

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, THE REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2020

Country report: Turkey

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Research Project Report

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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool designed to identify potential risks to media pluralism in the Member States of the European Union and in candidate countries. This narrative report has been produced on the basis of the implementation of the MPM carried out in 2020. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, the Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological note

Authorship and review

The CMPF partners with experienced, independent national researchers to carry out the data collection and author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire developed by the CMPF.

In Turkey the CMPF partnered with Yasemin Inceoglu (Academician of Communication Sciences), Ceren Sözeri (Galatasaray University), Tirse Erbaysal Filibeli (Bahcesehir University), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of media	Access to media for minorities
Protection of right to information	News media concentration	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Online platforms concentration and competition enforcement	Audiovisual media, online platforms and elections	Access to media for women
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Protection against illegal and harmful speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

The digital dimension

The Monitor does not consider the digital dimension to be an isolated area but rather as intertwined with traditional media and existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digital-specific risk scores and the report contains a specific analysis of risks related to the digital news environment.

The calculation of risk

The results for each thematic area and indicator are presented on a scale from 0 to 100%.

Scores between 0 and 33%: low risk

Scores between 34 to 66%: medium risk

Scores between 67 and 100%: high risk

With regard to indicators, scores of 0 are rated 3% while scores of 100 are rated 97% by default, to avoid an assessment of total absence or certainty of risk.

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2021 scores may not be fully comparable with previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2021, soon available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

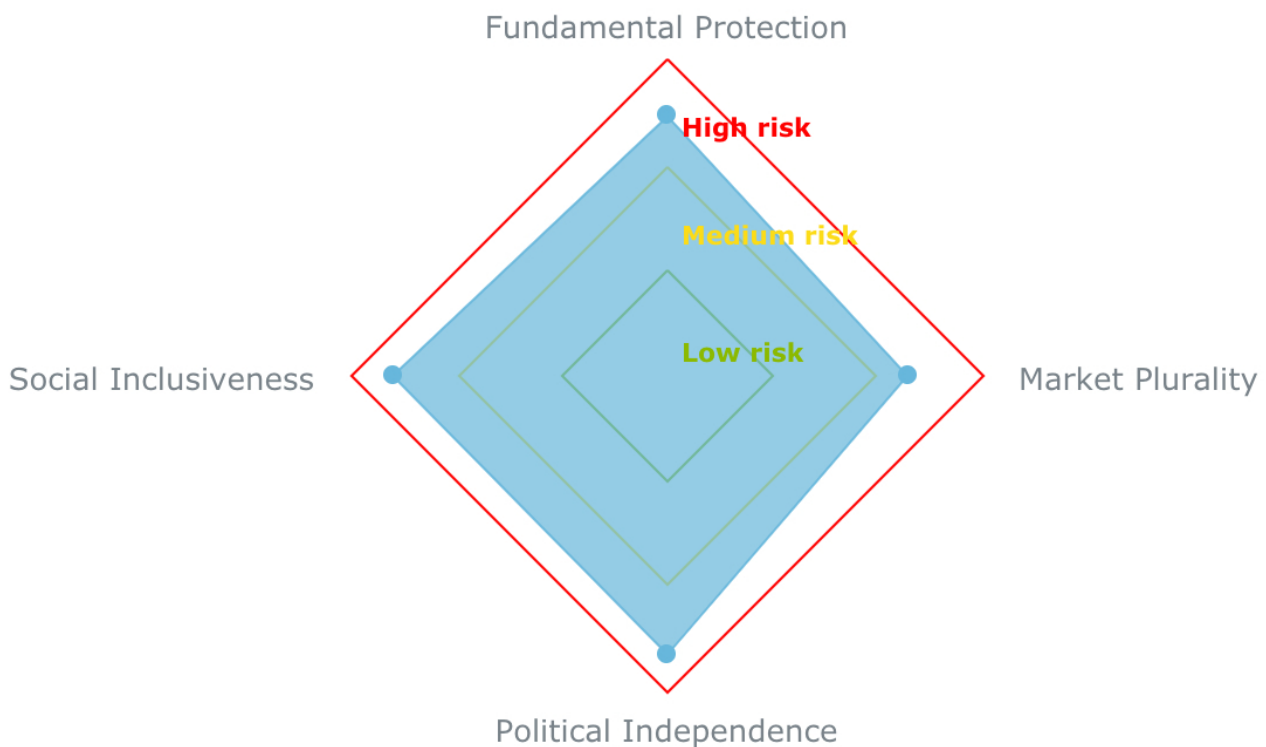
2. Introduction

- Turkey is situated at the crossroads of the Balkans, Caucasus, Middle East, and the Eastern Mediterranean. The country has a population of 84,806,974, as of January 2021 (Turkish Statistical Institute).
- The official language is Turkish.
- No exact data is available concerning the different ethnic groups in Turkey. The last census data dates from 1965. Under the Treaty of Lausanne, the Republic of Turkey recognizes Armenians, Greeks, and Jews as ethnic minorities. The Kurds (between 12-20 million), the largest minority in Turkey and other minorities as Alevis (almost 15 million) (Baskin Oran 2018), which is the largest religious minority in Turkey, have not been recognized as minorities according to Turkish Law and regulations. After the Syrian Civil War started in 2011, the population of Syrian refugees has grown day by day. According to UNHCR's data (20 January 2021), the number of registered Syrian refugees in Turkey is 3,645,140.
- Despite 1.8 percent growth in GDP with supports provided through the banking sector, the imbalances, and risks such as domestic inflation, currency depreciation, and loss of external reserves increase. Poverty increased for the second year in a row, rising from 10.2 percent in 2019 to 12.2 percent in 2020. Due to Covid 19, several taxes and government fee payments were deferred to reduce the burden on firms while economic activity was reduced. Turkish firms reduced working hours and put more employees on paid leave. The unemployment rate dropped by 0.5 percentage points to 13.2% in 2020, however, this unbalanced recovery exacerbated existing disparities as youth already had much higher unemployment rates and excluded female labor force participation (World Bank, 2021).
- Turkey obtained the status of European Union candidate in 1999 and accession negotiations started in October 2005. Since 2018, Turkey's accession negotiations have effectively come to a standstill. Following the coup attempt in 2016, Turkey had been ruled under a state of emergency by decrees for two years. During this period, on 16 April 2017, Turkey's constitutional referendum was held and the amendments that would transform the country from a parliamentary democracy into a presidential system had been accepted. According to the EC Turkey Report (2020), despite the lifting of the state of emergency in July 2018, the restrictive constituents of the emergency rule have been integrated into law. With the power centralized at the level of the Presidency without effective checks and balances, independence of the judiciary is systemically eliminated.
- Censorship and self-censorship are very widespread in the media. 9 out of 10 of the most-watched TV and most-read newspapers' owners invest in sectors such as construction, energy, mining, tourism, telecommunications who also are affiliated with the government. Media Regulatory Body (RTÜK) is under the control of the ruling party and its ally, the Nationalist Movement Party (MHP).
- In July 2020, within a new amendment, no.7253/2020 to the Internet Law no.5651/2007, the foreign social network service providers should appoint a permanent representative (who should be a real person and Turkish citizen) in Turkey and take measures to store the data of users located in Turkey. Besides, the amendment that professional associations, journalists, and human rights defenders called the "new censorship law" (MLSA, 2021) introduces a version of the "right to be forgotten" which protects personality rights like name, image, voice, and private life via a court order.
- In addition to the ongoing economic and social crisis, COVID-19 has a devastating effect on Turkey. The first case in Turkey was recorded on 11 March 2020. According to the Ministry of Health (2021a), the virus infected more than 5 million, and 42,746 people died as of May 8, 2021. First, schools were closed on March 16, 2020, and international flights were banned. The restrictions softened at the beginning of June, domestic flights were resumed, restaurants, cafes, and other public places reopened. In November, the situation worsened, weeknight curfews and full lockdowns on weekends were imposed, restaurants and cafes were closed again. At the end of April 2021, due to recording

around 60 thousand new cases and more than 350 deaths per day, the government decided to set a three-week lockdown.

3. Results from the data collection: assessment of the risks to media pluralism

Turkey: Media Pluralism Risk Areas



JS chart by amCharts



Turkey scores once more high risk in all four areas of the Media Pluralism Monitor. Except for the “Access to media for minorities” indicator in Social Inclusiveness area, all indicator results are in excessive risk. The highest average is seen in the Political Independence area. The scores of “Protection of freedom of expression”, “Protection of right to information” in the Fundamental Protection area and “Political independence of media”, “Editorial autonomy” and “Independence of PSM governance and funding” in the Political Independence area are over 90 percent. In the Market Plurality area, the highest risk of 90 percent is associated with the conditions of Media viability.

First, there is a need to highlight the outrageous risks in fundamental rights. Turkey is far behind Europe in freedom of expression and freedom of press indexes. At least 44 journalists are in jail as of World Press Freedom Day (May 3) 2021. In 2020, at least 18 journalists were physically attacked.

Turkey has been backsliding on democracy and the rule of law for the last five years. Following the coup attempt in 2016, the country lived under the state of emergency while the fundamental rights were suspended for two years. In 2017, a referendum led to regime change. After the general election in 2018, the presidential system was officially adopted and Presidential decrees replaced the state emergency decrees. In one of the first decrees (no.3), the authority to appoint and to audit the PSM board and management, the head of the Directorate General of Press Advertisement (BİK), and the Court of Accounts prosecutors were transferred to the President. The power of distributing press cards that give journalists access to the parliament and official press conferences was transferred to the Presidency of the Republic of Turkey Directorate of Communications, which was established in 2018 with a presidential decree (no.14). In 2020, 322 journalists' press cards have been canceled (TGS, 2021).

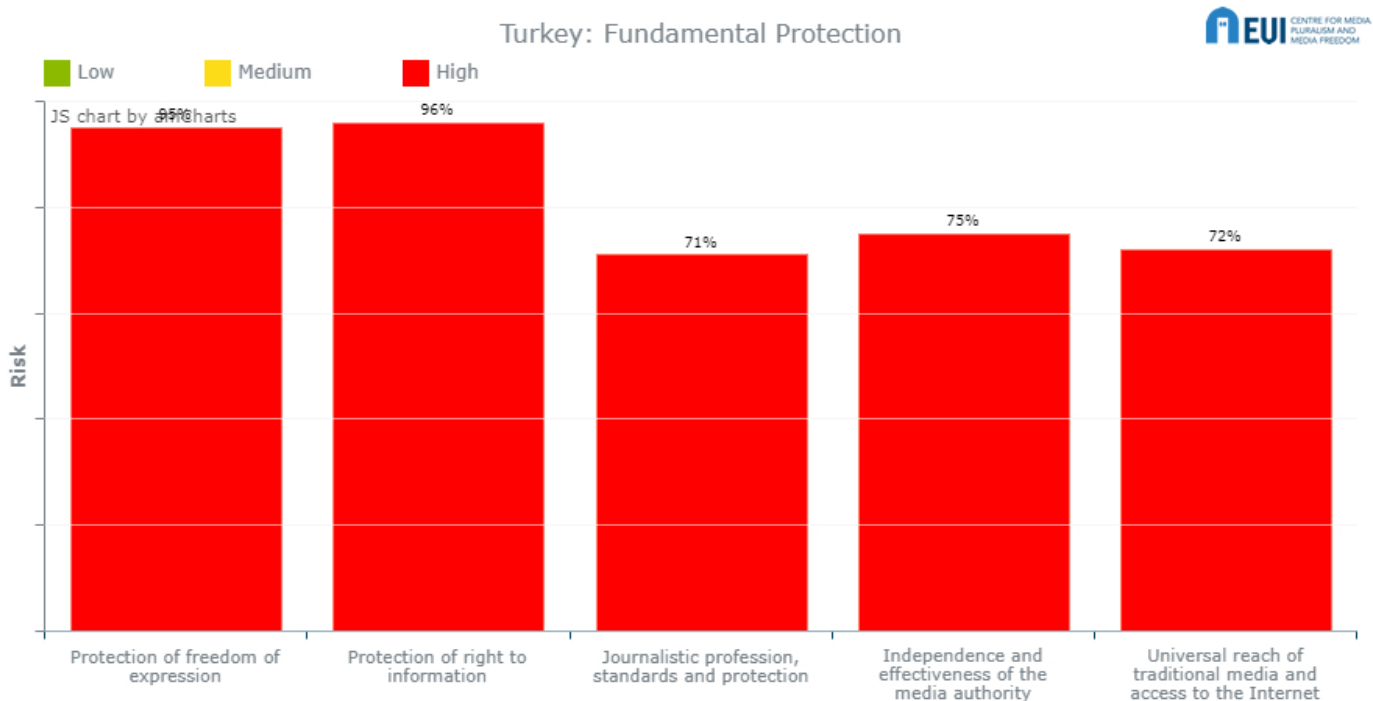
The Media Regulatory Body (RTÜK) is under the control of the ruling party and its ally, the Nationalist Movement Party (MHP); only two members belong to the main opposition party (CHP). RTÜK imposed a

systematical broadcast ban and various financial fines to oppositional TV channels like Halk TV, Tele 1, KRT TV, Fox TV; these fines target their broadcasting license, which could lead to the TV stations' closure. During the Covid 19 crisis, BİK announced a press support package for the press that meets the state advertisement criteria. Within this package, the staff of the press which benefits from the short-time working pay will be deemed to have worked full-time, and the epidemic will be considered as force majeure for the decreases in the actual sales. On the other hand, BİK continued to impose advertising bans on independent newspapers, cutting a crucial source of income threatening their viability.

In March 2020, with the effects of Covid-19, discussions on the infodemic started to occur on Turkey's agenda as in the whole world. When the government proposed amendments concerning social media to the Internet Law No. 5651, both in traditional media and social media politicians underlined how disinformation affected public health. Since July 2020, according a new amendment (no.7253) to the Internet Law no. 5651 the foreign social network service providers should appoint a permanent representative (who should be a real person and Turkish citizen) in Turkey and take measures to store the data of users located in Turkey. Besides, the amendments introduce a version of the "right to be forgotten" which protects personality rights like name, image, voice, and private life thanks to a court order. Right after publishing such amendment in the Official Gazette, the media organizations had to deal with many blocking orders and 42 % of the blocked news was related to the government and its close circles.

3.1. Fundamental Protection (82% - high risk)

The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The indicator on **Protection of freedom of expression** scores a high risk (95%). The Committee to Protect Journalists reported that 37 journalists were imprisoned in 2020 (Beiser, 2020). The country is still one of the world's worst jailers after China. According to another report from Expression Interrupted (2021), 68

journalists and media workers are in jail as of 1 May 2021. According to the BIA Media Monitoring Reports (Önderoğlu & Aydın, 2021) in 2020, 23 journalists were sentenced to 103 years and 3 days in prison in total on the grounds of "insult", "membership in a subversive organization", "aiding the organization as non-members" as per the related articles of the Turkish Penal Code (TCK); "propagandizing for a terrorist organization" as per the Article 7 (2) of the Anti-Terror Law (TMK)^[1] and, as well as on "espionage" charges as per the National Intelligence Organization (MİT) Law and the Military Penal Code.

In the 2020 Reporters without Borders' (RSF) World Press Freedom Index (2020a), Turkey ranked 154th out of 180 countries. According to the Report, censorship of websites and social media in the country "has reached unprecedented levels, and the authorities are now trying to bring online video services under control". RSF (2020b) also pointed at the crackdowns on journalists during the pandemic last year. The journalists, mostly local ones, were arrested due to covering the COVID-19 pandemic on the grounds of "spreading panic and fear" under Article 213 of the Penal Code and of not waiting for official information.

The indicator on **Protection of right to information** scores at the top of high risk (96%). The Law on Right to Information (No.4982/2004^[2]) has too many exemptions, including state secrets, economic interests of the state, state intelligence, administrative investigations, and judicial investigations and prosecutions. Such exemptions (Art. 15-28 of the Law) are too wide with respect to the international standards for Freedom of Information Acts.

According to Freedom House's Freedom in the World 2020 Turkey Report, despite the existence of the law, in practice, the government lacks transparency and arbitrarily withholds information on the activities of state officials and institutions. In the European Commission's Turkey Reports, it is remarked that the law on the right to information does not fully meet the international standards since 2016.

The indicator on **Journalistic profession, standards, and protection** shows high risk (71%). Although it is not required to get a license to practice journalism in Turkey, journalists cannot access parliament and the government's press conferences without a press card. Within the new regulation on press cards adopted in 2018, journalists who "behave against the national security and public order" or are sentenced on criminal or "terror" charges will be disqualified from holding a press card and will not get it re-issued later.

In 2020, the number of unemployed journalists in the country reached 11,157 (Duvar English, 2020b). Freelancers and self-employed journalists are out of the scope of the Press Labour Law in Turkey. At least 18 journalists were physically attacked, seven journalists were threatened in 2020 (Önderoğlu & Aydın, 2021).

The indicator on **Independence and effectiveness of the media authority** scores a high risk (75%). According to Article 35 of Law no. 6112/2011^[3], the Supreme Council (RTÜK) shall be composed of nine members elected by the Turkish Grand National Assembly in proportion to the size of the political party groups' membership. There is no independent representative to strengthen the independence and professionalism of the regulatory body. The selection and appointment process of the members is not transparent.

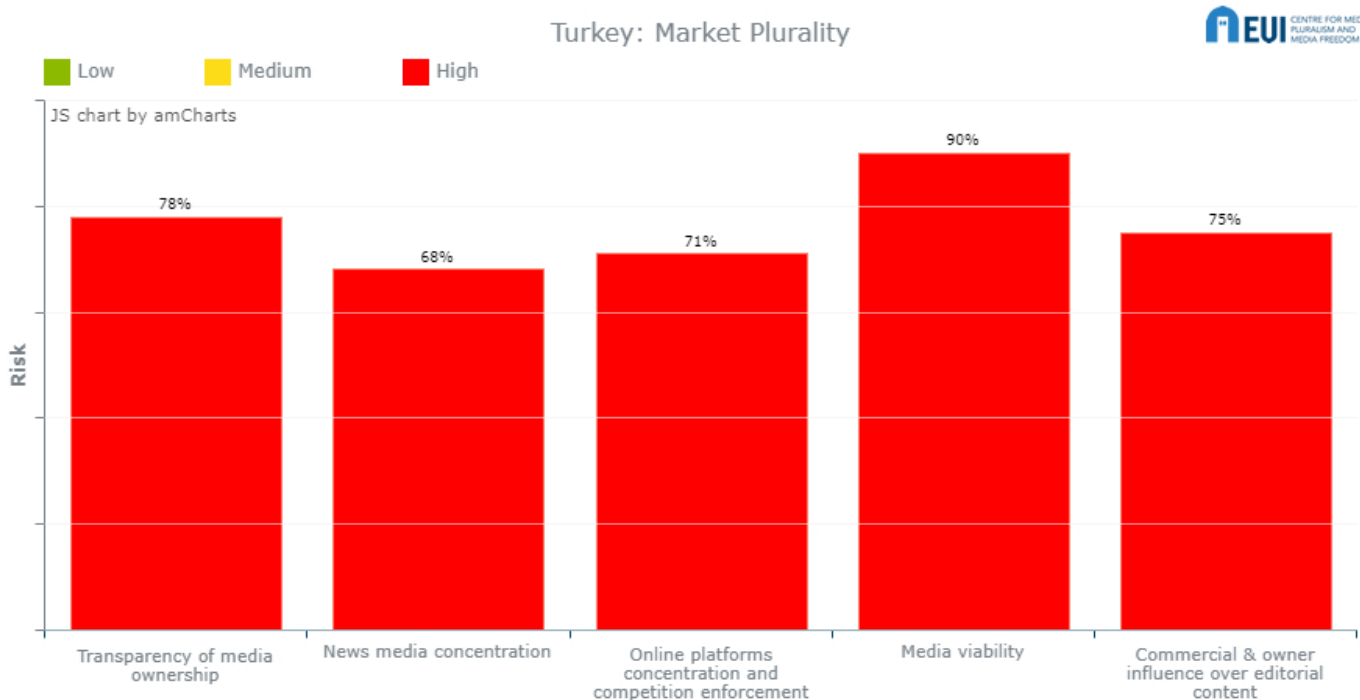
The (now former) OSCE (2020) Representative on Freedom of the Media, Harlem Désir, expressed his concern last year about RTÜK's ban on anti-governmental media outlets. Transparency International's analysis showed that 73% of the suspension of broadcasting and 69% of monetary fines in the category of news programs were imposed on critical news channels Halk TV, Tele1, FOX, and KRT TV (Duvar English, 2020a). Halk TV and Tele 1 TV have each been sanctioned twice during 2020 for violating subparagraphs (a) and (b) of the first paragraph of Article 8 (paragraph (a) prohibits to be against the indivisible integrity of the State and Atatürk's principles and reforms and (b) hate speech and discrimination) of Law no. 6112/2011. If either receives three sanctions for the same provision within a year, it will lose its broadcasting

license and be unable to operate in Turkey.

The universal reach of traditional media and access to the Internet scores a high risk (72%). There is a lack of regulation on the net neutrality of internet service providers (ISPs). ISPs do not have to manage network traffic transparently, impartially, or neutrally. The percentage of market shares of the TOP 4 ISPs is 95. According to the Reuters Digital News Report (2020), although television remains the most important source of news (68 %) in the whole country, 85% of urban-based people access online sources, including social media, mostly (72%) via smartphones.

3.2. Market Plurality (76% - high risk)

The Market Plurality area focuses on the economic risks to media pluralism, deriving from lack of transparency and concentration of ownership, sustainability of the media industry, exposure of journalism to commercial interests. The first indicator examines the existence and effectiveness of provisions on transparency of media ownership. Lack of competition and external pluralism is assessed separately for the news media (production of the news) and for the online platforms (gateways to the news), considering separately horizontal and cross-media concentration; the concentration of online advertising market; and the role of competition enforcement. The indicator on media viability measures the trend of revenues and employment, in relation with GDP trends. The last indicator aims to assess risks to market plurality posed by business interests on production of editorial content, both from commercial and owners influence



The indicator on **Transparency of media ownership** scores a high risk (78%). Law No. 6112/2011 on the Establishment of Radio and Television Enterprises and Their Media Services obliges the media companies including online platforms to notify their identification details to the Radio and Television Supreme Council and publish them on their web sites.

The names of the shareholders and the board of directors can be tracked (unless a company is a 'Limited') via the Trade Registry Gazette archive. However, one needs to know the complete and the real name of the company to dig into its records.

The indicator on News media concentration shows high risk (68%). Article 19 of Law No.6112/2011 aims to prevent monopolization through the limitations based on the share of commercial communication,

advertising revenues, and other sponsorships. However, the media authority RTÜK has not published data on the market shares since 2012 when the law came into force. So, the market shares of media groups are not publicly available in Turkey.

There is no regulation to limit cross-media concentration, particularly in the digital sphere. The audience concentration scores medium risk, however, there is no indicator available to compare audience share and market share due to political interference in advertising markets.

The indicator on **Online platforms concentration and competition enforcement** scores a high risk (71%). The Reuters Digital News Report 2020 showed that the majority of people who live in urban areas of Turkey come across news online with side-door access (social media, search engines, messaging apps, automated aggregators). There is no regulation on digital media concentration. According to the Digital 2020, 'We are social Turkey' Report, the total digital ad spend in 2020 is 2.28 billion dollars. It does not include data about the online advertising market share of news outlets. There is no data for concentration in the online advertising market; the high risk comes also by the lack of competition enforcement in the digital markets. (see also Chapter 4).

The indicator on **Media Viability** scores a high risk (90%). According to the Association of Advertising Agencies, the total advertising revenues have regularly been decreasing for several years due to the economic crisis and the digital shift. In the first half of 2020, television advertising revenues increased only by 5 percent, newspaper revenues decreased by 37.3 percent, radio revenues decreased by 17.1 percent. The official advertisement revenues have recently declined by three-quarters although they are still the only source for local newspapers to survive. According to the Turkish Statistical Institute, in 2019 30 percent of journalists were unemployed. There are 70 communication faculty and more than 14 thousand quotas in Turkey. Only five percent of the students graduating from communication faculties every year can find a job in the media sector (Duvar English, 2021).

Following the emergence of the first COVID-19 case on March 11, the government introduced a short-time working allowance which means to provide employees with income support to be paid from the unemployment fund and extended three times. Within the measures, the government also prohibited terminating any kinds of employment or service agreements and unpaid leave in April 2020.

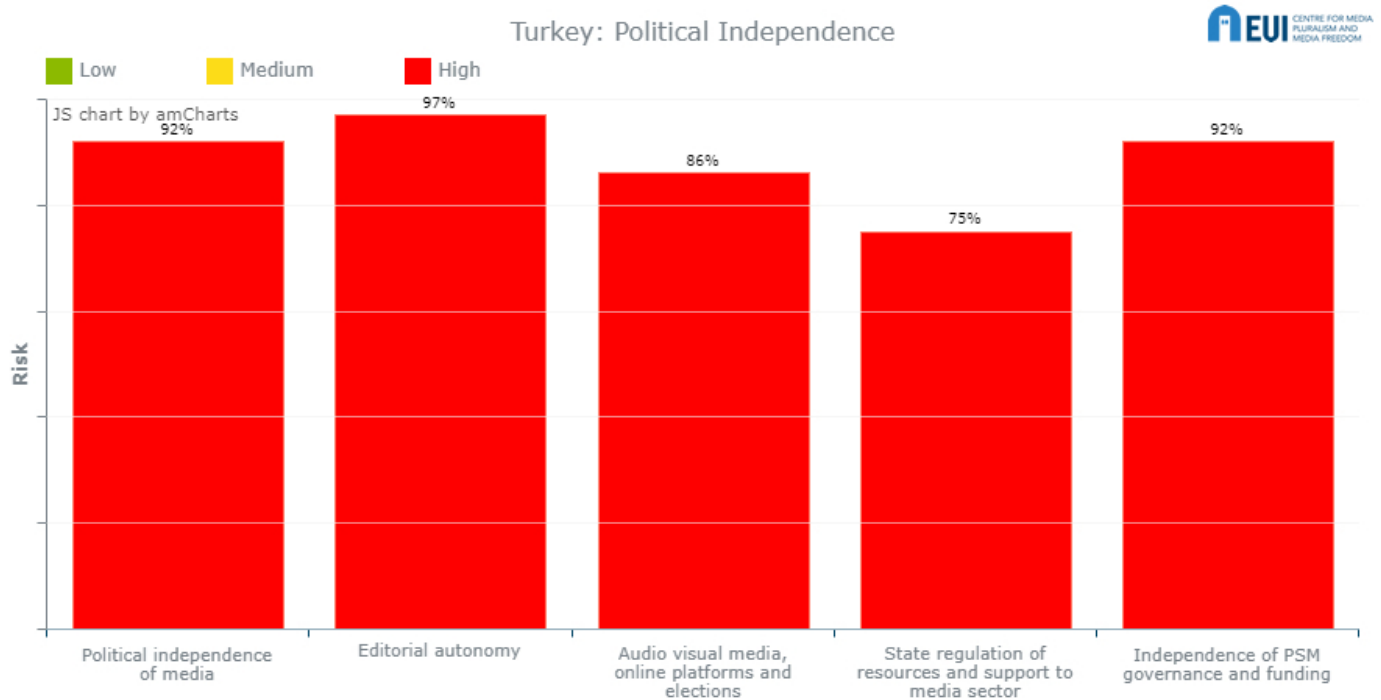
The indicator on **Commercial & owner influence over editorial content** shows high risk (75%). It is difficult to distinguish between economic and political pressures. The big business companies have close ties with the government and hesitate to advertise where the government doesn't like it. Following the takeover of the Doğan Media Group by Demirören Group, 90 percent of the mainstream media are under the government's control.

On July 31, 2020, Law no. 7253 on 'Making amendments to the law on the regulation of publications on the internet and combating crimes (Law no 5651)' came into force. Following the amendment of the Internet law, almost all news stories about corruption faced content removal orders taken by the peace judgeships. Online news media seek to increase traffic to catch more advertising revenues, particularly from search engine ads. The race for more traffic, to catch more advertising revenues distract the editors from their responsibility, and create an ethical dilemma related to the use of misleading headlines, clickbait content in journalism, etc.

3.3. Political Independence (88% - high risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of

political power over the functioning of the media market and the independence of public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and availability of plural political information and viewpoints, in particular during electoral periods.



The indicator on **Political independence** scores a high risk (92%). The ruling party, AKP has controlled the media via media mergers and public tenders. According to the RSF's Media Ownership Monitor Turkey Report in 2019, 9 out of the 10 most-watched TV channels and 9 out of 10 most-read dailies are affiliated with the government. In 2020, a former media owner Cavit Çağlar re-established Olay TV as a national news television, and only 26 days after their launch, the channel was shut down because of intense pressure from the government (Ant, 2020).

The indicator on **Editorial autonomy** scores at the top of high risk (97%). All self-regulatory instruments are ineffective. There is no ombudsman in newspapers. The prominent case of political interference with media content is the Cumhuriyet daily trial: 17 journalists and executives of the daily were on trial, five of them stayed in jail for months. On November 10, 2020, the European Court of Human Rights (ECtHR) ruled that Turkey violated Article 5(1) of the European Convention on Human Rights (ECHR, 1950) on the right to liberty and security and Article 10 on freedom of expression and should pay compensation to the applicants from the Cumhuriyet case. The board and the editor-in-chief of the newspaper were changed during this period.

The indicator on **Audio visual media, online platforms, and elections** scores a high risk (86%). The Supreme Board of Election's power to sanction private televisions to provide impartial coverage and political parties equal access to the media was removed by an emergency decree (Emergency Decree No. 687, 2017) on February 9, 2017, two months before the constitutional referendum. Since the 2015 general election, People's Democratic Party (HDP) MPs and members are de facto banned on mainstream media and PSB. Moreover, a veteran journalist Şirin Payzın who was hosting a debate in CNN Türk for years and left the channel in 2018, recently told that following the Gezi protests, the ruling party is sending them "banned guest lists" including pro-Kurdish Party (HDP) members (Evin, 2020).

According to the European Commission Turkey 2020 Progress Report, the candidates of the ruling party and its allies had a notable advantage in excessive coverage by government-affiliated public and private media during the local election in 2019.

The indicator on **State regulation of resources and support to media sector** shows high risk (75%). There are no direct subsidies distributed to media outlets. The Directorate General of Press Advertisement (Basın İlan Kurumu-BİK) is tasked with allocating official advertisements to the print media according to their circulation. During the Covid-19 crisis, BİK announced a press support package for the press that meets the state advertisement criteria. However, BİK continued to impose advertising bans against independent newspapers, cutting a crucial supply of income threatening their viability. On June 4, 2020, 20 international and local press freedom organizations and signatories wrote to the BİK to raise their concerns about BİK's unfair and vague criteria (ECPMF, 2020).

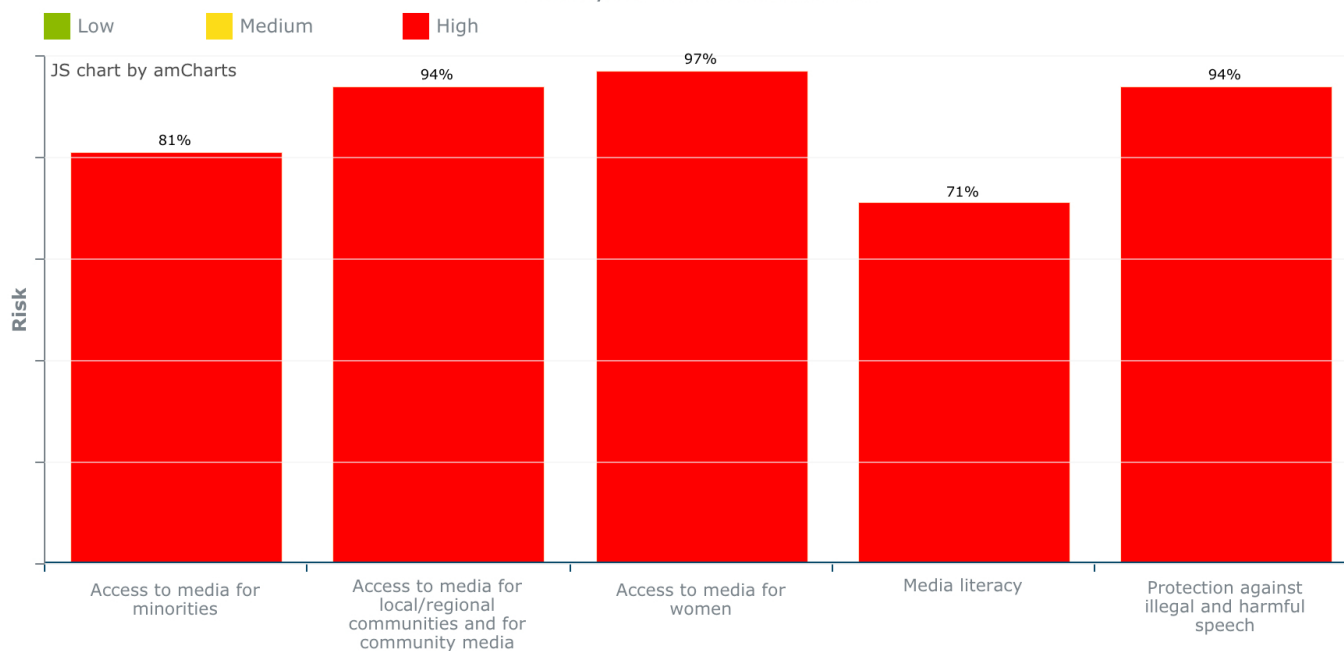
The indicator on **Independence of PSM governance and funding** scores a high risk (92%). The state Turkish Radio and Television (TRT) is defined as an "impartial public legal entity" in the Constitution (Article 133, Act No. 5370, 2005), but in practice there is no legal safeguard for appointment and dismissal procedures for the Director-General of the PSM.

Within a presidential decree (Presidential Decree, No. 3, 2018) in 2018, the appointment procedures for the management and board functions of TRT were handed over to the President. The new presidential system which came into force after the 2017 referendum, abolished the principle of impartiality of the president: the president can therefore retain ties to a political party as is the case now with President Erdoğan who is also the head of the ruling party.

3.4. Social Inclusiveness (87% - high risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. In addition, for the 2021 edition of the MPM, a new indicator has been added to the Social Inclusiveness area in order to assess new challenges raising from the uses of digital technologies: Protection against illegal and harmful speech. Due to this modification of the indicators, comparison with previous editions of the MPM should be handled with extreme care.

Turkey: Social Inclusiveness



The indicator on **Access to media for minorities** scores high risk (81%). TRT has been broadcasting since 2004 in five minority languages and dialects. However, broadcasting in different languages does not mean media pluralism is being guaranteed. PSM channels are strongly under state control. None of the minority groups in Turkey have proper access to public and/or private media outlets. There are no PSM channels for legally recognized minority groups (Greeks, Armenians, Jews).

In 2014, a regulation was published on access to broadcasting services for people with disabilities. From 2014 to 2019, no steps have been taken to implement this regulation and on October 11, 2019, a more comprehensive regulation on "the accessibility to broadcasting services for persons with disabilities" came into force^[4]. The new regulation does not only regulate subtitles but also sign language and audio description.

The indicator on **Access to media for women** scores a high risk (97%). PSM does not have a comprehensive gender equality policy and there is not a single woman on the board of directors. Female experts are not invited to comment on informative and political programmes and articles to the same extent as males. Female experts are rarely invited to comment on informative and political programmes and articles (19% of the times, according to the 2019 Journalists' Union of Turkey's report on gender equality).

The indicator on **Access to media for local/regional communities and for community media** scores a high risk (94%). The community media's independence and access to media platforms are not defined by law. Local/regional communities mostly struggle to access media platforms. For this reason, they use foreign satellites for broadcasting and they cannot broadcast on private streaming platforms for several political and economic reasons. As stated by TUYAD (Association for telecommunication of satellite and broadcasting businesspeople in Turkey), since the government doesn't support private TV and radio channels through subsidies, most local and regional media are forced to shut down.

The indicator on **Media Literacy** shows high risk (71%). In 2006, a protocol on media literacy had been signed by RTÜK and the Ministry of Education (MEB) for establishing media literacy elective courses in secondary schools. These courses are supposed to mainly focus on training children on the utilization of media and protecting them from the harmful effects of media outlets. So, in the current curriculum, there are

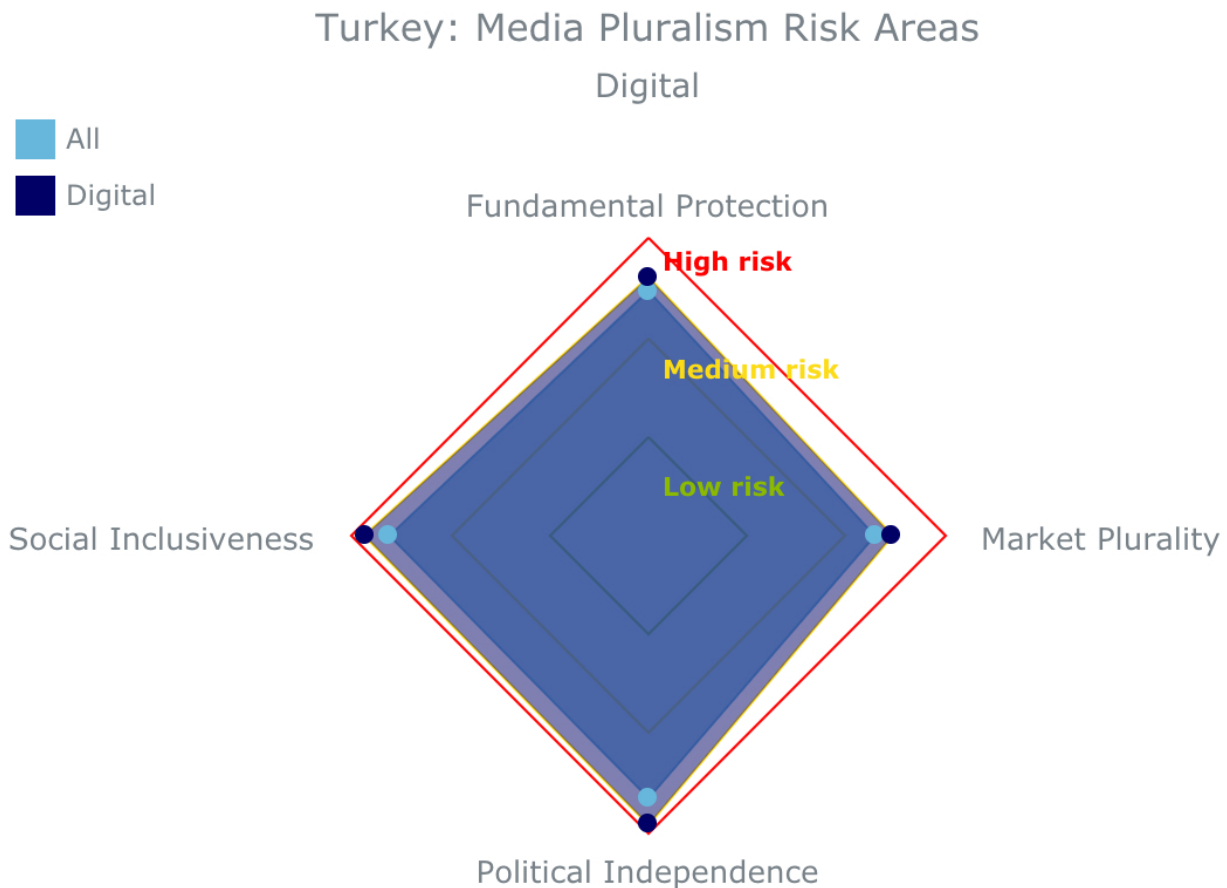
no courses on new media such as digital security, cyberbullying, digital identity, digital literacy, etc. Media literacy activities are usually targeted at children and adolescents, not adults, elderly, women, and migrants. The fast flow of misinformation in society during the Covid-19 Pandemic showed the importance of having digital media literacy skills for all. According to Cansu Aydemir Coşan (head of the Media Literacy Association) NGOs, academia, independent researchers and the government should work together in order to evaluate the policy on media literacy to provide education for all.

The indicator on **Protection Against Illegal and Harmful Speech** shows high risk (94%). There are several laws and regulations (Constitutional Law 10, TCK 5237 article 122, etc.) to counter hate speech, however as it is clearly written in the ECRI Report on Turkey, "there is not a system in place for systematically screening the web in order to detect and combat criminal online hate speech". Law no 5651 on Regulation of Publications on the Internet and Combating Crimes does not have an article on online hate crime (ECRI 2016). On the other hand, there are several NGOs that fight against hate speech.

In 2020, with the effects of Covid-19, discussions on the infodemic started to occur on Turkey's agenda as in the whole world. When the government proposed amendments to Law No 5651 concerning social media^[5], both in traditional media and social media, politicians underlined how disinformation affected public health. AKP deputy chairman Mahir Ünal stated that the spread of disinformation in social media will be prevented with the regulation. This amendment caused a discussion on how these changes limit media freedom and restrict the authorization of social media companies with the pretext of disinformation since there are very hard restrictions against social media platforms.

At the same time, civil initiatives are working hard to fight against disinformation. There are several fact-checking organizations that worked efficiently since the first COVID 19 case appeared in China in December. According to Gülin Çavuş (the editor in chief of Teyit), in Turkey, the fight against disinformation is somehow limited, because the reaction of people is changing regarding to the topic that they fact-checked. When they fact-check political issues sometimes they might be targeted. However, she stated that for Covid-19 they did not struggle with those kinds of problems, but they had difficulty in accessing the true information/data especially on the number of cases in Turkey.

4. Pluralism in the online environment: assessment of the risks



JS chart by amCharts



The Fundamental Protection in the digital area scores a high risk. In the Freedom House's Freedom on the Net 2020 Report, Turkey still remained "not free". Online platforms' transparency reports showed that the country is at the top of content removal requesters in the world. According to the "Free Web Turkey: Online censorship marks the end of news" reports, at least 1910 URLs were blocked between 1 November 2019 and 31 October 2020. Eight hundred seventy of these blocked URLs during the 12-month monitoring period contained news, while also 26 news sites were banned (MLSA, 2021).

The opposition news sites and Twitter accounts are frequently targeted by pro-government hackers (AK trolls). Two journalists' (Murat Ağirel and Batuhan Çolak), mobile phones were hacked through a Signaling System 7 (SS7) breach, in February 2020. In March 2020, seasoned journalist Ayşenur Arslan's Twitter account was hacked by unidentified attackers. The journalists whose phones, email, and Twitter accounts were hacked after posting tweets about the Turkish intelligence operatives losing their lives in Libya defined the incidents as "e-assault" and filed criminal complaints. Online harassment against women journalists is very widespread. There is no specific legislation addressing this issue. Many of the victims avoid submitting official complaint because they think that it would lead to no result.

Law no. 6698/2016 on Protection of Personal Data ("DLP") and The Regulation on the Erasure, Destruction or Anonymization of Personal Data are not yet in line with the GDPR. Losing the balance between an individual's privacy rights and the public's interest due to lack of independence of the judiciary ended up with new censorship issues. In July 2020, a new amendment no. 7253 to the Internet Law no. 5651/2007 introduced a version of the "right to be forgotten", which protects personal rights like name, image, voice, and private life via a court order.

Within the new amendment no. 7253, the foreign social network service providers whose services are accessed from Turkey more than 1 million times a day should appoint a permanent representative in Turkey (who should be a real person and Turkish citizen) and take measures to store the data of users located in Turkey. In turn, VKontakte (VK), YouTube, TikTok, Dailymotion, LinkedIn, Facebook, and Instagram appointed a local representative. Twitter accepted a requirement to appoint a local (Twitter Public Policy, 19 February 2021) after exposing advertising bans and to avoid forthcoming bandwidth restrictions.

With the pandemic, social platforms started to play a much more important role to shape the digital information sphere. According to the Turkish Statistical Institute's 2020 Information Society Research, the rate of Internet usage in Turkey is 79%, and the rate of households with access to the Internet is 90.7%. However, the percentage of the population that has basic or above basic overall digital skills is 36, and the percentage of the population that has low overall digital skills is 37 (Eurostat, 2020).

ISPs, similarly to the rest of the media ecosystem, are under pressure by the government. The market share of the TOP 4 ISPs is 95%. ISPs do not have to manage network traffic transparently, impartially, or neutrally.

The digital indicators on Market Plurality area scores also are very high risk. The online platforms under the Radio and Television Law no.6112/2011 should notify their identification details to the RTÜK and publish them on their websites. Others should indicate only the company name and identifier information on their websites.

The Radio Television Supreme Council (RTÜK) has extended its power over online radio, television, on-demand broadcasters, private media service providers, and platform operators transmitting such broadcast services since 2019. This expansion of RTÜK's powers is perceived as a censorship attempt on online platforms. As reported by the US-based news websites Deadline and Variety, for example, Netflix has removed an episode of "Designated Survivor" in Turkey following a demand from the RTÜK in May 2020 (BIA News Desk, 2021).

According to the 2020 Reuters Digital News Report, 57% of participants who live in urban areas share news by social media, email, or messaging (Newman, 2020). One of the main reasons for the popularity of messaging apps is avoiding digital surveillance.

Following the amendment on the Internet law, almost all news stories about corruption faced content removal orders taken by the criminal peace judgeships. In 2020, within a publication/broadcast ban, access blocks were imposed on 24 news websites (Önderoğlu & Aydınlı, 2021).

Political independence in the digital area scores high risk. Although the biggest news portals are operated under big media group which are indirectly controlled by the government, small-scale digital-born brands continue to provide alternative perspectives, but they have not managed to achieve significant reach and revenue.

Political parties and independent candidates are not transparent about their expenses, including social media campaigns. Google also does not implement transparency reports on political ads in Turkey, unlike in other countries.

Social Inclusiveness in the digital area shows high risk. In Turkey, there is no law that directly aims to counter online hate speech. Through amendment no. 7253 to the Internet Law^[6], by the side of banning/blocking access to content, it became possible to remove the content by request due to the content on the Internet, and a judge or a public prosecutor should take the decision on blocking access or removing

content in case of the crimes listed under articles 8 and 9 of the Internet Law No. 5651/2007^[7]. In those articles, there is no clear definition for hate speech and/or hate crime. Academics, activists, and civil society are very worried about the new 'social media law' because this law is very open to being misused since there are no decent explanations on which content would be counted as a crime; also the discussion on the possible misuse of the 'right to be forgotten' is still ongoing. Academics, activists, and civil society mostly do not think that the social media law is prepared transparently and it is not prepared with the aim to fight harmful content and disinformation on the web (MLSA, 2021). To remove online hate speech, the best option is still filing a complaint about the related content on social media platforms.

5. Conclusions

All areas of the Media Pluralism Monitor in Turkey score a high risk. Numbers of journalists and media workers are still in jail. According to the Committee to Protect Journalists' (CPJ) report (2020), the country is still one of the world's worst jailers after China.

Media ownership is not transparent, and there is no media cross-ownership regulation in Turkey. Due to the problems of media concentration, it is hard to hear different voices in the current media environment. The mainstream media outlets are mostly under control of the ruling party AKP. The top 40 media outlets are owned by business people, but conglomerates such as Doğuş, Demirören, Albayrak, Ciner, Kalyon, İhlas Group operate in different sectors such as construction, energy, mining, tourism, telecommunications (RSF, 2019b). So, media consolidation causes a conflict of interest and harms the freedom of news media outlets.

Public Service Media is also dependent on the government. For example, neither legal nor legally not recognized minorities have proper access to PSM channels. Even the programs on PSM channels dedicated to minorities are scheduled by TRT according to daily agenda and government policies.

Moreover, as stated in the 2019 MPM report on Turkey, in countries where freedom of speech and the right to information are at risk, most people tend to access news online to gather information on daily issues. In Turkey, there is a number of alternative, independent media outlets that are functional mostly on the web and social media platforms. Also, some very active international media outlets have offices in the country. Having such alternative media outlets somehow creates a semi-pluralistic media environment.

However, in 2020, under the pretence of fighting the spread of disinformation on COVID-19, the new social media law came into force. Many experts think this law will hurt freedom of expression since it includes very strict obligations for social network providers and gives power to the government to control social media companies. With this law, social network providers have become obliged to appoint legal representatives in Turkey. If they don't accept to appoint a representative, they are imposed to pay heavy administrative fines, and if they still do not appoint the representative, the government can ban advertisement on social networks. At the very beginning of this process, most of the social network providers (Facebook, Instagram, Tiktok, Twitter, YouTube, Pinterest and etc.) decided not to appoint a representative in Turkey. In January 2021, however, all social network companies except Twitter, Pinterest, and Periscope, decided to attain a representative (legal entity). This law made social media providers obliged to fulfil requests on the removal of content in four hours. In conclusion, the government has power on social platforms, while academics, civil society and experts have concerns about how it will affect the digital information landscape and pluralism in Turkey in the long-run.

6. Notes

- [1] Turkish Law on the Fight Against Terrorism, no. 3713/1991
- [2] Law on the Right to Information (No.4982/2004), <https://www.rti-rating.org/wp-content/uploads/Turkey.pdf>
- [3] Law no. 6112/2011 on the Establishment of Radio and Television Enterprises and Their Media Services, <https://www.rtuk.gov.tr/en/audio-visual-media-law/5350/5139/the-law-no6112-on-the-establishment-of-radio-and-television-enterprises-and-their-media-services-march-3-2011.html>
- [4] <https://www.resmigazete.gov.tr/eskiler/2019/10/20191011-15.htm>
- [5] <https://www.resmigazete.gov.tr/eskiler/2020/07/20200731-1.htm>
- [6] <https://www.resmigazete.gov.tr/eskiler/2020/07/20200731-1.htm>
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Annexe I. Country Team

First name	Last name	Position	Institution	MPM2021 CT Leader
<i>Yasemin</i>	<i>Inceoglu</i>		<i>Academician of Communication Sciences</i>	X
<i>Ceren</i>	<i>Sözeri</i>	<i>Team member</i>	<i>Galatasaray University</i>	
<i>Tirse</i>	<i>Erbaysal Filibeli</i>	<i>Team Member</i>	<i>Bahcesehir University</i>	

Annexe II. Group of Experts

The Group of Experts is composed of specialists with a substantial knowledge and recognized experience in the field of media. The role of the Group of Experts was to review the answers of the country team to 16 variables out of the 200 composing the MPM2021. Consulting the point of view of recognized experts aimed at maximizing the objectivity of the replies given to variables whose evaluation could be considered as subjective, and therefore to ensure the accuracy of the final results of the MPM. However, it is important to highlight that the final country report does not necessarily reflects the individual views of the experts who participated. It only represents the views of the national country team that carried out the data collection and authored the report.

First name	Last name	Position	Institution
<i>Ceren</i>	<i>Erol</i>	<i>Human Rights Education Programme Officer</i>	<i>Amnesty International Turkey Office</i>
<i>Orhan</i>	<i>Sener</i>	<i>Director</i>	<i>TGS (the Journalists' Union of Turkey) Academy</i>
<i>Sinan</i>	<i>Aşçı</i>	<i>Consultant</i>	<i>Bahçeşehir University</i>

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