their free membership offers and user comment options. Registered users of *Hürriyet* and *Milliyet* have the option to store their favorite news stories in their accounts as well. *Milliyet* also offers blogging services for its users, in which bloggers are given the opportunity to share their opinions and commentaries on up-to-date news in detail.

Blogging sites (Blogspot.com, Blogcu.com) and -mail services (Yahoo.com, Msn.com, Mynet.com), as well as video-sharing platforms (Vidivodo.com, Izlesene.com, Facebookvideoindir.gen.tr), online marketplaces (Sahibinden.com, Gittigidiyor.com), and online gaming sites (Oyunlar1.com, Mynet.com, Ekolay.net) are also among the most visited websites in Turkey.

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52. Internet World Stats, Turkey Internet Usage and Telecommunications Report, available at: http://www.internetworldstats.com/eu/tr.htm (accessed 13 September 2011).

Table 13.

The most used websites by monthly unique visitors, December 2010

Website	Estimated unique visitors (million)	Estimated reach (%)
Facebook.com	16.0	75.9
Live.com	9.8	46.9
Msn.com	5.6	26.8
Mynet.com	5.1	24.4
Blogcu.com	4.6	22.0
Blogspot.com	4.6	22.2
Dailymotion.com	3.8	18.3
Izlesene.com	3.8	18.4
Sahibinden.com	3.5	16.7
Wikipedia.org	3.5	16.8
Microsoft.com	3.4	16.3
Hurriyet.com.tr	3.1	14.9
Milliyet.com.tr	3.1	15.0
Gittigidiyor.com	2.9	13.9
Ekolay.net	2.6	12.6
Oyunları.com	2.2	10.4
Donanimhaber.com	2.2	10.5
Vidivodo.com	2.0	9.4
Yahoo.com	1.8	8.4
Facebookvideoindir.gen.tr	1.8	8.5

Source: Google Doubleclick Ad Planner, December 2010

Political news blogging is neither developed nor influential in Turkey, partly because of the wide variety of opinion available via newspaper and magazine websites, and partly because of the unusual role played by a collaborative hypertext dictionary site, Ekşi Sözlük (Sour Dictionary, sozluk.sourtimes.org),[53] and various imitators. Ekşi Sözlük, launched in February 1999, is a platform on which explanations and definitions of almost any concept, person or act can be posted and shared anonymously. Along with similar forums—Santral Sözlük (www.santralsozluk.com), İnci Sözlük (inci.sozlukspot.com), Uludağ Sözlük (www.uludagsozluk.com), and ITU Sözlük (www.itusozluk.com)—Ekşi Sözlük has become a major arena for airing sensitive social and political subjects, such as conscientious objection, homosexuality, and ethnicity, including the Kurdish issue and the internationally recognized Armenian genocide.

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53. *Hürriyet Daily News*, "EkşiSözlük: A Turkish Internet Phenomenon," by Arman Turgut, 14 August 2006, http://www.hurriyetdailynews.com/h.php?news=eksi-sozluk-a-turkish-internet-phenomenon-2006-08-14 (accessed 12 December 2010).

Ekşi Sözlük has been the subject of enormous mainstream media attention and several high-profile legal cases. In 2006, the police objected to entries on marijuana, which they claimed had encouraged young readers to experiment with the drug, the upshot of which was that access to these entries was blocked by a court decision.[54] In 2007, Adnan Oktar, a controversial religious figure known for his conspiracy theories on Judaism, freemasonry, and the Holocaust, claimed that he had been defamed by Ekşi Sözlük writers and applied to the courts to block access to the site.[55] There was a short ban on the entries on "Adnan Oktar" and "Adnan Hoca" that was overturned on appeal.[56]

Ekşi Sözlük moderators have also used the law on their critics, for instance taking out a libel action against a TV presenter and columnist, Fatih Altaylı, for insulting Sözlük writers. Altaylı was forced to publish an apology.[57] In return, Altaylı asked the court to order the removal of all entries insulting him, and consequently 97 entries were removed from the Ekşi Sözlük website by a court order. Ekşi Sözlük drew approximately 2,750,000 visitors per month in 2010, and hosted 33,948 writers contributing to its content on a voluntary basis. Ekşi Sözlük also has 343,262 registered users visiting the website as "readers." The website requires no registration to access its content.

There are also alternative news platforms with original content on minority rights, the economy, and freedom of speech, such as Bianet.org, and Medyatava.com, providing up-to-date domestic and global news, and interviews with government officials, writers, columnists, and celebrities. These platforms appeal to a limited audience and they remain outside the 100 most visited websites.[58]

3.1.2 Social Networks

Social networking and entertainment media sites account for a large and rapidly growing share of Turkish online activity.[59] Social networking among internet users accounted for 9 percent of total time spent online in March 2009 and 15 percent in September 2009.

The growth of social networking and entertainment media sites has not been without its difficulties. In 2008, YouTube was blocked by the government after a court in Ankara ruled that various videos posted on the site were "insulting and humiliating to the legacy of Turkey's founding father, Mustafa Kemal Atatürk."[60]

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54. *Milliyet Daily*, "*Ekşi Sözlük'e Erişim Engeli*" (Ekşi Sözlük Banned), 23 May 2006, at http://www.milliyet.com.tr/2006/05/23/son/sontur27.asp (accessed 12 December 2010).

55. *Milliyet Daily*, "*Ekşi Sözlük Kapanacak!*" (Ekşi Sözlük is Going to Be Banned!), 17 April 2007, at http://www.milliyet.com.tr/2007/04/17/son/sontur39.asp (accessed 13 December 2010).

56. See http://www.eksisozluk.com (accessed 12 December 2010).

57. MediaCat Online, "*Sosyal Medyaya Karşı bir Fatih Altaylı*" (Fatih Altaylı Against Social Media), 1 September 2010, at http://www.mediacaton-line.com/Home/YazarDetay?haberid=49202 (accessed 12 December 2010).

58. Google AdPlanner Statistics, at http://www.google.com/adplanner/static/top100countries/tr.html

59. Turkey: 32 hours (average hours spent by a visitor per month) 3,044 pages (average pages viewed by a visitor per month), information at http://www.comscore.com/Press_Events/Press_Releases/2009/5/Turkey_has_Seventh_Largest_Online_Audience_in_Europe (accessed 13 December 2011).

60. "*Youtube ve Atatürk'e Hakaret*" (Youtube and Insult to Atatürk), 12 March 2007, available at http://www2.bianet.org/bianet/bianet/93199-youtube-ve-ataturke-hakaret (accessed 14 January 2011).

The government demanded that the online giant register in Turkey, operate under Turkish law, and pay taxes in Turkey. The Ministry of Finance sought taxes of € 15.1 million, and YouTube refused to pay. As a result, between May 2008 and November 2010, YouTube was inaccessible in Turkey. According to the Minister of Transport and Communications, Binali Yıldırım, the ban was lifted as the offending videos were removed from the site. YouTube claimed that it had nothing to do with the removal of the offending videos. As a result of the blocking of YouTube, three separate applications were made to the European Court of Human Rights from Turkey alleging an infringement of Art. 10 of the European Convention on Human Rights.

3.1.3   News in Social Media

Social networks are important as a means of directing users to news websites and online magazines. Some 4 percent of the newspaper *Milliyet*'s online news visitors come via Facebook, for example.[61]

Many journalists use Twitter to publicize their work and to engage in debate and banter. Twitter has also been discovered by politicians. The president, Abdullah Gül, and the leader of the main opposition party both tweet regularly as part of their PR.

3.2   Digital Activism

3.2.1   Digital Platforms and Civil Society Activism

The digital platforms are effectively used for civil activism, despite the sometimes seemingly arbitrary implementations of established legal regulations in Turkey. For instance, the two-year YouTube ban in 2008–2010 (see section *3.1.2*) prompted various activists and academics to create exceptionally influential protest blogs such as the Internet without Censorship Movement (*Sansürsüz İnternet*, www.sansursuzinternet.org.tr), the Cyber Rights Movement (www.cyber-rights.org.tr), and the Censoring Censorship Movement (www.sansuresansur.org).

Facebook has also been widely used to organize social and political protests. A few of the most noteworthy groups succeeded in mobilizing thousands of people on the first anniversary of the murder of Hrant Dink, a prominent Turkish-Armenian journalist and editor-in-chief of the newspaper *Agos*, who was gunned down in broad daylight in front of his office on 19 January 2007.[62] His murder triggered protests against ultra-nationalists, and every year since on the anniversary of his death there have been demonstrations in Ankara and Istanbul to honor Mr Dink and demand justice. These groups are primarily mobilized through events created on Facebook.

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61.   Google AdPlanner Statistics, at http://www.google.com/adplanner/static/top100countries/tr.html

62.   "*4 Yıldır Yüzleri Yok, Yürekleri yok*" (For Four Years, They Don't Have Faces, They Don't Have Hearts), at http://www.facebook.com/event.php?eid=117856624952024; "*Hrant Dink İçin Hepimiz: Alışmadan Utanmadan*" (Together for Hrant Dink: Not Tamed Not Ashamed), at http://www.facebook.com/event.php?eid=157125291004775 (accessed 15 January 2011).

Armenian genocide

Another taboo that has been broken online is the official denial of the Armenian genocide of 1915–1918. Hundreds of thousands of Armenians died in 1915, in what Armenians say was a systematic massacre at the hands of the Ottoman Turks. More than a dozen countries, various international bodies, and many Western historians have recognized it as genocide. Turkey denies any genocide being practiced, saying the deaths were a part of the First World War. Turkey and neighboring Armenia still have no official relations.

In 2008, a group of 200 Turkish intellectuals signed an online petition to launch a campaign apologizing to Armenians for their suffering at the hands of Ottoman forces during the First World War.[63] The online petition campaign was covered by mainstream media, and was discussed on several panel shows of television news. This triggered a heated debate among the public. While reporting, all mainstream journalists still have to refer to Armenian genocide as "alleged" while writing about it. This rhetoric is based on the denial of the genocide's existence, which is in harmony with the official stance (see section 7.3.1).

Digital platforms have also been important in other political mobilizations, notably the Marches for the Republic (*Cumhuriyet Mitingleri*) organized by anti-AKP citizens, who perceive the political strategies of the party as threats to Turkey's secularist constitution.[64]

Facebook has also been the media through which protests against the AKP's anti-alcohol policies have been organized.[65] In January 2011, a Facebook group with 130,000 members held a series of gatherings in cities such as Istanbul, Ankara, Eskişehir, and Adana to protest against the policy, consuming alcohol throughout the event.[66] On the day of the protest, the group's page was hacked and its name changed from "Cheers to the AKP" to "I will be voting in favor of AKP in the next general election."[67]

In September 2010, a gang of 40 or 50 men attacked several art galleries in Istanbul's Tophane district, physically assaulting people attending exhibition openings, among them artists, academics, students, writers, local and international journalists, and cultural attachés from different consular missions. The attackers used knives, sticks, broken bottles, and chilli spray to injure Polish, Dutch, German, and English guests. It turned out that the attack followed the complaints of religious residents of the area opposed to consumption of

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63. "We Are Apologizing" Campaign, at http://www.ozurdiliyoruz.com (accessed 18 January 2011).

64. *Milliyet Daily*, "*Sandalye Denkleminde AKP Kazançlı Çıktı*" (AKP Gets the Majority of Seats in the Parliament), 24 July 2011, at http://www.milliyet.com.tr/2007/07/24/siyaset/siy03.html (accessed 2 August 2011).

65. Facebook event "*AKP'ye inat içiyorum*" (In spite of AKP, I keep drinking) http://www.facebook.com/event.php?eid=155358954516378 (accessed 17 March 2011).

66. Samanyolu Haber, "*AKP'ye İçiyoruz Grubu Şok Oldu!*" (Cheers to the AKP Group Got Shocked!) 14 January 2011, at: http://www.samanyoluhaber.com/h_493487_facebookta-akpye-iciyoruz-grubuna-toplanan-130-bin-kisi-bir-tikla-ak-partili-oldu.html (accessed 15 March 2011) (hereafter Samanyolu Haber, "*AKP'ye İçiyoruz Grubu Şok Oldu!*").

67. Samanyolu Haber, "*AKP'ye İçiyoruz Grubu Şok Oldu!*"

alcohol at receptions in the galleries. The attack appears to have been organized via Islamist groups. It was covered in detail by mainstream newspapers, news web portals, as well as art and culture magazines such as *Bir+Bir*.[68]

3.2.2   The Importance of Digital Mobilizations

The influence of digital mobilizations is mainly restricted to those people who are digitally connected. However, the contribution of new media to journalism practice and the public sphere more broadly is quite significant. Given the fact that there is a sustained increase in the number of internet users and social media participants, the traditional mainstream media outlets have adapted in order to be more active online, especially in order to engage with younger audiences. UGC websites continuously offer complimentary news sources to an increasingly digitally literate audience. Since there is a common distrust of print media among the public, digital platforms are used as a refreshing alternative. As noted above, the delicate social and political issues such as Armenian genocide, Kurdish nationalism, homosexuality, and conscientious objection are discussed more freely on blogs and hypertext dictionary sites such as Ekşi Sözlük than through mainstream media outlets.

Kaos GL, one of the primary groups seeking to promote human rights in Turkey, specifically the rights of homosexuals, was established in Ankara to achieve its aim by publishing a quarterly magazine called *Kaos GL* in 1994. Ali Erol, a founding member, explains that Kaos GL started to operate online with the establishment of a website on Yahoo! Geocities in the early 2000s, in order to provide scanned copies of printed *Kaos GL* magazines.[69] Since the launch of Kaosgl.org in 2007, the group has managed to encourage writers, reporters, and translators nationwide to contribute to their website on a voluntary basis. While Kaos GL keeps publishing quarterly printed magazines, the group also operates actively on social media networking sites as Facebook[70] and Twitter[71] to expand its readership.

Another influential group utilizing various online platforms such as Facebook and Wordpress is Amargi,[72] which advocates women's, homosexual, and transgendered rights in Turkey. The group got involved in organizing press conferences and protests against court decisions made against Pınar Selek, a sociologist and a feminist writer charged for a mass-killing attempt in Mısır Çarşısı, İstanbul.[73] Amargi became the primary advocate of the case by publishing press releases on Wordpress before each court trial, and announcing street protests to defend Ms Selek on the Facebook page of the organization.

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68.   Sale of *Bir+Bir* magazine was banned by one of the biggest bookstore chains in Turkey, D&R, due to its claims that the magazine mocked the Turkish National Anthem, "*İstiklal Marşı*" (Independence March-National Anthem of Turkey) by publishing a poem called "*İstikbal Marşı*" (Independence March) on its editorial page in February 2011. For more details, see http://bianet.org/bianet/ifade-ozgurlugu/127821-d-r-hassas-vatandasi-dusunup-bir-birin-satisini-yasakladi (accessed 14 March 2011).

69.   *Kaos GL*, at http://www.kaosgl.com/sayfa.php?id=9177 (accessed 2 November 2011).

70.   Facebook page of KaosGL, at http://www.facebook.com/pages/Kaos-GL/113817517723 (accessed 2 November 2011).

71.   Twitter profile of *Kaos GL*, at http://twitter.com/kaosGL (accessed 2 November 2011).

72.   Official website of Amargi, at http://www.amargi.org.tr (accessed 3 November 2011).

73.   The lawsuit against Pınar Selek started in 1998, and the case still has not been resolved.

Various communities, such as environmentalist and leftist political groups, also actively use social media platforms to mobilize their members against discriminatory practices and controversial court decisions. Creating Facebook events and groups are the most utilized methods of digital activism by groups such as those opposing the establishment of a nuclear power station in Mersin.[74] The main motivation behind this Facebook event was to mobilize individuals against a new nuclear power plant in southern Turkey, after the Chernobyl disaster. The protests, which started on Facebook, resulted in a permanent campaign by a group of environmentalists. This group created a grassroots organization called the Anti-Nuclear Platform (*Nükleer Karşıtı Platform*), and its struggle against all the proposed nuclear power plants still continues.

Leftist groups also mobilize on Facebook to gather and discuss the political history and current politics of Turkey from a socialist perspective.[75] The Facebook event created by the Anti-Capitalist Forum (*Antikapitalist Forum*) presents an example of the way members of leftist political communities mobilize. The aim was to discuss the revolutions in the Middle East and the contemporariness of Marxist ideology, as part of a series of regular meetings. The Revolutionary Socialist Workers' Party (*Devrimci Sosyalist Isçi Partisi*, DSIP) also supported the meeting.

Online activism does not usually get full coverage in the mainstream media. Such coverage as these cases do receive tends to focus on the consequences of the activities rather than the mobilizing role of social media. The frequency of such mobilizations is increasing among the young population, since mainstream media often look the other way when it comes to controversial and oppositional subjects.

3.3   Assessments

The impact of the new media is still to be fully felt, but so far it would appear to have given citizens new opportunities for civic activism and political participation. Certain Web 2.0 platforms, primarily Facebook, have already provided people with new opportunities to share their thoughts on political and social topics.

Despite the lack of effective political news blogs and the immense popularity of entertainment websites, social media networks and Sözlük platforms built up on users' contributions, have emerged as influential services for mobilizing and informing political activity. Social media have especially played a major role in organizing protests against the ruling AKP and against the murder of Mr Dink, and these actions in turn have opened up new spaces for digital activism.

The pressure of legal restrictions is a major concern for the future, particularly in the context of internet regulation (see section 7). Even so, civil society organizations such as Amargi, Kaos GL, and various environmental and leftist groups depend on online communications to mobilize their supporters and communicate their messages to national audiences.

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74   Facebook group, *Çukurova Anti-Nükleer İnsiyatifi* (Çukurova Anti-Nuclear Initiative), at http://www.facebook.com/group.php?gid=211732 549515 (accessed 3 November 2011).

75.   Facebook event, *Antikapitalist Forum—Ankara*, at http://www.facebook.com/event.php?eid=150617131674453 (accessed 4 November 2011).

4. Digital Media and Journalism

4.1 Impact on Journalists and Newsrooms

4.1.1 Journalists

While digitization has put pressure on existing journalists to keep up with and share global news, and to use social media platforms such as Facebook and Twitter for personal and journalistic purposes, the actual practice of online journalism has primarily had an impact in terms of sharing up-to-date news at a moment's notice.

Zülal Kalkandelen, a journalist at *Cumhuriyet* and a professional of print and visual media since 1996, has been a witness of and participant in the digitization of journalism.[76] She points out that the "internet has provided enormous opportunities for journalists to reach global news sources in a shorter period of time, which enables them to draw comparisons between news content to test their reliability."

Egemen Limoncuoğlu, an experienced music critic and journalist, points out that the internet allows journalists a wider reach, despite the disadvantages associated with the unreliability of online sources.[77] In this context, Mr Limoncuoğlu emphasizes the importance of being selective in choosing accredited news sources.[78] An active user of Twitter, Mr Limoncuoğlu explains: "Social media platforms give the opportunity to journalists to engage with readers more easily by sharing the links of the printed contents and receiving instant feedback from readers."

However, as a result of digitization, some journalists began to recycle web content, to reduce costs. This exacerbated the lack of original investigative journalism practice. This is not to claim that digitization is the most severe problem that journalists confront in Turkey. Nevertheless, copy-and-paste reporting is one of the major shortcomings of digital media, and is common in Turkish online journalism. Far more important is the concentration of media ownership, the partisanship of the media, the tendency to recruit star columnists rather

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76. Interview conducted with *Cumhuriyet* journalist, Zülal Kalkandelen, on 17 September 2011.

77. Interview conducted with *Milliyet Sanat* journalist/author, Egemen Limoncuoğlu, on 16 September 2011.

78. Interview conducted with *Milliyet Sanat* journalist/author, Egemen Limoncuoğlu, on 16 September 2011.

than investing in reporters, the low level of union organization among journalists, and legislation, in particular the Criminal Code and the Anti-Terrorism Law, which make it easy for the state to punish online journalists.

There is an ongoing debate whether bloggers and online news editors should be acknowledged as journalists. On November 2011, the deputy prime minister, Bülent Arınç, announced that they would be granted yellow (permanent) press cards, starting in January 2012. While this concession was seen by many as an attempt by the state to control online journalism, others pointed out that a yellow press card is perceived as an essential step to granting professional rights for online journalists. Since the General Directorate of Press and Information (Office of the Prime Minister) issues accreditation, this decision can be regarded as an attempt to bring online journalists under some kind of state control in the same way as mainstream journalists.[79]

Social media platforms, especially Twitter, have become one of the most effective tools for journalists since 2010. Numerous columnists, correspondents, and photo-journalists disseminate news on Twitter in advance of the newspapers going to print or television bulletin schedules. In addition to formal news, they have the opportunity to add personal comments and criticisms to their tweets. This is also a whole new practice for reporters. Twitter as a journalistic platform is more democratic, interactive, and open compared with the biased and partisan mainstream media. Traditional media outlets often try to compete with the dynamism and speed of Twitter in terms of news dissemination and sometimes use the news content from journalists' tweets.

4.1.2   Ethics

Digitization also has a major impact on journalism in terms of creating lively discussion platforms around sensitive issues. This is a new situation creating occasional ethical dilemmas. For instance, the primary ethical challenge for journalism in Turkey, as elsewhere, is to provide reliable news and information despite all the external pressures that make it difficult. The internet, however, creates an environment in which speed is valued over reliability for journalists. Reporting unchecked and unverified materials as facts and quoting anonymous sources have become routine practices of the copy-and-paste journalism of the past decade. Although the mainstream news organizations and press associations publish ethical codes,[80] few media outlets have a proper ombudsman or other self-monitoring mechanisms.

All this often leads to embarrassing failures. One notable example occurred in 2010, after the website Zaytung.com,[81] a satirical outlet that specializes in spoof news similar to Theonion.com in the United States,[82] deliberately published a false news item. This item stated that the Turkish ambassador to Sierra Leone had embarked on lobbying activities to pass a bill on the Armenian genocide, opposing the government's policy on the issue, as he increasingly felt "forgotten" in a far-flung country, and wanted to renew his career in

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79.   Bianet, "Gazeteci 'Yeter Artık' Diyebilir"(Journalists Can Now Say 'Enough!'), 25 February 2012, at http://bianet.org/biamag/ifade-ozgurlugu/136438-gazeteci-yeter-artik-diyebilir (accessed 3 March 2012).

80.   For example, *Hürriyet* Editorial Codes of Ethics, at http://www.hurriyetkurumsal.com/tr/degerler_hurriyet_yayin_ilkeleri.asp (accessed 2 September 2011); Press Council codes of journalistic ethics, at http://www.basinkonseyi.org.tr/lang_tr/pressOccupationPrinciples.asp (accessed 3 September 2011).

81.   See www.zaytung.com (accessed 11 September 2011).

82.   The motto of Zaytung.com is "Honest, Unbiased and Immoral News."

Turkey again. Banu Avar, a journalist guest on the Kanal B television program *"Bekleme Odası"* (Waiting Room), quoted this story without checking the reliability of the source:

> So have you heard about Sierra Leone? I guess I do not remember the last name of the ambassador, but he [Orhan Emin Türköne] has been there for 12 years now ... as an official representative of Turkish foreign affairs going through all the African countries, conducting lobbying activities to pass the Armenian draft ... He utilized every opportunity to explain how his own grandfather massacred hundreds of Armenians, talking things like these at places where he should not have done it.

This in turn led to a special statement by Ersin Özbükey, under-secretary at the Ministry of Foreign Affairs, who said he was working on removing the ambassador from the office.[83] It subsequently turned out that Turkey did not even have an embassy in Sierra Leone.

4.2 Investigative Journalism

4.2.1 Opportunities

Even in its early stages, digitization has certainly made it easier for investigative journalists to alert people to their work. At the same time, social media are playing an important role in publicizing the persecution of investigative journalists by the authorities, which are notorious for their arbitrary arrests. However, investigative journalism is hard to carry out in Turkey because of the lack of freedom of expression due to controversial Articles such as no. 301 of the Turkish Penal Code, making it illegal to insult Turkey and its national identity. Although Art. 301 was amended in 2008 in order to prevent misuse, the law still poses a direct threat to freedom of expression, not only in terms of limiting the conduct of investigative journalists via traditional media, but also standing as a restrictive article in digital platforms.

Digitization has immense potential to reshape the traditional media structure and bypass partisan editorial decisions in Turkey. However, it is insufficiently used, although many unemployed journalists or internet users are exploiting digital platforms for investigative reporting in effective ways. The speedy dissemination of documents or leaked information is one of the most powerful features of digitization. This feature has been recently used as a tool for digital activism to support an investigative journalist behind bars. Ahmet Şık's unpublished book*, İmam'ın Ordusu* (The Imam's Army), was leaked on the internet and instantly shared via Twitter on 11 April 2011. Mr Şık had been arrested for allegedly aiding Ergenekon, a terrorist organization. The 12th Court for Serious Crimes in Istanbul characterized the draft book as an "illegal organizational document" and also ruled that anyone who refuses to hand in copies of the book would be accused of "supporting a criminal organization." Thus, thousands of people volunteered to be part of a "crime" by downloading, reading, and sharing Mr Şık's unpublished book, which reveals dark relations between the Gülen Islamist community and the police and its embedding in the Turkish security forces.

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83.   Kanal B, Television program "*Waiting Room*", 26 March 2010.

4.2.2 Threats

Practicing investigative journalism in Turkey has always been risky, due mainly to the restrictive legal framework governing journalists' conduct. From this perspective, digitization has not changed the situation. Indeed, it has created some additional concerns. The majority of online news platforms visited for this research revealed that many websites operate anonymously without providing information about the number and even the identity of their investigative journalists or columnists hired. The offer of news platforms also lacks authenticity, as anonymous news editors simply copy items from major offline news outlets instead of hiring their own journalists.

Investigative journalists in Turkey are paying a heavy price for their critical coverage of an extremely sensitive subject, an alleged clandestine network of secularist military officers and ultra-nationalists known as Ergenekon, that is believed to have plotted a coup against the pro-Islamic AKP government. The arrest of alleged military conspirators in 2007 was initially hailed as a victory for democracy among intellectuals, but the conspiracy allegations have since been seen as a pretext for witch hunts to muzzle critical voices.

The Turkish justice system uses exceptional anti-terror measures against journalists who are only doing their job. In particular, articles under the anti-terrorist law provide for prison sentences in cases involving "propaganda for a terrorist organization," very often leading to journalists being brought before special courts for organized crime.

4.2.3 New Platforms

New platforms such as blogs remain insignificant in terms of contributing to investigative journalism. Although blog-hosting platforms are some of the most visited websites in the country, the number of subscribers and readers is still relatively low. The content offered by bloggers is mostly composed of commentaries, as well as excerpts from other news sources, although it helps ongoing political affairs in Turkey to become more visible and create a wider impact worldwide.

4.2.4 Dissemination and Impact

The impact of digitization on the dissemination of investigative journalism still remains insignificant. While dissemination has become easier in theory with the rising number of social networking platforms and Web 2.0 services, the only digital investigative journalism remains the case of Odatv.com. On 3 March 2011, 14 defendants from a news website called Oda TV, including the investigative journalists Ahmet Şık and Nedim Şener, were jailed on accusations of reporting and writing in the service of an alleged terrorist conspiracy known as Ergenekon. The full text of the 134-page indictment contained charges that caused wide public outrage and waves of protest.[84] Thus, besides the problem of authenticity, digitization in Turkey may have encouraged new threats to journalists, bloggers, and political activists.

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84. *Milliyet Daily*, "*Nedim ile Ahmet'in 200. Gününe Protesto*" (Protesting Nedim's and Ahmet's 200th Day in Prison), 19 September 2011, at http://gundem.milliyet.com.tr/nedim-ile-ahmet-in-200-gunune-protesto/gundem/gundemdetay/19.09.2011/1440097/default.htm (accessed 19 November 2011).

With the widespread use of blogs and social networking sites, digitization has also allowed think-tank organizations, activists, and researchers to become more familiar with domestic politics, ongoing political conflicts, and public perceptions in Turkey. The Turkish Economic and Social Studies Foundation (*Türkiye Ekonomik ve Sosyal Etüdler Vakfı*, TESEV) is the primary think-tank, publishing reports online and free on media democracy, the political economy of the media, democratization, and human rights, all of which help to raise public awareness of sensitive issues.[85]

4.3 Social and Cultural Diversity

4.3.1 Sensitive Issues

The major sensitive issues in Turkey can be listed as the rights of ethnic, religious, and sexual minorities, mass killings of Armenians, and ongoing debates on EU accession standards. The issue of minority rights—particularly of the Kurds, who comprise 17 percent of the population—has long been central in Turkey, and there have been major developments in the past decade, largely driven by Turkey's desire to join the EU.

Between 2001 and 2004, before Turkey began its formal negotiations on EU accession, the government made a serious attempt to improve observation of human rights in general and ethnic-minority rights in particular. In 2009, the government announced its intention to introduce Kurdish-language broadcasting, permit Kurdish-language teaching in schools and universities, and allow the reintroduction of Kurdish place names in south-eastern Anatolia, with the aim of isolating the Kurdistan Workers' Party (*Parti Karkerani Kurdistan*, PKK), the main militant Kurdish organization, which has waged a bloody armed struggle against the Turkish state since 1984. This "Kurdish Opening," or "Democratic Opening" as it was described in official statements, ground to a halt after groups of separatist Kurds who had been living in refugee camps in northern Iraq started returning to Turkey in October 2009 and were welcomed as heroes by Kurds in Turkey—a welcome, broadcast on national television, that outraged Turkish public opinion. Small-scale reforms on the Kurdish issue still remain on the government's agenda, but there is no sign that it is prepared to offer the Kurds more democratic control over their affairs.

Apart from the Kurdish problem, there are various delicate issues where journalists are expected to follow the official ideology, such as the Armenian genocide controversy. The journalists' sharp criticism of Turkey's human rights violations, the perpetual civil war taking place in the south-eastern part of Anatolia, or any topic that challenges official rhetoric in respect of national history can carry a heavy price for journalists.

4.3.2 Coverage of Sensitive Issues

In harmony with EU legislation, radio and television outlets may apply for permission to produce minority-language programs. These are limited 60 minutes per day and five hours per week for radios, and 45 minutes

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85. See http://www.tesev.org.tr (accessed 24 November 2011).

per day and four hours per week for television corporations. Under these regulations, TRT has broadcast in Zaza, Bosnian, Arabic, Circassian, and Kurmanji languages on TRT Radio 1 and TRT 3 since 2004.

Coverage of sensitive issues remains patchy and is rare in the mainstream media; it is mostly confined to alternative news portals.

It is not directly regulated by the state or law. However, since the mainstream media are quite nationalistic, jingoistic, and right-wing, coverage of sensitive issues such as non-Muslim identities, gender issues, and homosexuality is shaped by the conservative Islamists, who at times incite hate speech. The internet has a huge impact on the discussion of those long-standing taboos by providing a new platform for open discussion. The best example is the debate about the Kurdish minority. With the aid of digitization, Kurdish language and culture have become more accessible as Kurdish television channels and free Kurdish music production have become available on the internet.

By the same token, coverage of Mr Dink by mainstream newspapers and their online versions was ultra-nationalistic prior to his murder (see section *3.2.1*). The media made him a target for ultra-nationalist groups by claiming that he was insisting on the Armenian genocide and thereby insulting Turkish identity in general and one of modern Turkey's iconic figures in particular, Sabiha Gökçen, who was of Armenian origin.[86]

4.3.3 Space for Public Expression

Digitization has affected the space for minorities to express themselves by enlarging it. However, its influence remains limited. Among the exceptions are Amargi (see section *3.2.2*) and Lambda Istanbul (the Turkish branch of a gay and lesbian advocacy group in the United States).[87] Although there are new formations such as Jiyan, established to support equal rights for Turkish citizens living in Turkey, such websites based on voluntary journalism can only appeal to a limited number of social groups due to their limited access to financial resources.[88]

Even a quick search can offer plenty of websites such as Kurdistan Net, Kurdish info, Kurdistan Press, Kurdish News, Kurdish Globe, Kurdistan Observer, Kurdistan Post, Zkurd, WeKurd and Kurdish Media, that show how the Kurds in general and the Kurdish diaspora in particular have an insignificant presence in terms of appealing to a wide group of individuals in cyberspace. While these groups use the internet to expand their expression, regular followers and contributors of the aforementioned online platforms are limited.

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86. Sabiha Gökçen was a Turkish aviatrix, and one of the eight adopted children of Mustafa Kemal Atatürk, founder of the Republic of Turkey.

87. See http://www.amargi.org.tr/; http://www.lambdaistanbul.org/s (accessed 24 December 2011).

88. See http://jiyan.us (accessed 26 December 2011).

4.4   Political Diversity

4.4.1   Elections and Political Coverage

Digitization has not yet caused any changes in the regulation of elections coverage. The internet has an indirect influence on Turkish politics as it allows for measuring public opinion with unofficial election surveys held on daily newspapers' websites and social networks. During the 2007 elections, voting online was also put on the agenda of the government, although it has not happened yet. Columnists argue that voting online could take place during elections, as the "e-government" application, which provides certain services such as ID card renewal upon online request, could be improved in order to provide this service for citizens.[89]

With the increased and widespread use of the internet in society, there have not been many radical changes in the press coverage of elections and politics. However, the online coverage of the most recent election in Turkey proved that digital platforms are becoming more influential, challenging the power of television and printed media. Throughout the 2011 elections, social media platforms such as Twitter emerged as effective sources providing up-to-date information. While several journalists tweeted the election results of local regions before the results at country level were revealed, Oda TV and Tivibu were broadcasting online and hosting guest speakers to comment on rival political parties. Election programs on NTV and Tivibu were also broadcast by YouTube, and public discussions were conducted on Twitter with hashtags #secim2011 (election2011). Online editions of printed newspapers, as well as approximately 40 news web portals such as T24 and Medya73.com also broadcast Tivibu programs live.

4.4.2   Digital Political Communications

Digital political communications have fostered the emergence of a more transparent political environment in Turkey. Political parties such as AKP have been using the opportunity to become more transparent by publishing daily press reports on their official websites.[90] AKP's utilization of the internet is explained by Suat Kılıç, the party's vice-president in charge of publicity, with the following statement on government strategy: "The internet, especially information and communication technologies have a special meaning, which provides an invaluable opportunity for all of us. Hence, claiming to stay away from information and communication technologies in the age of information would be a sign of narrow-mindedness."[91]

The internet has not had a strong influence on the increasing numbers and the variety of actors in the political sphere. Before the 2011 elections, political parties such as AKP and CHP opened online platforms to bring in young supporters. Supporters also express their political views through promoting political parties by launching groups on Facebook.

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89. *Hürriyet Daily*, "*İnternet Üzerinden Oy Kullanabilir miyiz?*" (Can We Vote Online?), 27 April 2010, at http://www.hurriyet.com.tr/dunya/14544732.asp (accessed 12 February 2012).

90. *AkParti Basın Raporu* (AKP Media Report), at http://www.akparti.org.tr/gunluk-basin-raporu_7087.html (accessed 14 November 2011).

91. Türk İnternet, "*AKP Bilinçli İnternet Kampanyası Yapıyor*" (AKP Starts Campaign on Internet Awareness), 20 December 2006, at http://www.turk.internet.com/portal/yazigoster.php?yaziid=17096 (accessed 13 November 2011).

Politicians such as Abdullah Gül,[92] the current president, and Kemal Kılıçdaroğlu,[93] chairman of the CHP, also use Twitter actively by sharing their opinions on ongoing political affairs and commentaries on their business travels, as already noted. However, this communication is one-way and they do not respond to messages from the public. Political actors are not personally involved in the process of communicating with their supporters and followers.

4.5   Assessments

Digitization has yet to make a major impact on investigative journalism in Turkey, and it is not the key issue. Much more important is the malign influence of the law, notably the draconian Criminal Code and Law on Fighting Terrorism, and the predominance of columnists rather than in-depth reporting in newspapers. Insofar as there has been good investigative journalism in Turkey, however, it has been resourced and published by traditional newspapers rather than by digital media. Although digital media have not yet radically affected the coverage of elections in Turkey, however, hopes and expectations of their potential run high for future elections among young journalists.

Although journalists interpret the digital switch-over process as important to reach global news resources and engage with their readers on social media networks, digitization has also exacerbated the problem of the Turkish media publishing unverified and unchecked stories. On the other hand, it has also had certain positive effects in terms of spreading diverse ideas on social networks such as Facebook, Twitter, and Blogger. The internet has also broken taboos by providing a platform for Kurdish television channels and Kurdish music producers.

There are no investigative journalism blogs in Turkey, but Twitter has become a useful tool for journalists to publicize their work, share their opinions, and engage with their followers. Certain leaders of political parties and the president are also active users of Twitter, but they do not interact with their followers.

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92.   Twitter account of Abdullah Gül, at https://twitter.com/cbabdullahgul (accessed 2 February 2012).

93.   Twitter account of Kemal Kılıçdaroğlu, at http://twitter.com/kilicdarogluk (accessed 2 February 2012).

5. Digital Media and Technology

5.1   Spectrum

5.1.1   Spectrum Allocation Policy

The main institutions for regulating spectrum allocation are RTÜK and BTK.[94] There is currently no hierarchical relationship between these bodies, which operate independently from each other. While the duties of RTÜK are explained in the constitution, the operational tasks of BTK are not mentioned clearly in any legal provisions. In September 2011, Mr Yıldırım (Minister of Transport and Communications) said that these two institutions may merge in the near future, as they have similar duties in spectrum allocation and regulating visual and audio data transfer.[95]

BTK plays the more active role, especially in regulating mobile telephony spectrum allocation. According to the National Spectrum Allocation Plan published by BTK in 2009,[96] RTÜK is responsible for implementing television and radio spectrum allocation.

The National Spectrum Allocation Plan also stipulates rules on registration of mobile telephony services. According to Art. 8, applicant service providers should establish the infrastructure of their wireless device systems before filing an application to BTK. To start operating, applicants must wait for the approval of BTK to receive an operation license.

While the National Spectrum Allocation Plan is presented as complying with teh EU *acquis communautaire* and decisions by regional and international organizations such as the International Telecommunication Union (ITU), the International Maritime Organization (IMO), the International Civil Aviation Organization

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94.   BTK, "Brief Historical Account," at http://www.the BTK.gov.tr/Kurum_Hakkinda/Tarihce_2000.htm (accessed 12 February 2011). The role of BTK was little altered by the Law on Electronic Communications (no. 5809) that changed its name. Its income comes from a levy of a maximum of 5 percent on the annual net sales of media service providers, profits from seminars and education fairs, donations, and fines.

95.   Yeni Şafak, "*RTÜK ile BTK Birleşebilir*" (RTÜK and BTK May Merge), 25 December 2009, at http://yenisafak.com.tr/bilisim/?i=231027 (accessed 12 January 2011).

96.   BTK, *Spektrum Yönetimi Yönetmeliği* (Spectrum Management Regulations), 2009 (hereafter BTK, *Spektrum Yönetimi Yönetmeliği*).

(ICAO), and the European Conference of Postal and Telecommunications Administrations (CEPT), it prioritizes the needs and requests of the Ministry of Foreign Affairs, the Turkish General Staff, and the Turkish Coast Guard Command. Under Art. 7 of the Allocation Plan, requests by these institutions must be strictly prioritized by the regulator during the license application procedure. Thus, the current allocation plan gives specific privileges to regional and international organizations. Currently, the plan has no articles on the regulation of digital spectrum allocation policy. The digital and terrestrial frequency share of both radio and television stations are governed according the same plan with no privileges provided to any public or commercial broadcaster.

5.1.2   Transparency

Licenses for spectrum allocation are all issued by BTK. Art. 5 of the National Spectrum Allocation Plan stipulates transparent and ethical competition among applicants as well as efficient use of allocated spectrum.[97] The institution transparently explains that obtaining a license is a procedure based on applications by media service providers in public tenders.

According to the frequency allocation plan:

- applicants should establish the infrastructure of their operation system prior to obtaining a license from BTK;

- during the consideration period of applications, requests of the Ministry of Foreign Affairs, the Turkish Coast Guard Command, and the Turkish General Staff must be prioritized;

- RTÜK is responsible for the radio and television spectrum allocation and its efficient use in accordance with the National Spectrum Allocation Plan;

- BTK may take minimal precautions, such as fines, when wireless communication service providers exceed their frequency allocation;

- BTK may impose restrictions on wireless communication service providers in issues related to transmitter power, antenna type, and the direction and height of the antenna.

The regulations mentioned above have been applied by RTÜK and BTK after issuing licenses to applicants without public tender. This process remains problematic, as the National Spectrum Allocation Plan covers in a single document both applications for radio and television services, and mobile telephony. Moreover, BTK has been publishing comparative reports on the frequency allocation plans of European countries, which can be interpreted as a sign of collecting data for a more detailed and transparent spectrum allocation plan to be provided in the near future.

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97.   BTK, *Spektrum Yönetimi Yönetmeliği.*

5.1.3 Competition for Spectrum

There was no competition for spectrum in Turkey before the beginning of the 1990s because TRT had a broadcasting monopoly. This came to an end with the emergence of commercial television channels. Professor Hayrettin Köymen, an expert in wireless telecommunications from Bilkent University, explains: "With the start of the liberalization of the sector when private broadcasters appeared, the need to ensure proper sharing of the spectrum among the television channels emerged as an issue."[98] In February 2011, Davut Dursun, the chairman of RTÜK, explained that the institution had been working on organizing the first public tender for 16 years, to provide 10-year licenses.

For mobile telephony frequency allocation, public tenders on 2G and 3G communication systems have been held regularly in the last five years, following BTK approval. During the 2008 tender, Turkcell, Avea, and Vodafone competed for spectrum, and the tender was won by Turkcell after becoming the highest bidder, offering € 348 million. In February 2011, Erkan Akdemir, the CEO of Avea, called for the anticipated 4G tender to be fairer in terms of frequency distribution, new bandwidth options, and positive discrimination for Avea.[99]

5.2   Digital Gatekeeping

5.2.1   Technical Standards

There are currently no debates conducted at public level or by professional experts on the adoption of gatekeeping standards for digital platforms. There is still an ongoing operation by BTK to adopt technical standards for digital broadcasting. As a member of the ITU and an observer member of the European Telecommunication Standards Institute (ETSI), BTK announced in 2011 that it had been working on adopting technical standards in line with developments in the digital telecommunication sector, and to ensure harmony with World Trade Organization (WTO) and European Union (EU) standards. Digital standards that are expected to be implemented specifically for Turkey in the near future remain secret, however, and no debates at public level are being conducted to measure audience perception and choices.

5.2.2   Gatekeepers

There are currently no operators playing a gatekeeping role in Turkey.

5.2.3   Transmission Networks

There have not been any publicized problems over the operation of transmission networks, as no detailed information, report, or statement has been revealed on the establishment and structure of anticipated transmission networks. BTK presented the Digital Television Broadcasting Plan in 2006 to the Communi-

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98.   Interview with Hayrettin Köymen, TRT, "*Frekans İhlali: Önce Yasa Çıktı, Sonra Tartışmaya Başladık*" (Violations of Frequencies: We Started the Debate Only After the Law Got Accepted), at http://www.emo.org.tr/ekler/93f65e080a295f8_ek.pdf?dergi=4 (accessed 23 December 2011).

99.   Bilgi Çağı, "*Avea Yeni ve Adil Frekans Dağıtımı İstedi*" (Avea Asks for Fair Frequency Distribution), 23 February 2011, at http://www.bilgicagi.com/Yazilar/4874-avea_yeni_ve_adil_frekans_dagitimi_istedi.aspx (accessed 23 December 2011).

cations High Council (*Haberleşme Yüksek Kurulu*), the nominated partner of RTÜK, to approve communication policies. Following the approval of the plan, a new transmission company called Anten AŞ was established to build digital television broadcasting platforms. Anten AŞ was to be formed by the Television Broadcasters' Association (*Televizyon Yayıncıları Derneği*).[100] The company was anticipated to start operations in 13 major cities and then extend to other areas of the country in 2007.

According to the Digital Television Broadcasting Plan, members of Anten AŞ, including TRT and private competitors such as ATV, Star, Show TV, Kanal 7, NTV, and CNN Türk, would offer digital terrestrial broadcasts in parallel with the existing analog services throughout the switch-over period. The plan also included the decision that four broadcasts would be made available at the same time from a single transmission frequency.

There has been no evidence since 2007 of whether operations started in 13 major cities, or whether the transmission networks have been extended to other areas of the country. While there is no official document available on the current operation of Anten AŞ, the structure of the company and its plans on digital broadcasting are anticipated to be made available in 2014, the estimated date to complete the transition process and to start digital broadcasting in Turkey.

5.3   Telecommunications

5.3.1   Telecoms and News

The major role of telecoms companies in Turkey is to provide integrated communication services, including the Global System for Mobile communication (GSM), Public Switched Telephone Network (PSTN), and the internet, while cable companies are the primary actors in offering cable television services. Telecoms companies are major carriers of news services through their cable operations, as well as providing the primetime news programs provided by TRT and its private commercial rivals. Cable operators routinely offer domestic 24-hour news channels, and Digitürk offers a news package that includes global television channels such as Bloomberg Television, TV5 Monde, CNN, Al Jazeera, and BBC World News.

The dominant fixed-line telecoms provider is Türk Telekom, the former state-owned telecoms company established in 1995 after the separation of telecoms and postal services and privatized in 2005, when Oger Telekomünikasyon bought a 55 percent stake for US$ 6.55 billion. Türk Telekom is also a major international telecoms supplier, ranking fifth in Europe and 13th in the world.[101] The company has been providing Asymmetric Digital Subscriber Line (ADSL), PSTN, Videofon, Wirofon, and Metro Ethernet

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100. The Television Broadcasters' Association defines itself as the spokesman of RTÜK on their official website, although it has no official bureaucratic ties with the government.

101. "About Türk Telekom," at http://www.turktelekom.com.tr/tt/portal/TTHakkinda/KurumsalTanitim/Hakkinda (accessed 2 May 2011).

services to its customers. Türk Telekom offers services in fixed line, mobile, data, and cable television to more than 20 million subscribers and is currently in the process of creating an IPTV service that is expected to be working very soon.[102]

All mobile phone operators in Turkey offer service packages for their customers, many of which include news. Turkcell, the biggest mobile operator with 55 percent of the market in 2010, has presented the widest range of mobile services and offers Anadolu Ajansı News Services,[103] 3G NTV News Package, and access to UZMAN TV videos.[104] Vodafone (with a 27 percent market share) and Avea (with 18 percent) also offer 3G social network services that include news packages, despite their inability to provide as wide a variety of services as Turkcell.[105] No obligations are currently imposed on telecoms companies as news providers.

5.3.2   Pressure of Telecoms on News Providers

There is little evidence of pressure being exerted by telecoms companies on news providers, although Turkcell did have a major run-in with the DMG after it decided not to advertise in Doğan media in 2008. According to the news of Haber 7, Mehmet Emin Karamehmet, the owner of Çukurova Group, had close ties with the government, and pressured Turkcell not to advertise in outlets of DMG due to the company's high advertising tariffs imposed in 2006.[106]

Aydın Doğan, the owner of DMG, responded by accusing Turkcell of insulting the heritage of modern Turkey's founder, Mustafa Kemal Atatürk,[107] because it sponsored a popular comedy movie, *Recep İvedik*, instead of a documentary about Atatürk, and declared a boycott of the telecoms company.[108] The media group officials claimed that Turkcell did not want the sponsorship to flaw their ties with the government.[109]

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102. See http://www.turktelekomburada.com/default.asp?sayfa=iptv (accessed 12 November 2011).

103. Anadolu Ajansı is one of the major news agencies in Turkey, established by Mustafa Kemal Atatürk in 1920, during the war of independence.

104. Uzman TV is a website sharing expert videos for people seeking information about a variety of issues including health, cosmetic surgery, astrology, and sports.

105. Until 2004, Turkcell, Telsim, Aria, and Aycell were the major mobile communications operators in Turkey. In April 2004, Aria merged with Aycell under a new name, Avea, and the new company offered a wide range of improved services with different tariffs. Telsim, the second largest operator in Turkey, was sold in 2005 to the British company Vodafone, which offered the highest bid of US$ 550 million during the auction. As a result, Avea and Vodafone emerged as major rivals of Turkcell, the holder of the largest share in the market. Turkcell is also the corporation known for having paid the highest taxes in the country in 2009, amounting to TL 675,780,000, thus exceeding the tax costs of Türk Telekom, which ranked second. See http://www.avea.com.tr/tr/sta/doyadoya/teknoloji.shtml.

106. Haber 7, "*Turkcell Reklamı Niçin, Ne Vakit Kesti?*" (When Did Turkcell Stop Advertising?), 30 October 2008, at http://www.haber7.com/haber/20081030/Turkcell-reklami-nicin-ne-vakit-kesti.php (accessed 12 January 2011).

107. Haber 7, "*Doğan Medya Kendi Evladını Yedi*" (Doğan Media Gave up on His Son), 30 0ctober 2008, at http://www.haber7.com/haber/20081030/Dogan-Medyasi-kendi-evladini-yedi.php (accessed 12 January 2011).

108. *Vatan Daily*, "*Recep İvedik'e Var, Mustafa'ya Yok*" (Yes to Recep İvedik, No to Mustafa), 28 October 2008, at http://haber.gazetevatan.com/Haber/206014/1/Gundem (accessed 13 February 2011).

109. *Habertürk*, "*Reklam için Şantaj*" (Advertising Blackout), 30 October 2008 at http://www.haberturk.com/medya/haber/105669-reklam-icin-santaj (accessed 12 January 2011).

5.4   Assessments

The implementation of the allocation plan and spectrum distribution are closed-door processes, and are politicized because of the prioritization of government requests. BTK recognizes the newly emerging technologies, and explains that it is a long and complicated process to reorganize the current spectrum allocation in accordance with international standards.[110] The spectrum allocation plan is under threat of becoming old-fashioned in a very short time, since it currently offers the same standards for analog and digital broadcasting.[111]

The National Spectrum Allocation Plan's methods are paradoxical because it prioritizes requests of government branches and seeks fair competition among its applicants at the same time. While the regulations for sustaining fair competition are transparently explained in the plan, together with the prioritization exceptions, BTK does not provide detailed information about its processes and the consequences of implementation.

Digital broadcasting is in its infancy in Turkey. There has been little effort to develop the structure of institutions such as Anten AŞ, or to coordinate the switch-over process in partnership with TRT and commercial television broadcasters. 2014 stands as a key date to anticipate further regulations on the operation of digital media service providers. The current spectrum allocation plan remains ineffective.

Recent collaborations between Anadolu Ajansı and Turkcell indicate the development of new digital services to be offered by telecoms companies in the near future. The government also plays an invisible but key role in the determination of collaborations between telecoms companies and digital media service providers, as media companies with close relations with the government presently hold a privileged position in influencing relations between telecoms and anti-government media groups. The public interest has no role during the processes of spectrum allocation and regulation.

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110. BTK, *Spektrumda Serbestleşme ve Yeni Eğilimler* (Liberalization of Spectrum and Main Trends), 2010, at http://www.tk.gov.tr/kutuphane_ve_veribankasi/raporlar/arastirma_raporlari/dosyalar/Spektrumda_Serbestlesme_Yeni_Egilimler.pdf (accessed 17 May 2011).

111. BTK, *Spektrumda Serbestleşme ve Yeni Eğilimler* (Liberalization of Spectrum and Main Trends), 2010, at http://www.tk.gov.tr/kutuphane_ve_veribankasi/raporlar/arastirma_raporlari/dosyalar/Spektrumda_Serbestlesme_Yeni_Egilimler.pdf (accessed 17 May 2011).

6. Digital Business

6.1 Ownership

6.1.1 Legal Developments in Media Ownership

The legal developments in media ownership are relevant for both analog and digital operations. The digital media ownership still lacks a digital-specific legal framework that is applicable to media owners. A new law on media ownership in Turkey, the Law on the Establishment of Radio and Television Enterprises and Broadcast Enterprises and their Media Services (no. 6112), was passed in February 2011, replacing a 1994 law with the same name (no. 3984).

The maximum foreign stake allowed in Turkish media companies rises from 25 percent to 50 percent under the new legislation, which also makes changes to the regulatory framework on questions other than ownership, including bringing TRT under the supervision of RTÜK.[112]

The new law also requires companies that are about to take over or merge with others to seek permission from RTÜK and to inform it about transactions not later than 30 days after their completion.[113]

Broadcasting licenses can no longer be allocated to political parties, labor or employer unions, professional associations, cooperatives, foundations, local government bodies, companies established or partially owned by these institutions or financial institutions, and real and corporate entities that partially own these intermediary institutions.[114] None of these organizations may own a share of a media service provider. It is an important step taken for the promotion of diversity and the prevention of political and commercial manipulation of Turkish media outlets.

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112. Law no. 3984.

113. Haber 7, "*RTÜK'ten Yayın Yasağı Yetkisi Başbakana*" (Increasing Authority of RTÜK Over Banning Inappropriate Content), 16 February 2011, at http://www.haber7.com/haber/20110216/RTUKte-yayin-yasagi-yetkisi-basbakana.php (accessed 12 March 2011) (hereafter Haber 7, "*RTÜK'ten Yayın Yasağı Yetkisi Başbakana*").

114. Haber 7, "*RTÜK'ten Yayın Yasağı Yetkisi Başbakana.*"

6.1.2 New Entrants in the News Market

The primary new actor in the Turkish media market is Habertürk, owned and established by Ciner Yayın Holding in March 2009. The daily paper *Habertürk* and the television channel Habertürk TV have challenged the dominance of major actors in the Turkish news media sector (see section *1.3.1.1*). Habertürk also became one of the key sources of online news media. According to research by IAB, Haberturk.com.tr became the third news website, with the highest number of unique visitors in December 2011, following the online outlets of *Milliyet Daily* and *Hürriyet Daily*.[115]

The latest player in the news market will be Al Jazeera Turkey, to be launched at the end of 2011. Earlier in the year, the government approved the sale of the television channel Cine 5 to Al Jazeera. Cine 5 had been administered by a government-run fund since its owner's business ran into economic trouble. Al Jazeera paid US$ 40.5 million for Cine5 in a public auction. The Turkish partner of Al Jazeera, Vural Ak, indicated that the technological infrastructure is almost complete and 300 people have already been recruited in the first phase. The number of employees for this channel will eventually reach 600.[116] Given the increasing significance of Turkey for the Arab world and the sympathy for the Turkish prime minister after the Arab Spring, Al Jazeera's launch created excitement in the media sector.

6.1.3   Ownership Consolidation

Media ownership in Turkey is highly concentrated. A handful of massive media groups—DMG, Çalık Group, Çukurova Holding, Doğuş Group, İhlas Holding, and Feza Group—own the overwhelming majority of media outlets. They are also key investors in other sectors of the economy including health, education, construction, telecoms, and retail.

Bound by RTÜK regulations, the outlets most critical of the AKP government in recent years have been owned by the giant DMG, which has been embroiled in a long-running, high-profile battle with the government over tax—and at least some of its antipathy towards the AKP should be put down to commercial self-interest. Its outlets' criticisms of the government have not extended to the Kurdish question, Cyprus, or the Armenian genocide controversy, on all of which issues they take a hard nationalist line. They have taken a particularly close interest in the case of three Turkish men convicted in Germany in 2008 for the illegal channelling of US$ 26 million raised by a big Islamic charity association, Deniz Feneri (Lighthouse), to sponsor pro-AKP companies in Turkey, including an Islamic television channel, Kanal 7. DMG outlets alleged that Prime Minister Tayyip Erdoğan had personally received some of the illegally transferred funds, and that the AKP government pressured the German authorities to release the three defendants.[117] While DMG's outlets took a critical stance towards the ruling AKP party, the government had a series of run-ins with it over the tax debts

115. Haberden, "*İşte İnternette En Çok Okunan Haber Siteleri*" (The Most Read News Websites Revealed), 30 January 2012, at http://www.haberden.com/haber/20120130/Iste-internette-en-cok-okunan-haber-siteleri.php (accessed 2 February 2012).

116. Deutsche Welle Turkish Service, "*El Cezire İddialı Geliyor*" (Al Jazeera On The Way), 14 February 2011, at http://www.dw-world.de/dw/article/0,,14841176,00.html (accessed 16 March 2011).

117. D. Çatalbaş, "Divided and Confused: Reporting of the First Two Weeks of the War in Iraq on Turkish Television Channels," *Transnational Broadcasting Studies* 10 (2003), at http://www.tbsjournal.com/Archives/Spring03/catalbas%20turkey.html (accessed 4 November 2011).

of Mr Doğan. The process continued with negotiations between Mr Doğan and officials of the Ministry of Finance which resulted in the confiscation of Doğan TV holding stocks in 2009. After a deal between DMG and the government to reduce the tax burden, this coverage came to an abrupt halt.

DMG holds a dominant share both in the circulation of the country's leading newspapers and in the advertising revenue of television channels. DMG is responsible for 40 percent of the total circulation of national newspapers, and DMG-controlled television attracts 25–30 percent of the viewing audience every night.[118] DMG currently owns 26 television channels, including the popular channels Kanal D and Star TV and the dedicated news channel CNN Türk; four radio stations; eight daily newspapers, *Hürriyet*, *Milliyet*, *Radikal*, *Vatan*, *Posta*, *Fanatik*, *Referans*, and *Turkish Daily News*; 27 magazines; one digital platform, D-Smart; one distribution company, Yay-Sat; one news agency, DHA; and around 25 news portals. DMG is a partner with Turner Broadcasting System in the cable channel TNT and has various international media holdings.

The latest development came on 20 April 2011 when DMG stated that it had agreed to sell its two major newspapers, *Milliyet* and *Vatan*, to the Demirören–Karacan joint venture for US$ 74 million: US$ 47.96 million and US$ 26 million for *Milliyet* and *Vatan*, respectively. The Karacan family decided to set up a partnership with Demirören Group (DG), whose main interests are the distribution and retail sale of Liquefied Petroleum Gas (LPG), petroleum, as well as real-estate development, construction, mining, and metal products. According to the circulation figures, *Milliyet* and *Vatan* have a daily circulation of 140,000 and 105,000 print copies, respectively.[119] Combined, they hold a 6 percent share in the Turkish newspaper market, where over 30 newspapers sell a total of some 5 million print copies every day. After this sale, DMG still holds six daily newspapers, one of which is a sports daily.

The second most important player in the Turkish media sector is Çalık Group. Its outlets have a 20 percent share of print media advertising and 23 percent of broadcast media advertising. Calik owns a television channel, ATV; six newspapers: *Sabah*, *Takvim*, *Günaydın*, *Yeni Asır*, *Pas*, and *Fotomaç*; 12 magazines; one radio station, Radio City; and a distribution company. The group is also active in energy, textile, and construction sectors. Its CEO, Berat Albayrak, is the son-in-law of the prime minister.

Çalık Group, a pro-government conglomerate, acquired the newspaper *Sabah* and ATV for US$ 1.1 billion in 2008. The sale aroused substantial controversy, not least because it was partially financed with loans of US$ 750 million from two state banks, Vakıf Bank and Halkbank, and was at a knockdown price, with Çalık being the sole bidder (see section *7.3.1*).

Çukurova Holding is the third-biggest media company. It has 23 television channels, including Show TV and Sky TV; two radio stations, Alem FM and Show Radio; three newspapers, *Akşam*, *Güneş*, and *Tercüman*; eight magazines; and one digital platform, Digiturk. Çukurova has investments in telecoms, Turkcell, and Superonline, as well as assets in the construction, tourism, and aviation sectors.

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118. See http://www.doganholding.com.tr/en/investments/media.aspx (accessed 5 October 2011).

119. Circulation numbers 12–18 September 2011, at http://www.medyatava.com/tiraj.asp (accessed 5 October 2011).

Another strong player is Doğuş Group. It owns six news, entertainment, and sport television channels, NTV, NTV Sport, CNBC-e, e2, NBA TV, and Kral TV; seven radio stations, NTV Radio, Radio Eksen, Radio N101, Roket FM, Virgin Radio, Radio Voyage, and Nostalji FM; eight magazines; a publishing house; and internet portals. Doğuş Group is also one of the most powerful corporations in banking, finance, the automotive sector, tourism, construction, and energy sectors. The conglomerate is known to have strong relations with the government, especially with the conglomerate officials' participation in the tender for the Marmaray Project for electromechanical components.[120]

İhlas Holding, a conservative Islamist corporation, owns *Türkiye* newspaper and İhlas News Agency (*İhlas Haber Ajansı*, İHA) along with nine magazines and one radio station. İhlas also invests in the construction and marketing sectors. In July 2006, the company sold all its shares in a television station, TGRT, to News Corporation for TL 151 million (US$ 98 million at the time), which marked the first entrance of a global player in the Turkish media market.

There are several other smaller actors in the media sector, among them Albayrak Group (*Yeni şafak* newspaper, TV NET), İpek Koza Holding (Kanaltürk TV, *Bugün* newspaper), Sancak Holding (*Star* newspaper, Kanal 24 TV), MNG Group (TV8, MNG News Agency), Samanyolu (Samanyolu TV, Mehtap TV, Yumurcak TV and Burç Radio, Dünya Radio, S Haber Radio), and Yeni Dünya (Kanal 7, Kanal 7 İnt., Haber 7, Radio 7, İstanbul'un Sesi Radio, and TVT). Samanyolu and the Albayrak Group are the primary mergers among smaller actors in the media sector that increased the diversity of their news offer with their pro-Islamic orientation and news content.

6.1.4   Telecoms Business and the Media

The Turkish information and communication technologies (ICT) market is one of the fastest growing in Europe. Much of this growth is due to the recent e-transformation project launched by the government to adapt the systems operating in EU countries, which is expected to be a tremendous boost to the telecoms market.

E-government projects will create a huge demand for ICT companies.[121] The "e-Government Gate" project was launched officially on 18 December 2008 by the prime minister. With this project, 22 public services were opened to citizens. As of today, the citizens of Turkey are able to access the services of more than 180 public institutions and companies via Turkiye.gov.tr and carry out their transactions.

Additionally, the service providing access to e-Government Gate through mobile phones, called "Mobile Government," was launched on 7 October 2009. With this service, citizens access the system through the website Wap.turkiye.gov.tr with the browsers on their mobile phones or by a Java application, which

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120. Marmaray is a rail transport project in Istanbul, which was outlined in 1987. The project is to construct an undersea rail tunnel under the Bosphorus strait.

121. "A Report on Telecommunications Technologies and Services," by Tuğrul Görgün, 2010, at http://www.igeme.org.tr/Assets/sip/san/09STB023.pdf (accessed 1 November 2011).

they download to their devices and benefit from the mobile version of many services. The use of mobile technologies to enhance government activities, applications, and services is becoming increasingly popular.

A combination of the launch of mobile number portability in 2008 and the introduction of 3G mobile services in 2009 sparked cut-throat competition among Turkey's three mobile operators, Turkcell, Avea, and Vodafone, which continues to this day. The advent of 3G also prompted Türk Telekom, Turkey's fixed-line giant, to enter the mobile fray with a new product in order to take advantage of the rapidly growing demand for wireless data and voice services. 3G connections accounted for almost 10 percent of total connections in the country by the end of 2010 and 3G will account for more than a third of all Turkish connections (an estimated 30 million) by the end of 2013. Because competition in the telecoms sector is intensifying, operators are now looking for new sources of revenue to sustain and increase their market share.

As one of the key players, Türk Telekom is currently the leading communication and convergence technology group in the country. Türk Telekom was separated from the Post Office in 1995 and a decade later it was privatized when 55 percent of the shares were bought by Oger Telekomünikasyon, leaving 30 percent in the hands of the state, while the remaining 15 percent of shares were offered to the public (see section *5.3.1*).

6.1.5   Transparency of Media Ownership

There is no legislation requiring media to disclose ownership information to the public. Deals, tenders, and mergers are opaque. This has allowed an increasingly close relationship between the political establishment (particularly the ruling party, AKP), the Islamic networks, and media conglomerates. Media outlets that are close to the political authorities gain materially and become propaganda tools.[122]

6.2   Media Funding

6.2.1   Public and Private Funding

TRT receives the majority of its income (60 percent in 2008) from a levy on the revenues of the Turkish Electricity Distribution Authority (*Turkiye Elektrik Dagitim AŞ*, TEDAŞ). A tax on sales of radio and television receivers brings in roughly 30 percent of TRT's income. The regular public funding received from the annual electricity revenues and the tax on sales of radio and television receivers have ensured TRT's financial stability over the last two decades. The rest of TRT's income derives from advertising (4 percent) and government grants. Almost 1 percent of TRT revenue comes from its international radio and television services such as the Voice of Turkey (the radio station broadcasting in 26 languages), TRT-TÜRK (television station broadcasting in Europe, Australia, and the United States), and TRT Avaz (television station broadcasting in the Balkans, Central Asia, and the Caucasus). Despite its diminishing audience and increasing reaction by opposition MPs and columnists against its pro-government editorial policy, there is no public pressure to end the public funding of TRT. (See Table 14.)

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122. C. Sözeri and Z. Güney, *Türkiye'de Medyanın Ekopolitiği. Sektör Analizi,* TESEV Demokratikleşme Programı, İstanbul, 2011.

Table 14.

Net income of TRT, breakdown by revenue source (in €), 2003–2008

Source of revenue (% of total)	2003	2004	2005	2006	2007	2008
Tax on electricity	65.11	53.36	50.11	55.51	57.15	60.38
Sales tax	16.99	24.22	35.39	33.47	33.14	32.50
Advertising	11.93	13.90	8.70	7.00	6.31	3.94
Budget revenues (TRT–INT)	0.62	3.03	1.81	1.24	0.94	0.71
Other	5.35	5.49	3.98	2.79	2.46	2.47
Total net income (€)	210,241,060	233,337,796	315,215,830	295,909,129	343,487,801	352,920,412

Source: Turkish Radio and Television Corporation Data on Net Income of TRT, 2009.

TRT's heavy financial reliance on electricity bills has been criticized by major newspapers such as *Milliyet Daily*, who have claimed that the amount of TRT's income received from the public has surpassed the rate of any European public broadcaster.[123] While the stable income received from electricity bills comprises the majority of TRT's budget, it has still lagged behind private broadcasters in terms of creating for itself alternative financial sources by encouraging traditional and online advertising investments to ensure its sustainability. The electricity levy also remains detrimental to the public interest because it forces citizens to pay regular amounts to sustain TRT with their electricity bills on a monthly basis. The current income mechanism of TRT is dependent on payments made by citizens, and dismisses the potential financial sources of the private sector, which could make a great contribution to the budget.

Although advertising income does not constitute an essential part of TRT's budget, the increases in advertising expenditures ensure that private broadcasters receive a stable income on a regular basis. In 2011, it was revealed that the advertising income received by national broadcasters almost doubled.[124] There is also a regular increase in income received through online advertising, as the growth during the first half of 2011 was recorded as 23 percent.[125]

Private broadcasters rely largely on advertising income. The television share of total Turkish advertising spending is 56 percent. The radio share is 3 percent and the internet share, 7 percent.[126]

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123. *Milliyet Daily*, "*Elektrik Faturaları TRT'yi Zengin Etti*" (Electricity Bills Made TRT Rich) 21 December 2011, at http://ekonomi.milliyet.com.tr/elektirik-faturalari-trt-yi-zengin-etti/ekonomi/ekonomidetay/21.12.2011/1478463/default.htm (accessed 1 January 2012).

124. *Zaman Daily*, "*Ulusal Televizyonların Gelirleri %50 arttı*" (Income of National Television Increased by 50%), 26 November 2011, at http://www.zaman.com.tr/haber.do?haberno=1206697&title=ulusal-televizyonlarin-reklam-gelirleri-yuzde-50-artti (accessed 23 December 2011).

125. MediaCat Online, "Online Reklam Gelirleri %23 Arttı" (Online Revenues Increased by 23%), 20 September 2011, at http://www.mediacaton-line.com/Home/HaberDetay?haberid=53014 (accessed 22 October 2011).

126. *Financial Times*, "Turkey: Advertising Spending Rises by 36.3 percent in First Half of 2010," 6 August 2010, at http://www.finchannel.com/Main_News/Business/69084_Turkey%3A_Advertising_spending_rises_by_36.3_percent_in_first_half_of_2010 (accessed 23 December 2011) (hereafter *Financial Times*, "Turkey: Advertising Spending Rises").

According to the Advertisers' Association (*Reklamcılar Derneği*), advertising spending in Turkey rose by 36 percent in the first half of 2010 to TL 1.84 billion (US$ 1.2 billion) and is expected to increase by more than 30 percent by the end of 2010, when the total size of the advertising sector is likely to reach TL 3.7 billion (US$ 2.1 billion).[127] As the advertising sector has been only marginally affected by the financial crisis, the revenue received from online and offline advertising is expected to increase throughout 2012.[128] (See Table 15.)

Table 15.

Advertising expenditure, by platform, TL million, 2005–2010

Platforms	2005	2006	2007	2008	2009	2010
Television	1,140	1,442	1,760	1,687	1,442	2,018
Press (newspapers)	805	914	990	952	746	856
Press (magazines)	85	106	123	114	72	86
Radio	85	160	235	242	198	104
Outdoor	110	101	111	112	88	252
Cinema	80	33	36	39	29	45
Internet	28	35	53	95	182	252
Total	2,343	2,791	3,308	3,241	2,757	3,613

Source: Advertisers' Association, Data on Annual Advertising Expenditure by Platform (2005–2010), available at http://www.rd.org.tr/ (accessed 12 February 2011).

Print media account for 26 percent of advertising spending, while spending for television advertising is at its peak with 56 percent, according to the 2010 statistics. Newspapers and magazines also make money from sales and subscription revenues.

There are no statistics available on the amount of income private broadcasters receive from cable and satellite subscriptions.

127. *Financial Times*, "Turkey: Advertising Spending Rises"; also at Mediacat Online, http://www.medyatava.net/haber.asp?id=77689 (accessed 2 February 2012).

128. *Milliyet Daily*, "*Reklamlarda Kriz Yok, Çift Haneli Büyümeye Devam*" (The Unstoppable Growth of Advertising Sector), 30 January 2012, at http://ekonomi.milliyet.com.tr/reklamlarda-kriz-yok-cift-haneli-buyumeye-devam/ekonomi/ekonomiyazardetay/30.01.2012/1495574/default.htm (accessed 2 February 2012).

Table 16.

Advertising expenditure, by platform, % of total, 2005–2010

Platforms	2005	2006	2007	2008	2009	2010
Television	48.6	51.6	53.2	52.0	52.3	55.3
Press (newspapers)	34.3	32.7	29.9	29.3	27.0	23.1
Press (magazines)	3.7	3.8	3.7	3.5	2.7	4.3
Radio	3.7	5.7	7.1	7.4	7.2	2.1
Outdoor	4.8	3.6	3.6	3.3	3.2	7.0
Cinema	3.5	1.3	1.2	1.2	1.1	1.2
Internet	1.4	1.3	1.3	3.1	6.5	7.0

Source: Advertisers' Association, Data on Annual Advertising Expenditure by Platform (2005–2010), available at http://www. rd.org.tr/ (accessed 12 February 2011)

6.2.2   Other Sources of Funding

There is currently no information on other sources of media income available. TRT relies mainly on the electricity levy, and conglomerates depend on transferring income from their lucrative businesses to loss-making outlets. In 2009, for instance, *Aksiyon Magazine* reported that Çalık Holding transferred its income from television advertisements to *Yeni Aktüel* magazine, as its sales started to fall far below expectations.

Mustafa Sönmez, *Cumhuriyet* columnist and Bianet.org contributor, explains that the funding resources of media companies remain obscure. He claims that DMG, which receives the lion's share of media advertising and newspaper sales despite its deteriorating relations with the government, still sustains financial losses.[129] Despite the well-known close relationship between Feza Group, Samanyolu AŞ, and Gülen, no information is available on the amount or sources of funding provided for these companies.[130]

6.3   Media Business Models

6.3.1   Changes in Media Business Models

How far television ratings have suffered as a result of the increasing popularity of video-sharing websites like YouTube and iTunes, as well as online television channels, is almost impossible to judge: there is no reliable audience research available.[131] There are also no data available on television stations' income from their online activities.

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129. *Cumhuriyet*, "*Medya Ne Kadar Zararda?*" (What is the Total Loss of Media Owners?), 19 April 2010.

130. Fethullah Gülen official, "*Hocaefendi Medyası Dünyaya Açılıyor*" (Gülen Media Goes Global), 25 December 2006, available at http://tr.fgulen. com/content/view/12617/11 (accessed 2 November 2010).

131. *NY Times*, "Briefing: Nielsen to Purchase all Net Ratings Shares, Technology & Media, International Herald Tribune," 5 February 2007, at http://www.nytimes.com/2007/02/05/technology/05iht-techbrief.4479259.html?_r=1 (accessed 2 April 2011).

There is more evidence about newspaper sales—but still not much. The highly popular news website, named IV. Kuvvet Medya (Dorduncukuvvetmedya.com) has been tracking the circulations of the biggest-selling newspapers week by week since 2010 and its figures show a gradual but significant decline in newspaper sales, though how far this has been due to the internet remains debatable.[132]

As elsewhere in the world, the question of how print media should operate online is much discussed in Turkey. Several major media companies, among them DMG and Ciner Yayın Holding, publish the entire content of their print newspapers online, but many commentators question the effectiveness of this. A columnist on the *Star*, Ergun Babahan, wrote of the "negative" influence of the internet on traditional newspapers, and suggested that "media company managers should upgrade the quality of content of online news websites, and invest in tabloid publishing."[133] The web editor of *Yeni Şafak*, Melih Bayram Dede, suggested that newspapers should be made available via paid subscription, as already being done by *Taraf*.[134] Critics of the subscription model say that there is no evidence that it would attract sufficient readers to offset the decline in online advertising revenue that would accompany the inevitable decline in traffic that goes with erecting a pay-wall. Equally, however, there is no evidence that offering content free in order to maximize online advertising income provides sufficient revenue to make up for sales lost through digital migration.

6.4   Assessments

The concentration and lack of transparency of media ownership are among the most worrying factors affecting media independence in Turkey. Digitization is already changing consumption patterns and business models, but it will do little to alter the market dominance of a handful of conglomerates, and concentration looks set to increase with the relaxation of rules on foreign ownership of Turkish media outlets. It is worth mentioning that Habertürk, the primary new actor in the Turkish media scene, has challenged the monopolistic structure of media ownership in Turkey with both its traditional and its online outlets. However, the primary digital actors are still the online services of major traditional conglomerates like DMG, which puts the influence of digital-only platforms in question.

However, foreign investment may encourage the creation of a more diverse media environment. The entrance of Al Jazeera is a crucial development, implying the future involvement of further foreign investors in traditional and digital media. Foreign investors may now own up to 50 percent of Turkish media service providers, as they are now called, instead of 25 percent, and they may now forge partnerships with two national operators rather than one.

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132. Dördüncü Kuvvet Medya, "*Çok Satan GazetelerinHepsiTirajKaybetti!*" (All Newspapers with High Circulation Sell Fewer Copies), 14 December 2010, at http://dorduncukuvvetmedya.com/2728-cok-satan-gazetelerin-hepsi-tiraj-kaybetti.html (accessed 29 December 2010).

133. *Star*, "*Gazetelerin İnternet Sitesi Olmalı mı?*" (Should Newspapers Have Online Versions?), 20 October 2010, at http://www.stargazete.com/gazete/yazar/ergun-babahan/pkk-turkiye-gercegi-303139.htm (accessed 27 December 2010).

134. Dördüncü Kuvvet Medya, "*Gazete Yöneticilerinin İnternet Sancısı*" (Newspaper Managers' Internet Nuisance), 20 October 2010, at http://dorduncukuvvetmedya.com/2453-gazete-yoneticilerinin-internet-sancisi.html (accessed 27 December 2011).

As the great number of local and national newspapers and the buoyancy of circulations indicate, the traditional press remains important. But digitization appears to be eating into sales, and there is a live debate about the best business model for newspapers to adopt in response.

Some publishers have decided to opt for publishing everything from their print editions online in an attempt to maximize online advertising revenue, which is the main source of income for media companies in Turkey. Others are more cautious, suggesting that some sort of subscription model is the solution, and one low-budget daily national newspaper has already started online subscriptions for its readers in its efforts to raise additional money.

The external sources of media funding remain secret. Although it is asserted that major media conglomerates depend on lucrative businesses to recover the financial costs of their loss-making outlets, the income sources of many media companies remain uncertain.

As many websites have continued to copy the online content of national newspapers without paying for the copyrights, paid subscription still does not seem to be an efficient way of recovering the losses of media companies due to the decreasing sales of traditional newspapers. The issue still stands as a debatable problem in search of a proper solution for the revival of the media in Turkey.

The future funding for TRT is another question. While it is estimated that it will keep depending on its income from sales taxes and advertising, public pressure may end the TRT levy on electricity bills, which may result in it seeking alternative resources for media income either on analog or digital platforms.

7. Policies, Laws, and Regulators

7.1 Policies and Laws

7.1.1 Digital Switch-over of Terrestrial Transmission

7.1.1.1 Access and Affordability

Official assurances that digital broadcasting will be available and affordable to all have been issued periodically since 2006, when Zahid Akman, head of RTÜK, declared that the quality of broadcasting would improve by switching over to digital terrestrial broadcasting, and the transition would be completed by 2015.[135]

His colleague, Taha Yücel, indicated that consumers would be able to view both analog and digital transmissions until 80 percent of the audience had been provided with the means to receive digital terrestrial broadcasting, adding that set-top boxes would cost TL 50–100 (US$ 75–150 at 2006 prices).[136] Despite these assurances, nothing has been done to ensure that economically disadvantaged people will be able to receive digital broadcasts.[137]

7.1.1.2 Subsidies for Equipment

There is no state scheme to subsidize set-top boxes and digital television sets for poor households. But there are promotions by companies, such as Türksat Teledünya, which charges TL 105 (US$ 52.50) for set-top boxes, with free activation and installation.[138] Teledünya's digital broadcasts are currently available in 21 Turkish cities, including Ankara, Istanbul, Mersin, Manisa, Adana, Samsun, and Denizli.[139] Teledünya charges its customers TL 9.50 (US$ 4.98) per month for its 112-channel Basic Pack, an extra TL 7.50 (US$ 4.15) for its Movie Pack, and TL 11.50 (US$ 6.36) for the HD Movie Pack.

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135. RTÜK, "*Televizyon Yayıncılığında Yeni Dönem*" (A New Era in Television Broadcasting), 21 June 2006, at http://www.rtuk.org.tr/sayfalar/Icerik-Goster.aspx?icerik_id=9b16fec3-55ce-4e59-b908-0600d8857480 (accessed 2 September 2011) (hereafter RTÜK, "*Televizyon Yayıncılığında Yeni Dönem*").

136. *Hürriyet Daily*, "*Dijital TV yayını 50 YTL'ye 'karaya' iniyor*" (Digital TV Will Start to Operate for TL 50), 22 June 2006, at http://www.hurriyet.com.tr/ekonomi/4624274.asp?m=1 (accessed 5 September 2011).

137. RTÜK, "*Televizyon Yayıncılığında Yeni Dönem.*"

138. TeleDünya, "HD STB Promotion," at http://www.teledunya.tv/hdstb.html (accessed 27 December 2011).

139. TeleDünya, "Only TL 9,5 per month," at http://www.teledunya.tv/ydunya.html (accessed 13 August 2011).

By comparison with Türksat's cable television network subscription price of TL 43 (US$ 86) for installation, Teledünya's offer is a reasonable deal. Despite the high price for installation, these prices are affordable for the majority of the audience.

7.1.1.3 Legal Provisions on Public Interest

Law no. 6112 on the Establishment of Radio and Television Enterprises and their Media Services ensures provision for the public interest with the statement that the main purpose of all media service providers should be to inform, entertain, and educate citizens. The law, which came into force in February 2011, does not provide any other statements on the switch-over of terrestrial platforms and transparent criteria (see also section *6.1.1*).

7.1.1.4 Public Consultation

There has been no public consultation on digitization policies and the public remains largely unaware of them. For information exchange, market intelligence, and training, public consultation would be beneficial for the representation of diverse interests that would result in the creation of a more efficient civic engagement. There is no trace of civil society engagement in the digitization process at present.

7.1.2   The Internet

7.1.2.1 Regulation of News on the Internet

All internet content is governed by the Law on the Regulation of Broadcasts on the Internet and on the Fight against Crimes Committed through the Internet, known as the Internet Law (no. 5651), which entered into force in 2007. The law, which makes no distinction between the online content of traditional media and other internet content, defines the obligations of all internet content, hosting, and access providers. It identifies the following nine internet crimes: encouraging suicide; sexual abuse of children; facilitation of use of drugs or stimulants; provision of substances that are dangerous for health; obscenity; prostitution; gambling; sports betting and games; and crimes committed against Atatürk.

Access and internet service providers (ISPs) are regulated by Art. 6, which requires them to obtain an activity certificate from the Telecommunication Board (*Telekomünikasyon İletişim Başkanlığı*, TİB), which is part of BTK.[140] As of November 2009, 109 ISPs had done so. This certificate is obligatory for ISPs before offering services. Operators without an activity certificate are subject to fines of TL 3,000–15,000 (US$ 1,650–8,250).

Access providers are required to take down any illegal content published by any of their customers once made aware of it by the TİB, or if subjected to a court order. Access providers do not need to monitor the information that goes through their networks, nor do they have any general obligation to actively seek facts or circumstances indicating illegal activity with regards to the transmitted data.[141]

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140. For a list of the ISPs, see http://www.tib.gov.tr/dokuman/ES_listesi.html (accessed 12 August 2011).

141. Yaman Akdeniz, "Report of the OSCE Representative on Freedom of the Media and Internet Censorship in Turkey," at www.osce.org/fom/41091 (accessed 12 August 2011) (hereafter Yaman Akdeniz, "Report of the OSCE Representative").

Art. 3 of the 2007 Internet Law imposes a duty on all content, hosting, and access providers to reveal their identity to the consumers of their services through their websites.[142] Any provider failing to comply faces an administrative fine imposed by the TİB of TL 2,000–10,000 (US$ 1,100–5,530).

If complaints are received by the Telecommunications Board (*Telekomünikasyon İletişim Başkanlığı*, TİB), access to websites with inappropriate content can be banned by court decisions. The TİB also has the authority to ban websites, for which courts have passed generally guilty verdicts in crimes against child abuse and obscenity, and it can order ISPs to block access to global websites if their content has been found "inappropriate" by the Criminal Court.[143]

Besides Law no. 5651, Law no. 5846 on Intellectual and Artistic Works has also been used to receive blocking orders through the judicial courts for MySpace, Last.fm, and Akilli.tv, arguing that these sites had been used to illegally publish works which users did not own legal rights in.[144]

The Law on Fighting Terrorism (no. 3713) sanction of a prison sentence for "separatist propaganda" and the Penal Code (no. 5237) both relate directly to the internet. While these laws do not reference the internet specifically, they apply to it as laws of general application. The Penal Code (no. 5237), adopted in 2005, has several provisions significantly curtailing media freedom. The law criminalizes all activities encouraging disobedience by military personnel (Art. 319); alienating the public from the military (Art. 318); insulting the president (Art. 299), the government, and military or security forces (Art. 301); inciting crime (Art. 214); praising crime and criminals (Art. 215); inciting hatred and animosity (Art. 216); and inciting people to disobedience of the law (Art. 217). The sentences under Arts 213–217 and 299 are increased by a half and one third, respectively, where any of the offences are committed through the media, including the internet.

A 2008 human rights report on Turkey stated that the government has been limiting freedom of expression via constitutional restrictions and laws, especially on active and controversial debates such as the Turkish–Armenian conflict, political Islam, the EU membership process, and the role of the military.[145] While cases of preventing incitement of hatred are regarded as legal according to the constitution, practices like banning websites with inappropriate content such as insulting the president and Turkish identity are also regarded as being within the same category, which are particularly enforced with regard to online media. In October 2010, a teacher residing in Çorum was dismissed for insulting the prime minister on his Facebook profile with the status "I will say No to the referendum" on constitutional amendment.[146] Halil Özbent, the chair

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142. Yaman Akdeniz, "Report of the OSCE Representative."

143. Yaman Akdeniz, "Report of the OSCE Representative."

144. Yaman Akdeniz, "Report of the OSCE Representative."

145. BIA, "Media Monitoring Report 2009, First Quarter," at http://bianet.org/english/freedom-of-expression/116107-bias-media-monitoring-report-2009-first-quarter (accessed 2 January 2011).

146. Radikal, "*Facebook'ta Başbakana Hakaret Edersin, Ha!*" (How Could You Dare to Insult the Prime Minister on Facebook!), 24 October 2010, at http://www.radikal.com.tr/Radikal.aspx?aType=RadikalDetayV3&Date=24.10.2010&ArticleID=1025320&CategoryID=77 (accessed 12 January 2011).

of the Çorum branch of Eğitim-SEN,[147] criticized this decision and said the case revealed the government's intolerance of public criticism.

According to the Reporters without Borders 2010 Report,[148] Turkey ranks 138 out of 178 countries in terms of press freedom and freedom of expression. This poor record is mainly due to legislative obstacles to democracy and human rights as stated in the European Commission's Turkey 2010 Progress Report.[149] Despite the May 2008 amendments to the notorious Art. 301 of the Turkish Criminal Code, this law is still used to put journalists under extreme pressure. Art. 301 was initially applied to punish every act endangering "Turkish identity" with prison sentences of up to three years. After the 2008 amendments, the relevant wording changed from "Turkish identity" to "Turkish nation" and the prison sentence was decreased to two years. The number of cases opened has also dropped significantly. However, many other provisions of criminal law still restrict freedom of expression. For instance, Art. 318 (offences of discouraging people from military service), Arts 214, 216, 217, 218, and 220 (offences against public order), Art. 305 (offences against state security), Articles 312 and 314 (offences against the constitutional order), and finally Art. 226 (obscenity offences) are all currently used to punish journalists. Although the ruling party has expressed its extreme discomfort with the international pressure over press freedom, digitization has made the violations more transparent to the global community.

Law no. 5651 may have serious repercussions for a number of fundamental rights protected under the constitution and international human rights law. The blocking policy undoubtedly has a very strong impact on freedom of expression, which is one of the founding principles of democracy and is a violation of Art. 10 of the European Convention on Human Rights (ECHR). Because of its legal and procedural deficiencies, Law no. 5651 should be brought in line with international standards on freedom of expression, or otherwise abolished.

Under a new regulation announced by BTK on 22 February 2011, internet users were obliged to choose between one of four internet filtering options on 22 November 2011: family, children, domestic, or standard. Although this regulation was due to come into effect on 22 August 2011, it was revised on the recommendation of the Internet Council, a branch of the Transportation and Communications Ministry, and postponed to 22 November 2011. Between 22 August and 22 November, the internet filtering system was trialed, to test and compare the effectiveness of different filtering options.[150] As expected, BTK launched the internet filtering system in November 2011.[151]

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147. Eğitim-SEN is a non-governmental organization working to protect teachers' rights in Turkey.

148. Reporters Without Borders for Press Freedom, "2010 World Press Freedom Index," 20 October 2010, available at http://www.rsf.org/IMG/CLASSEMENT_2011/GB/C_GENERAL_GB.pdf (accessed 12 March 2011).

149. Turkey 2010 Progress Report: Enlargement Strategy and Main Challenges, accompanying the Communication from the Commission to the European Parliament and Council, Brussels.

150. *Today's Zaman,* "BTK head: Internet regulation means safe Internet at no cost," 24 October 2011, at http://www.todayszaman.com/news-260822-btk-head-internet-regulation-means-safe-internet-at-no-cost.html (accessed 12 November 2011).

151. European Digital Rights, "Turkey Launches Internet Filtering Scheme," 30 November 2011, at http://www.edri.org/edrigram/number9.23/turkey-launches-filtering-scheme (accessed 17 March 2012) (hereafter European Digital Rights, "Turkey Launches Internet Filtering Scheme").

7.1.2.2 Legal Liability for Internet Content

Content providers are regulated through Art. 4 of the 2007 Internet Law, which states that they are responsible for the content they create and publish on their websites. They are not liable for third-party content that they provide links to unless they have adopted the content as their own or have deliberately aimed to make the content accessible.

Under Art. 5, hosting providers are subject to a notice-based liability system. They have no general obligation to monitor the information they store, nor do they have a general obligation actively to seek facts or circumstances indicating illegal activity. But they are obliged to remove from their sites illegal content once notified by TİB, or when subjected to a court order under Art. 8 of the Internet Law.[152] The recent increase in the scope of internet regulation resulted in a higher number of websites banned in Turkey. According to a Report of the Organization for Security and Co-operation in Europe (OSCE), by the end of 2010 access to over 3,700 websites had been banned for acquiring inappropriate content in conflict with Law no. 5651.[153] Regarding recent restrictions, the author of the report, Yaman Akdeniz, a professor of law at the Istanbul Bilgi University, said that Law no. 5651 was nominally aimed at the protection of children and families, adding also that those restrictions only had a "self-deception effect:" the ban has not prevented violations since access to restricted websites is still possible via servers providing anonymity, such as K Tunnel.[154] (See section *7.3.1*.)

7.2   Regulators

7.2.1   Changes in Content Regulation

In Law no. 6112 on the Establishment of Radio and Television Enterprises and their Media Services, which came into force in February 2011, the following regulations for news content are mentioned:

- inappropriate (e.g. extremely manipulative) sound effects and images cannot be used in news programs;

- TV and radio hosts should abstain from sharing speculative news content that is not validated by news agencies;

- news content on sensitive issues such as environment, security, and health should be presented in an impartial manner.[155]

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152. European Digital Rights, "Turkey Launches Internet Filtering Scheme."

153. Yaman Akdeniz, "Report of the OSCE Representative."

154. BBC Türkçe, "OSCE: Over 3,700 Websites Banned in Turkey," 19 January 2010, at http://www.bbc.co.uk/turkce/haberler/2010/01/100119_osce_turkey.shtml (accessed 12 April 2011).

155. *Habertürk*, "*RTÜK'ten hatırlatma*" (A Reminder From RTÜK), 18 March 2011, available at http://www.haberturk.com/medya/haber/611637-rtukten-hatirlatma (accessed 19 April 2011).

The new law also mentions regulations on tele-shopping, consumer orientation, exploitation of women and children, and product placement on TV. Professor Dr Davut Dursun, the chair of RTÜK, explained that the new law complies with the legislation of the EU.[156]

7.2.2 Regulatory Independence

RTÜK is responsible for monitoring and regulating radio and television broadcasts in Turkey. Founded in 1994 and located in Ankara, the independence of RTÜK is highly controversial, as of the nine board members appointed by the Parliament, five have to be nominated by the party or parties in power, and four by opposition parties. Moreover, the chairman of RTÜK reports directly to the prime minister, which makes government intervention easier. The government can still have influence over the decisions approved by the chairman even after the appointment of the chairman to the council, which makes the administrative structure of RTÜK unique to Turkey.

The regulatory and supervising body of telecommunication services in Turkey is BTK, which is under the Ministry of Transportation, indicating its dependency on one of the main bodies of the government. Its institutional structure is open to government influence, as two candidates are nominated by the ministry for the key positions of chairman of the board, representative of telecommunication services, and representative of wireless services.[157] The European Competitive Telecommunication Association's (ECTA) 2009 report on national regulatory authorities also indicated that BTK's regulatory framework was inefficient at improving competition in the market, and suggested that it lacked the elasticity to balance the expectations of the private sector and those of the government.[158]

7.2.3 Digital Licensing

Broadcast licensing is the responsibility of RTÜK, which has the authority for national and regional frequency planning and for giving permissions and licenses to entrepreneurs who apply for them. RTÜK conducts its activities within the framework of the principles of the European Convention on Transfrontier Television.[159] It also uses the same procedures for national, local, and regional licenses for both radio and television, as well as for analog and digital broadcasting, regardless of platform.

According to Law no. 3984 on the Establishment of Radio and Television Enterprises and their Broadcasts that came into force in 1994, all media service providers had to participate in a frequency allocation tender that RTÜK could cancel upon the request of the National Security Council in cases of national security threats. The new Law no. 6112 of February 2011 expanded the license criteria by stating that a media service provider should be active for at least one year, and must meet the tender specifications in order to obtain a

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156. RTÜK News, "Statement of Prof. Dr. Davut Dursun," 2011, at http://www.rtuk.org.tr/sayfalar/IcerikGoster.aspx?icerik_id=322b9d48-0f66-4ae5-b354-2ac3f552f261 (accessed 6 June 2011).

157. Tamer Cetin (ed.), *The Political Economy of Regulation in Turkey"*, Springer, New York, 2011.

158. European Competitive Telecommunication Association (ECTA), "Regulatory Scorecard, 2009," at http://www.ectaportal.com/en/upload/Scorecards/Regulatory_Scorecard_2009/ECTA%20Regulatory%20Scorecard%20Report%202009.pdf (accessed 16 November 2011).

159. RTÜK, "*Avrupa Sınır Ötesi Televizyon Sözleşmesi*" (The Transnational Television Directive), at http://www.rtuk.org.tr/sayfalar/IcerikGoster.aspx?icerik_id=6ac52c35-c1e4-4c7f-9768-53b851dd1cae (accessed 12 October 2011).

license from RTÜK. However, no information has yet been provided to clarify the tender specifications that media service providers are expected to meet.

All terrestrial broadcasting services still hold de facto status, in terms of being issued licenses without public tender, and it is obligatory to receive a temporary certificate from RTÜK. The non-transparent nature of licensing in Turkey has put the fairness of the system in question.

7.2.4 Role of Self-regulatory Mechanisms

No self-regulatory mechanism has been established to set up standards for accountability and transparency in Turkey, although RTÜK organized a series of conferences on media literacy in 2006, encouraging the media companies to adopt initiatives such as the appointment of television ombudsmen and the establishment of industry-wide self-regulatory bodies.

There are currently three main non-governmental journalists' bodies involved in media regulation in Turkey, namely, the Turkish Press Council (*Basın Konseyi*), the Progressive Journalists' Association (*Çağdaş Gazeteciler Derneği*), and the Journalists' Association of Turkey (*Türkiye Gazeteciler Cemiyeti*).

The Turkish Press Council is a non-governmental organization with its own charter,[160] operating in coordination with the media service providers.

In one of the latest incidents, the council became actively involved in assessing complaints about a controversial column by Oktay Ekşi, the former chief columnist of *Hürriyet* and chairman of the council.[161] Mr Ekşi received a warning from the board members of the council, following tense reactions to his controversial column. However, the controversy unexpectedly ended with the resignation of Ekşi from his position as chief columnist in October 2010, followed by his resignation from the council of his own will in January 2011. Following Mr Ekşi's resignation, council officials stated that he had resigned in order not to compromise the independent status of the council.[162]

The Progressive Journalists' Association, a member of the International Journalists' Federation, advocates the elimination of discriminatory content in Turkish media. The organization also has its own code of ethics, which is legally non-binding for its members.[163]

The Journalists' Association of Turkey was established in 1946 by a group of respected journalists of their time, including Sedat Simavi, the founder of *Hürriyet*. The association released its own code of ethics in 1960, remaining non-binding for the members.

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160. Turkish Press Council Charter in English, at http://www.basinkonseyi.org.tr/lang_eng/charterOfCouncil.asp (accessed 17 November 2011).

161. Mr Ekşi wrote a column on government policy about erecting hydroelectrical power plants in Rize, using offensive language which drew strong criticism from Prime Minister Tayyip Erdoğan.

162. DördüncüKuvvetMedya, "*Oktay Ekşi Basın Konseyi Başkanlığı'ndan Ayrıldı*" (Oktay Ekşi Resigns), at http://www.dorduncukuvvetmedya.com/2901-oktay-eksi-basin-konseyi-baskanligi-ndan-ayrildi.html (accessed 2 January 2012).

163. "*Çağdaş Gazeteciler Derneği, İlkelerimiz*" (Our Principles), at http://www.cgd.org.tr/index.php?Did=6 (accessed 18 November 2011).

Although there are also other journalist unions such as the Association of Economy Reporters (*Ekonomi Muhabirleri Derneği*), the Association of Photo Reporters (*Foto Muhabirleri Derneği*), and the Association of Parliamentary Reporters (*Parlamento Muhabirleri Derneği*), with their own codes of ethics, there is no unified code of ethics on journalism practices accepted by all these organizations.

The Advertising Self-regulatory Board (*Reklam Özdenetim Kurulu*, RÖK),[164] set up in 1994 by the members of the Advertisers' Association (*Reklamcılar Derneği*), was established to assess complaints received about advertisements on air. It explains its role as follows: "The Turkish Association of Advertising Agencies and the media, request the correction of advertisements that they find violating the International Code of Advertising Practice. It will fulfill this function in a manner that is not based on any legal requirements but is a consequence of its public commitments motivated by the conscience of the responsibilities it has towards society."[165]

Basing its code on the International Code of Advertising Practice, the RÖK deals with all kinds of complaints regarding misleading or incorrect advertisements and when necessary, initiates legal action. Decisions of the RÖK are binding on its members.[166] It also collaborates closely with RTÜK and publishes the results of its deliberations on its official website.

There are other associations in the advertising sector with their own codes of ethics, such as the Turkish Association of Advertising Agencies (TAAA), (the international Advertising Association Turkey (IAA Turkey), and the Association of Advertisers (*Reklamverenler Derneği*).

Digitization has not yet contributed to the establishment of self-regulatory mechanisms and codes of ethics in journalism practices.

7.3   Government Interference

7.3.1   The Market

The government's conservative approach to market regulation has had several implications for the media market. A recent investigation reveals that authorities on various levels enforce the government's powers over the regulators. RTÜK requested an investigation of Ulusal Kanal in March 2011, for mentioning references to the prime minister in WikiLeaks documents during a news program.[167] TRT's ad auction in March 2009 also drew huge attention due to claims that the highest-bidding company had close ties with the government.

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164. Advertising Self-regulatory Board, at http://www.rok.org.tr (accessed 16 May 2011).

165. Advertising Self-regulatory Board, at http://www.rok.org.tr (accessed 16 May 2011).

166. Advertising Self-regulatory Board, at http://rok.org.tr/eng/principles.asp?id=2#1 (accessed 17 May 2011).

167. *Birgün Daily*, "WikiLeaks Investigation by RTÜK Against Ulusal Kana,l, *BirGün,* 3 March 2011, at http://www.birgun.net/actuel_index. php?news_code=1298996176&year=2011&month=03&day=01 (accessed 18 May 2011).

The restrictive practices of regulatory authorities over digital platforms can be seen as obstacles that constrain the emergence of a fair signal distribution market in Turkey. Digitürk has been prosecuted by RTÜK for violating Law no. 4207 on Prevention and Control of the Harms of Tobacco Products by broadcasting five movies with smoking scenes. The regulator punished the digital broadcasting company with a fine of TL 250,000 during its meeting held on 16 February 2010.

There have been several cases in which regulators have been accused of being over-zealous. RTÜK's role has so far mainly been in regulating analog broadcasting, the main exception being the digital platform Digitürk, which has been operating since 1999. Digitürk has received many notices from RTÜK, the most notable in 2005 after Digitürk's movie channel, MovieMax, broadcast *Kill Bill*, which RTÜK said included violent scenes that might cause psychological damage to viewers.[168] Digitürk officials deservedly claim that it is being persecuted by RTÜK because of its owners' criticism of the government; RTÜK argues that it is simply enforcing the rules.

The government also recently started to exert pressure on digital media on the basis of current laws and regulations. Barış Yarkadaş, an online journalist working for the newspaper *Gerçek Gündem* ("Real Agenda"), may face a prison term of five years and four months, under Art. 299 of the Penal Code. His trial began on 3 March 2010. The public prosecutor charged him with "insulting the President of the Republic," and for the refusal to withdraw from his newspaper's website a critical article posted by an internet user. The journalist faced multiple lawsuits, but was acquitted in September 2011.[169]

In 2010, Hacı Boğatekin, editor-in-chief of the Gergerfirat.net news site, was sentenced to five years in prison for insulting and defaming Sadullah Ovacıklı, a local prosecutor. His son, Özgür Boğatekin, owner of Gergerfirat.net, received a 14-month prison term after he intervened when two policemen assaulted a person on the street. Cumali Badur, an editor on the same news site, was fined €1,500 after a column posted on the website in January 2008 mentioned that Mr Ovacıklı had ties with Fethullah Gülen, a religious community leader. Those three journalists have appealed their cases and the proceedings continue.

Digitization is a recent phenomenon in Turkey, and so an amended and constructive RTÜK Act, fostering technological development and operating independently of government, is expected in the coming years.

7.3.2   The Regulator

Since its establishment in 1994, RTÜK has been the main regulator and license provider of television and radio broadcasting services. Although no tender has been initiated for the distribution of frequencies over the past 16 years which did not include an abuse of power by RTÜK, it is expected that 10-year licenses will be provided for newcomers entering the media market. In addition, renewed certificates for current service

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168. "RTÜK Requires Digitürk To Defend Itself," *Haberpan*, 15 April 2005, available at http://www.haberpan.com/rtuk-kill-bill-savunmasi-istedi-haberi (accessed 19 November 2010).

169. Bianet, "Fincancı ve Yarkadaş Beraat Etti" (Fincancı and Yarkadaş Acquitted by the Court) 16 September 2011, at http://bianet.org/bianet/ifade-ozgurlugu/132754-fincanci-ve-yarkadas-beraat-etti (accessed 17 November 2011).

providers will be issued with the implementation of the new Law no. 6112 on the Establishment of Radio and Television Enterprises and their Media Services.

7.3.3 Other Forms of Interference

There are currently no forms of extra-legal government pressure on analog and digital content providers.

7.4 Assessments

The framework of media policy, law, and regulation has been adapted for the digital age in certain key areas such as gambling and child pornography, but not for cybercrimes such as hacking. Law no. 5651 on the Regulation of Broadcasts on the Internet and on the Fight against Crimes Committed through the Internet are scarcely equal to the power of regulatory authorities, as the TİB has full authority to ban global websites with inappropriate content without the need for judicial approval.

The new Law no. 6112 on the Establishment of Radio and Television Enterprises and their Media Services paved the way for the regulation of digital radio and television broadcasts, although it does not draw a distinction between the duties of analog and digital media service providers. RTÜK still plays a key role in the regulation of television and radio broadcasting. However, the composition of the institutional board members puts its independence in question. The de facto status of terrestrial broadcasting channels also indicates the need for new regulation to organize tenders on a regular basis that should draw a distinction between digital and analog media service providers. Moreover, the regulator should undertake public consultation to support pluralism and diversity throughout the revision and restructuring of television and radio broadcasting regulations.

The recent legal forms of interference in digital platforms pose a threat to the freedom of journalists in digital media. While online journalism has its own limitations in terms of having access to financial resources and the authenticity of the content provided, the application of the Penal Code to online journalists is having a corrosive effect on the independence and healthy development of online journalism in the country.

8. Conclusions

8.1   Media Today

8.1.1   Positive Developments

In the last five years, there have been various positive developments as a result of digitization.

- The increasing rate of internet penetration, as well as the rising popularity of mobile news services, indicates the growing public interest in the newly emerging technologies and services offered.

- As a consequence of the healthy competition among mobile phone service providers, Turkcell, Vodafone, and Avea, service fees have become more reasonable and affordable for millions of people in Turkey, which has resulted in a growth in the number of alternative news packages and subscribers.

- Despite the lack of effective, regularly updated, and visited news blogs in Turkey, informed estimates indicate a high number of bloggers. Blogging on issues other than news, such as lifestyle and fashion, is quite common. Digitization and Web 2.0 services have also made domestic political affairs more transparent in the eyes of global media actors as well as international organizations.

- The public broadcaster TRT began to broadcast in Kurdish in January 2009 on TRT 6, and various overseas-based Kurdish television stations continue to broadcast via satellite. This is an important step towards the recognition and acknowledgment of Kurdish culture in Turkey.

- Digitization has allowed the emergence of alternative news platforms online, although the authenticity of most news content can hardly compete with the online editions of printed newspapers. Access to financial resources is a huge obstacle for online journalists and content providers.

8.1.2   Negative Developments

- The high concentration of media ownership, growing media partisanship, the tendency to recruit star columnists rather than invest in investigative reporters, and abuses of legislation are the major obstacles to the overall democratization and better functioning of media in Turkey.

- Since coming to power in 2002, AKP has used legal loopholes to confiscate and sell various independent media organizations to party supporters, thus changing the media landscape. In 2002, pro-AKP businesses owned less than 20 percent of Turkish media outlets, while today, pro-government partisan entrepreneurs own around half of them. This is a major threat to democracy.

- Digitization has started to eat into the sales of traditional newspapers, resulting in lower advertising and sales revenues. Despite the fact that advertising on digital platforms offers an alternative source of funding for printed media outlets, even the major media conglomerates still suffer from their loss-making digital businesses.

- Although it is well known that advertising is the main source of media income for private media companies in Turkey, the non-transparent nature of relationships between advertisers and the media makes it difficult to determine what the real sources of income of media conglomerates are.

- The digital switch-over in television and radio broadcasting, planned for 2014, remains a mystery, as no detailed information has been provided for public discussion of the progress of the switch-over or the potential consequences of digitization for citizens and the media industry itself.

- There are growing concerns about increasing homophobic and ultra-nationalist discourses in print and digital media, which has also resulted in the persecution of journalists from different minority backgrounds.

- The roles of RTÜK and BTK have started to become unclear since the start of digitization processes. Although RTÜK is the body for regulating radio and television broadcasting, BTK also plays a crucial role in spectrum frequency allocation, as well as in the regulation of audiovisual content broadcast online.

- The TİB, operating under the supervision of BTK, has excessive authority with regard to determining the inappropriateness of suspected global websites outside Turkish jurisdiction.

- The regulation of analog and digital broadcasting has melded into one with the new Law no. 6112 on the Establishment of Radio and Television Enterprises and their Media Services. There has been no public discussion conducted on the issue, as the majority of the population has not been made aware of the anticipated digital broadcasting services.

8.2   Media Tomorrow

Digitization of media content will continue to change the Turkish media landscape with technological developments. UGC, along with the wide use of mobile phones, will offer a more diverse news media sector.

The victory of the AKP in the general elections of June 2011 brought new concerns about new and concentrated moves to muzzle the opposition media. Taking the political establishment's interference in the structure of mainstream media into consideration, this will definitely damage diversity in the media environment and harm the democratization process.

As a result of recent changes in the law that allow foreign companies an increased ownership share of Turkish media outlets, new global players will probably enter the broadcasting market.

Competition among mobile phone companies will be more rigorous and the prices will keep decreasing gradually.

List of Abbreviations, Figures, Tables, and Companies

Acronyms and Abbreviations

ADSL	Asymmetric Digital Subscriber Line
AKP	Justice and Development Party (*Adalet ve Kalkınma Partisi*)
AVMSD	Audiovisual Media Services Directive
BTK	Information and Communication Technologies Authority (*Bilgi İletişim ve Teknolojileri Kurumu*)
CEPT	European Conference of Postal and Telecommunications Administrations
CHP	Republican People's Party
DSIP	Revolutionary Socialist Workers' Party (*Devrimci Sosyalist Isçi Partisi*)
ECHR	European Convention on Human Rights
ECTA	European Competitive Telecommunication Association
ECOSOC	UN Economic and Social Council
ETSI	European Telecommunication Standards Institute
EU	European Union
GSM	Global System for Mobile communication
HD	high definition
ICAO	International Civil Aviation Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
ISP	internet service provider
ITU	International Telecommunication Union
OECD	Organization for Economic Cooperation and Development
OSCE	Organization for Security and Co-operation in Europe
PSTN	Public Switched Telephone Network
RÖK	Advertising Self-Regulatory Board (*Reklam Özdenetim Kurulu*)
RTÜK	Radio and Television Supreme Council (*Radyo ve Televizyon Üst Kurulu*)

TEDAŞ	Turkish Electricity Distribution Authority (*Turkiye Elektrik Dagitim AŞ*)
TESEV	Turkish Economic and Social Studies Foundation (*Türkiye Ekonomik ve Sosyal Etüdler Vakfı*)
TİAK	Television Audience Research Board (*Televizyon İzleme Araştırma Komitesi*)
TRT	Turkish Radio and Television Corporation (*Türkiye Radyo ve Televizyon Kurumu*)
TÜİK	Turkish Statistical Institute (*Türkiye İstatistik Kurumu*)
WTO	World Trade Organization

Figures

Tables

Companies

AGB Nielsen Media Research

Albayrak Group

Avea

Çalık Holding

Ciner Group

Ciner Yayın Holding

Çukurova Holding

Demirören Group (DG)

Digiturk

DK Publishing House

Doğan Media Group (DMG)

Doğuş Group

D-Smart (Doğan Group)

Feza Group

İhlas Holding

İpek Koza Holding

MNG Group

Samanyolu

Sancak Holding

Spectrum Media Group

TTNET, a subsidiary of Türk Telekom

Türk Telekom

Turkcell

Türksat

Türksat Teledünya

Vodafone

Yeni Dünya

Mapping Digital Media: Country Reports

1. Romania
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19. Argentina
20. South Africa

Mapping Digital Media is a project of the **Open Society Media Program** and the **Open Society Information Program.**

Open Society Media Program

The Media Program works globally to support independent and professional media as crucial players for informing citizens and allowing for their democratic participation in debate. The program provides operational and developmental support to independent media outlets and networks around the world, proposes engaging media policies, and engages in efforts towards improving media laws and creating an enabling legal environment for good, brave and enterprising journalism to flourish. In order to promote transparency and accountability, and tackle issues of organized crime and corruption the Program also fosters quality investigative journalism.

Open Society Information Program

The Open Society Information Program works to increase public access to knowledge, facilitate civil society communication, and protect civil liberties and the freedom to communicate in the digital environment. The Program pays particular attention to the information needs of disadvantaged groups and people in less developed parts of the world. The Program also uses new tools and techniques to empower civil society groups in their various international, national, and local efforts to promote open society.

Open Society Foundations

The Open Society Foundations work to build vibrant and tolerant democracies whose governments are accountable to their citizens. Working with local communities in more than 70 countries, the Open Society Foundations support justice and human rights, freedom of expression, and access to public health and education.