

Long-Term Sectoral Strategy for Turkish Cypriot Media



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ABBREVIATIONS

EU	European Union
CJEU	Court of Justice of the European Union
OSCE	Organization for Security and Co-operation in Europe
ECHR	European Convention on Human Rights
EC	European Commission
AMD	German Media Academy
Basin-sen	Press Workers' Trade Union
BAY-SEN	Union of Bayrak Radio and Television Corporation Employees
UN	United Nations
BRTK	Bayrak Radio and Television Corporation
BTHK	Information Technologies and Communication Body
COVID-19	Coronavirus Disease
CMIRS	Center for Migration and Identity Studies
CSA	French Broadcast Authority
CyBC	Cyprus Broadcasting Corporation
DBB	Foreign Press Association
DVB-t	Terrestrial Digital Broadcast System
EJC	European Journalism Centre
EPRS	European Parliament Research Service
SWOT	Strengths, Weaknesses, Opportunities, Threats
IFJ	International Federation of Journalists
ITU	International Telecommunication Union
KRTK	Cyprus Radio and Television Body
KTSYD	Cyprus Turkish Sports Writers Association
KTGB	Turkish Cypriot Journalists Association
OCCRP	Organized Crime and Corruption Reporting Project
PIO	Cyprus Press and Information Office
RSF	Reporters Without Borders
CSO	Civil Society Organization
UNDP	UN Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
YYK	Higher Board of Broadcasting

EXECUTIVE SUMMARY

The freedom of thought and expression figures among the most fundamental values of democratic societies. In a democratic society, the press¹ serves as a platform so different voices, a natural outcome of the freedom of expression, can be heard; it also seeks and disseminates news, information, thoughts, comments and opinions. This public service for everyone in the society naturally encompasses the act of monitoring and inviting public authorities to be accountable as well as auditing the state's functioning by reviewing and criticising it. For this reason, the media is acknowledged as the **fourth power** in a society after the three separated state powers of the legislative, the executive and the judiciary or as the public's watchdog. In order for the media to fulfil this function, the freedom of expression and the freedom of the press need to be guaranteed, legal and administration measures need to be taken in order not to block these freedoms in practice.

In the Turkish Cypriot community, significant efforts have long been deployed for the freedom of expression and for establishing an independent media, which are sine qua non elements of democracies. Over the years, Turkish Cypriot media has evolved from a single broadcast outlet to a structure with multiple print, visual and audio media outlets where different political views are represented.

Despite its pluralistic structure allowing for different voices, Turkish Cypriot media faces challenges in numerous areas such as legal texts, 'administrative' structures, economic sustainability and organization. Even though the freedom of expression is guaranteed by the 'constitution'; the existence of arrangements to limit it in certain circumstances, the possibility of initiating criminal proceedings against opinions considered to be "seditious publication", the archaic state of other legal texts dealing with

the media and the exposure of regulatory bodies to political influence create problems with regard to an enabling environment for free media.

In terms of the field of economic activity, the lack of required technical infrastructure and human resource constitutes a major obstacle in the way of the development of private sector media institutions. Moreover, the existence of numerous news sites without impressums that are not capable of producing content leads to an increase in low-quality news that are often merely copied and pasted and to a shrinkage in share of advertising revenue, which is already small to begin with. The regular and substantial 'state' budget contributions to 'public' broadcasting and the sub-market average advertising opportunities offered by them lead to an atmosphere of unfair competition. The personal rights of media employees are abused by some media institutions and staff are paid low salaries despite intensive working hours, which leads to a sub-optimal level in terms of the sustainability of human capacity in the sector. Interest groups sponsoring certain media institutions to preserve their economic and mass/individual interests puts these institutions under their sphere of influence, which leads to these institutions resorting to self-censorship in order to maintain the sustainability of the mutual-interest relationship in question. This situation, which puts pressure in terms of freedom of expression on media institutions that are expected to observe 'public' interest, also leads to the dissemination of wrong and misleading news due the ineffective use of self-regulation mechanisms. The community's level of media and information literacy does not allow media users to separate correct news from lies. No structural dialogue has been established between education institutions, the 'ministry' in charge of education and media organizations to

¹ "Press" ("basin" in Turkish and "matbuat" in old Turkish), is the collective name for "media" outlets that fulfil mass journalism and other informative (i.e. not advertising or propaganda) communication functions. "News industry", "news media industry" or "media" in short is used in this study to refer to the same phenomenon.

² In its case law indicating that article 10 of the Convention on the freedom of expression encompasses the freedom of the press, the ECHR underlines that the press is an "information provider and public's watchdog". D. Spachmüller "Art. 10 ECHR and its importance for the media in its role as a 'public watchdog'", Freiburg Law Students Journal, Edition III - 10/2006; http://freilaw.de/journal/eng/edition%203/3_Demid_Essay_press_freedom.pdf.

improve media and information literacy. Media organizations have not been able to create a common structure to act collectively in cross-cutting issues so as to carry out advocacy work before decision-makers in a more efficient and structured manner. This strategy, which offers media institutions and organizations a long-term road map for the development of Turkish Cypriot media, consists of three sections. The first section deals in detail with the above mentioned legal text-related, administrative, economic and social problems of the Turkish Cypriot community under the four main indicators as determined by UNESCO to monitor media development and conducts baseline analyses in light of international benchmarks:

- An environment conducive to freedom of expression, pluralism and diversity of the media
- Plurality of media, a level economic playing field and media ownership
- Media as a platform for democratic discourse
- Professional capacity building, organization and cooperation with other civil society organizations

The second section contains a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis shaped by baseline studies and a vision to carry Turkish Cypriot media forward in line with this analysis. A following section offers strategic objectives and detailed action plans that could be pursued by media institutions and organizations to carry out more efficient advocacy work in the short and medium term in line with the established vision objectives.

Among the strategic objectives and activities, improving and updating the framework of legal texts is key to creating a more enabling environment for Turkish Cypriot media. Another objective revolves around making media self-regulation mechanisms more active and improving the quality of internet journalism.

When it comes to levelling the economic playing field, the objective is to eliminate anti-competitive practices from economic activities and create the necessary infrastructures to allow local channels to broadcast more easily. With regard to media ownership and the rights of media employees, it is proposed that transparency be achieved in terms of the ownership of media organizations and steps be taken to improve the personal rights of the members of the press. Organizing trainings and awareness raising activities to increase the society's media and information literacy in order to fight against fake news and disinformation in the media also figures among the strategic objectives.

It is proposed that in-service trainings be developed to improve and increase the quality of media employees' content production and reporting skills and that the conditions for issuing press cards be reorganized.

Achieving all strategic objectives requires effective advocacy by media organizations with collective action and by mobilising different mechanisms. To this end, one of the objectives envisages the creation of a platform that would operate within the framework of a work programme that would address the strategic objectives and bring together media institutions and organizations under the leadership of the Turkish Cypriot Journalists Association (KTGB).

The long-term media sector strategy puts forth a new vision for the creation of a media that is freer, stronger and more ethical. The vision refers to the reality of digitalizing media and reflects the objectives of safeguarding the freedom of expression, presenting the journalism that is carried out in a higher-quality manner that does a good job of analysing the society's psychological state, media organizations getting more professional and institutionalized, and creating a pluralistic media environment where different voices are heard.

INTRODUCTION

The long-term media sector strategy has been prepared within the scope of the “Possible: Stronger, Freer, More Ethical Journalism” project financed by the European Union and implemented by the KTGB. The strategy contains analyses pertaining to the current situation under four main headings with regard to improving the media-related ‘legal’ and administrative structure in line with international and EU criteria to create an enabling environment for the freedom of expression in the northern part of Cyprus, improving the financial sustainability of the media sector, creating and implementing ethics standards in the media as well as establishing an efficient dialogue with all sections of the community (civil society organizations, disadvantaged groups etc.), touches upon problems and puts forward strategic objectives to make further progress in these matters.

Our community is located in a challenging part of the world in terms of the freedom of the press and the freedom of expression. Moreover, technological change and the digital transformation of media lead to concerns about the future of journalism in our community as is the case globally. Even though an unprecedented number of individuals are able to access and produce content, the combination of political polarization and technological change has facilitated hate speech and the rapid dissemination of unverified news and has often led to disproportionate restrictions of the freedom of expression. In an increasing number of countries, journalists are faced with verbal and physical attacks that threaten the duty of providing the people with news and information. Various international organizations have developed standards around media freedom and the freedom of expression with a view to protecting media against all these threats and various methodologies to monitor the extent to which these standards are met in different countries.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) has created the most advanced media development indicators to date in order to analyse the extent to which media development is achieved in various countries. The organization has also prepared World Trends in Freedom of Expression and Media Development reports to present a critical analysis of the trends in various countries with regard to media freedom, pluralism, independence and the safety of journalists. Since their adoption in 2008, the Media Development Indicators have been widely accepted by leading actors in the field of media development including the UN Development Programme (UNDP), the World Bank, the Council of Europe (see Resolution 1636), the International Federation of Journalists, the International Media Support, the Media Foundation for West Africa and the Doha Centre for Media Freedom³.

Seen from the European perspective, the freedom of expression is considered in Article 10 of the European Convention on Human Rights (ECHR) as one of the most crucial elements of democratic governance that can only be restricted under specific circumstances such as the protection of national security or the rights of individuals. The European Court of Human Rights produces judgements on rights violations stemming from this article with regard to disputes arising between signatory countries and their citizens. These judgements set precedents within the legal systems of signatory countries. The freedom of expression was integrated into the European Union *acquis communautaire*, thus becoming part of the EU primary law, with the inclusion of the EU Charter of Fundamental Rights into the Treaty of Lisbon that came into effect in 2009. However, the Court of Justice of the European Union (CJEU) acknowledged EU fundamental rights as the general principles of EU law and considered these rights as part of the legal framework

³ UNESCO Media Development Indicators, <https://en.unesco.org/programme/ipdc/initiatives/mdis>

upon which it based its judgements long before the entry into force of the Treaty of Lisbon.

The European Commission's Directorate-General for Enlargement prepared the "Guidelines for EU support to media freedom and media integrity, 2014-2020" consisting of a series of action plans in order to help candidate countries fulfil the media freedom criteria as part of the accession process. Despite the rigorous review of candidate countries with regard to media freedom as part of the accession process, one can note that the EU falls short when it comes to protecting the freedom of expression within member states⁴. Even though the freedom of expression is among the required criteria to become a member of the EU, institutions of the Union are not able to implement necessary sanctions against countries for their violations after becoming member states. Therefore, EU Institutions, and notably the European Parliament, call for the development of further EU standards in the field of the freedom of expression and media freedom.

The significant transformation in communication technologies in recent years, increasing internet use, and especially restrictions of individual liberties and country-wide lockdown decisions due to the COVID-19 pandemic that erupted in 2020 have been accompanied by certain pitfalls in terms of the freedom of expression. Acting as an enabler of free exchange of information between individuals, the internet also led to the proliferation of websites spewing fake news about a wide variety of topics. Dramatic declines in advertisement revenue and circulation numbers have started to pose significant threats vis-a-vis the sustainability of especially well-established media outlets. All of these developments require media institutions and organizations to collectively increase their cooperation with international organizations, clearly define their problems, and develop strategic objectives towards a solution in order to protect the freedom of expression and fortify the media's stance in the face of threats.

⁴ Maria Poptcheva, *Press freedom in the EU Legal framework and challenges*, EPRS | European Parliamentary Research Service, Briefing April 2015

METHODOLOGY

In the first stage of preparing the strategy, comprehensive desk research was conducted into the history and the present circumstances of Turkish Cypriot media, the corporate structures it contains, and the challenges it faces. This was followed by in-depth examination of the problems via focus group meetings with various members of the media, executives and representatives of 'public' and private media organizations, media institutions, and legal experts in the field of human rights as well as one-on-one discussions with the 'ombudsman' and the 'president of the supreme court'.

The information gathered from desk research, focus groups and individual meetings were analysed to draft a baseline report. Following the drafting of the baseline report, a series of structured meetings were organized with international media organizations (the European Journalism Centre, the Ethical Journalism Network) and journalist unions and associations from EU member states Estonia, Slovenia and the Republic of Cyprus to gather further information from various country practices in fields such as the freedom of expression, media pluralism, rights of journalists, new business models in the media and media organization. Presentations by representatives of these organizations are included in the annex to the strategy under "panel presentations".

A two-day "Media Vision and Strategy" workshop was organised online on 10-11 February 2021 to validate the observed present circumstances and problems of Turkish Cypriot media with the participation of

representatives of media organizations and leading members of the media, conduct a SWOT analysis with contribution from the participants and determine elements of the vision. Recommendations with regard to the strategic objectives to be pursued by media organizations and institutions were also collected and discussed in the workshop.

During the workshop, inquiries were made into current international practices and projects in some of the key problem areas for Turkish Cypriot media such as 'legal' provisions blocking the freedom of expression, increasing number of web TVs and journalism outlets without impressums doing low-quality reporting, technical shortcomings in digital transformation, ethical standards in the media, and the professional development of media employees.

Prepared by taking into account the criteria and standards from the UNESCO Media Development Indicators and the Guidelines for EU support to media freedom and media integrity 2014-2020, the strategy document contains analyses and problems of Turkish Cypriot media under four main sections.

Each section opens with internationally acknowledged basic indicators and includes international best practices to allow for comparisons regarding subjects discussed later on. This is followed by an examination of baseline analyses and problems. The last part of the strategy covers the strategic objectives and activities to be pursued for each section.

1. CONTEXTUAL ANALYSIS

1.1. AN ENABLING ENVIRONMENT CONDUCTIVE TO FREEDOM OF EXPRESSION, PLURALISM AND DIVERSITY OF THE MEDIA

A country may have well-drafted articles of the constitution and laws that safeguard the freedom of expression; however, the effective implementation of the legislation and preventing the erosion of the relevant articles through exceptions are key issues when it comes to media development. It is also crucial for the society to be aware of the rights conferred upon them by laws and to increase their awareness with regard to mechanisms such as “the right to information” and “resorting to an ombudsman” so that they can exercise these rights when necessary.

Safeguarding editorial independence with laws also figures among the cornerstones of the freedom of expression. Similarly, it is of utmost importance for journalists to have effective legal assurances to protect their sources. In addition, legal regulations pertaining to defamation or denigration should be placed within the purview of civil law instead of criminal law. News deemed to be unjust, untrue or harmful should be brought before the courts only if it damages the reputation and livelihood of ordinary citizens. Laws that are heavy-handed, ill-defined or contain general definitions may prevent citizens from expressing their opinions and lead to self-censorship in the media. Moreover, detailed legal arrangements as to who can be a journalist as well as lengthy and bureaucratic accreditation, licensing and registration procedures introduce unjust restrictions vis-a-vis the media and constitute an obstacle in terms of the

freedom of expression.

The state must enable civil society organizations, media institutions and the public opinion to take an active role in shaping public policies regarding the media. In this framework, active participation of all relevant parties must be ensured by means of a cooperation structure when policies related to the media are crafted.

Oversight of the media, referred to as the public’s watchdog, is to be carried out in light of internationally accepted standards, only to observe public interest with regard to audio-visual broadcasts, and in a manner that is free of commercial influence, impartial and equitable. However, the generally accepted opinion with regard to print media is that this should be done via mechanisms such as ethics boards and media councils organised around professional and ethical codes to be developed by media organizations themselves.

This section contains, in light of the above-mentioned internationally accepted standards, a baseline analysis and refers to problems regarding the extent to which the ‘legal’ framework in the northern part of Cyprus is sufficient in terms of enabling the freedom of expression, pluralism and diversity in media and the degree of success achieved by broadcast regulatory boards in safeguarding pluralism in media, the freedom of expression and the right to information.

Freedom of Expression in International and EU Law and Key Case Laws

International law and EU law do not contain detailed provisions that signatory countries are obliged to implement in terms of the freedom of expression. The general points to be observed with regard to the freedom of expression, which is regarded within the general context of human rights, are arranged within the framework of principles stipulated in international conventions that guarantee all rights. Moreover, the case law of international courts set precedents for signatory parties in case of violation of these principles.

The freedom of expression is defined under article 10 of the European Convention on Human Rights (ECHR) adopted by Council of Europe members on November 4, 1950. The relevant article, which also encompasses the freedom of the press, stipulates that everyone has the right to freedom of expression. Even though this right does not prevent states from developing a licensing system for broadcast, cinema and television enterprises, it includes the freedom to receive and impart information and ideas without restrictions and interference by public authority.

The Charter of Fundamental Rights of the European Union that is based on the ECHR and became part of the European Union acquis in 2009 refers to the freedom of expression under Article 11 in the following manner:

“Article 11 Freedom of expression and information

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

2. The freedom and pluralism of the media shall be respected.”

To date, numerous judgements have been rendered, especially by the European Court of Human Rights (ECHR) with regard to violations of the freedom of expression.

Among the judgements are the arguments that individuals cannot be detained for claims contained within their reporting, that their documents and instruments cannot be seized with the purpose of exposing their news sources or that they cannot be held responsible for the links and references included in their reporting. On the other hand, the ECHR has also judged that leaking certain diplomatic information cannot be considered within the scope of Article 10. These cases that set precedents for judgements of courts in signatory countries are summarized below:

1- Case of Fatullayev v. Azerbaijan (Final Judgement 40984/07):

It concerns a journalist named Fatullayev who was sentenced to imprisonment following judicial proceedings started against him in 2007 as a result of two articles he had published in a newspaper called Realnij Azerbaycan. The first article that was the subject of the court case contained reporting on the incidents that had taken place at the town of Khojaly during the clashes in Nagorno-Karabakh whereas the second article pertained to speculations about a potential war between the USA and Iran, in which Azerbaijan could be involved, based on the pretext that the government of Azerbaijan supported the USA. The ECHR ruled in its judgement that Mr Fatullayev had been the victim of two violations of Article 10 (freedom of expression and information) of the ECHR and a violation of Article 6 (right to a fair trial and especially the presumption of innocence). The court demanded in its judgement that Azerbaijan immediately release the journalist and that he be paid 25,000 Euro in respect of non-pecuniary damage and 2,822 Euro for costs and expenses.⁵

2- Case of Tillack v. Belgium (Final Judgement 20477/05):

Hans Martin Tillack published two articles in the German weekly magazine Stern based on confidential documents of the European Anti-Fraud Office (OLAF) in 2002. Suspecting that Tillack had bribed an official to obtain this information, OLAF opened an internal investigation to

⁵ “60th anniversary of the European Convention on Human Rights: World Press Freedom Day”, Avrupa Konseyi, <https://rm.coe.int/168071e2c5>

identify the person who had disclosed the information. The person who had disclosed the information could not be identified. On 19 March 2004, the applicant's home and workplace were searched. Almost all of the applicant's working papers and tools were seized and placed under seal (16 crates of papers, two boxes of files, two computers, four mobile telephones and a metal cabinet). Tillack alleged before the ECHR that the searches and seizures carried out at his home and place of work had violated his right to freedom of expression. The Court concluded that article 10 of the Convention had been violated as it was clear that the aim of the searches conducted in November 2007 was to reveal the source of the information. The Court ruled that 10,000 Euro be paid to the applicant in respect of non-pecuniary damage and 30,000 Euro in respect of costs and expenses. The decision of the Court emphasised that the right of journalists not to disclose their sources cannot be considered a mere privilege to be granted or taken away depending on the lawfulness or unlawfulness of their sources, but is part and parcel of the right to information.⁶

3- Case of Stoll v. Switzerland (Judgement 69698/01): The case concerns the sentencing of the applicant to payment of a fine for having disclosed in the press a confidential report by the Swiss ambassador to the United States. The document related to the strategy to be adopted by the Swiss Government in the negotiations between, among others, the World Jewish Congress and Swiss banks on the subject of compensation due to Holocaust victims for unclaimed assets deposited in Swiss bank accounts. In 1999 the Zürich District Court C sentenced the applicant to a fine of 800 Swiss francs (approximately 476 Euro) for publishing "secret official deliberations". In its judgement of 25 April 2006 the Court ruled that there had been a violation of Article 10. At the request of the Swiss Government, the case was referred to the Grand Chamber for appeal. Ultimately, the Court held, by 12 votes to 5, that there had been no violation of Article 10 of the Convention.

The Court ruled that even though the confidentiality of diplomatic reports could not be protected at any price, Mr Stoll's publications could significantly harm the interests of the Swiss authorities. It also observed that the articles in question were inaccurate and liable to mislead readers. Finally, the Court shared the opinion of the Swiss Government and the Press Council, a private and independent body set up by the media, that Mr Stoll's chief intention had not been to inform the public on a topic of general interest but to make the Ambassador's report the subject of needless scandal.⁷

4- Case of Magyar Jeti Zrt v. Hungary (Judgement 11257/16) 1: In its judgement dated 4 December 2018, the ECHR ruled that holding media companies liable for the content of hyperlinks in their reporting was a violation of the freedom of expression under Article 10 of the ECHR.

With regard to the incident that is the subject matter of the court case, the news portal Magyar Jeti Zrt published an article that included a hyperlink to an interview with a Roma local administrator regarding the far-right Jobbik party but the article itself made no reference to Jobbik. Jobbik then brought defamation proceedings against Magyar Jeti Zrt and others (including operators of other Hungarian news outlets and the major). The court of first instance had ruled that Magyar Jeti Zrt had disseminated defamatory content by making the YouTube video available via the hyperlink it had included. This decision had been approved by the Supreme Court of Hungary before being brought before the ECHR.

This decision of the ECHR is regarded significant proof that attributing strict liability to news outlets and others with regard to potentially unlawful content accessible via hyperlinks contained within online articles and posts creates a deterrent effect on the free flow of information and the freedom of media in the digital age.⁸

⁶a.e.

⁷a.e.

⁸"European Court issues landmark decision on freedom of expression online", Article 19, <https://www.article19.org/resources/european-court-issues-landmark-decision-on-freedom-of-expression-online/>

1.1.1. 'Legal' Framework

The primary element with regard to media regulation and supervision in northern part of Cyprus is the external component - i.e. the 'constitution', 'laws', 'regulations' etc. However, there are also two self-regulation efforts albeit not at the desired level: the Media Ethics Council Declaration and relevant processes.

The 'legal' framework with regard to media activity in northern part of Cyprus can be grouped under two categories of 'legislation': directly "media focused" and "relevant to media".

The 'constitution'

As a collection of generally-acknowledged rules that lays out the manner in which the 'state' will be governed and regulates individual rights and freedoms, the 'constitution' sits atop the hierarchy of norms: no other applicable piece of legislation can contravene the 'constitution'.

The Turkish Cypriot 'constitution' draws a wide framework that complies with modern democratic norms when it comes to regulating the fundamental rights and freedoms that concern media activity. There is another point that needs to be noted. These fundamental rights safeguarded by the 'constitution' are also guaranteed under the following articles of the ECHR, which is part of domestic Turkish Cypriot 'law' at the same level as the 'constitution': Article 8 (right to respect for private and family life), Article 9 (freedom of thought, conscience and religion) and Article 10 (freedom of expression).

Freedom of the press is stipulated as follows under Article 26 of the 'constitution':

- (1)** The freedom of the press and publications is guaranteed for all 'citizens' and shall not be subjected to censorship.
- (2)** The 'State' shall take the necessary measures to ensure the freedom of the press, publication and of receiving information.
- (3)** The freedom of the press and of receiving information may be restricted by 'law' for the purpose of safeguarding 'public' order or 'national' security or 'public' morals or for preventing attacks on the honour, dignity or rights of persons and for preventing incitement to commit an offence or for the purpose of assuring the proper func-

tioning of the 'judiciary' in accordance with its aims.

- (4)** Save when it is imposed by a decision to be given by any 'court' or 'judge', within the limits to be prescribed by 'law', for the purpose of ensuring the proper functioning of the 'judiciary' in accordance with its aims, no ban shall be imposed on the publication of news about events.

These provisions safeguard the uncensored freedom of the press and publication for 'citizens' (paragraph 1) on the one hand and attribute to the 'authorities' the liability of taking the measures to enable this on the other (paragraph 2). This covers measures such as guaranteeing appropriate working conditions for journalists, not forcing journalists to expose their news sources, not issuing sentences that violate the freedom of expression to journalists, and safeguarding the right to receiving information. The article also outlines the circumstances under which the freedom of the press can be restricted and indicates that the freedom of the press can only be restricted by 'law' (paragraphs 3 and 4).

Article 24 of the 'constitution' on the "Freedom of Thought, Speech and Expression" safeguards the freedom of expression, which covers the freedom of the press, and prescribes the circumstances under which it can be restricted and indicates that this can only be done by 'law':

- (1)** Every person has the right to freedom of thought or opinion. No person shall be compelled to disclose his thoughts and opinion. There can be no crime in view of the thoughts of a person.
- (2)** Every person has the right to express and publish his thoughts and opinion, by himself or collectively, by word of mouth, in writing, through pictures or other media. This right includes freedom to express opinion and to receive and impart information and ideas without interference by any 'public authority' and regardless of the boundaries of the 'State'.
- (3)** The exercise of the freedom of speech and of the freedom of expression may be subject to such formalities, conditions, restrictions, or penalties as are necessary and as prescribed by 'law', only in the interest

⁹ As per Article 90 of the 'constitution' on the Ratification of International Agreements, "international treaties which have been duly put into operation shall have the force of law. Recourse cannot be made to the 'constitutional court' in respect of such treaties on the grounds of 'unconstitutionality' (paragraph 5). In a judgement (judgement 3/2006, p.22), the 'constitutional court' interpreted this article in the following manner: "...not only international treaties which have been duly put into operation in the north of Cyprus have the force of law but no recourse be made to our 'constitutional court' on the grounds of 'unconstitutionality'. In other words, these have the same footing as the 'constitution' and take precedence over other laws." (Italic added.)

of 'national security' or the 'constitutional order' or the 'public safety' or the 'public order' or the 'public health' or the 'public morals' or for the protection of the reputation or rights of others or for preventing the disclosure of information received in confidence or for maintaining the authority and impartiality of the 'judiciary'.

Article 27 confers upon 'citizens' the right to publish newspapers, magazines and pamphlets without obtaining prior permission or furnishing of financial security and underlines that 'laws' to be drafted to regulate the use of this right cannot impose "political, economic, financial and technical conditions preventing or making difficult the free dissemination of news, thoughts and opinion".

(1) The publication of newspapers, magazines and pamphlets by 'citizens' shall not be subject to obtaining prior permission or to furnishing of financial security.

(2) The publication, distribution and financial resources of newspapers, magazines and pamphlets and the conditions pertaining to the profession of journalism shall be regulated by 'law'. Such 'law' shall not impose political, economic, financial and technical conditions preventing or making difficult the free dissemination of news, thoughts and opinion.

(3) Newspapers and periodicals shall benefit, in accordance with the principle of equality, from the media and facilities provided by the 'State' and other 'public corporate bodies' or by 'institutions' attached to them.

(4) Newspapers, magazines and pamphlets published within the boundaries of the 'State' may be seized by an order of a 'judge' in cases where any of the offences specified by the relevant 'law' has been committed; and by an order of the 'authority' expressly empowered by 'law' in cases where a delay is considered undesirable from the point of view of safeguarding 'national security', 'public order' or 'public morals'. The competent 'authority' giving the order for the seizure, shall inform the 'court' of its decision on the same day. If the 'court' does not confirm the decision within two days, at the latest, the order for the seizure shall be considered null and void.

Article 29 regulates the protection on printing equipment.

Printing works and their auxiliary buildings and printing presses and equipment belonging to the 'citizens' shall not be confiscated

or seized or prevented from operating, even on the ground of having been used in the commission of an offence.

Other articles of the 'constitution' that concern the media are as follows:

The Right to Correction and Reply *Article 31*

(1) The right to correction and reply shall be recognized only in cases where the honour and dignity of persons are hurt or incorrect statements are published concerning them and it shall be regulated by 'law'.

(2) In cases where a correction or reply is not published, the 'judge' shall decide whether its publication is essential or not within seven days, at the latest, of the receipt of the application made by the person concerned.

*Privacy of Individual's Life*¹⁰ *Article 19*

(1) Every person shall have the right to demand that his private and family life is respected. There shall be no violation of the individual's private and family life. The exceptions necessitated by 'legal proceedings' shall be reserved.

(2) There shall be no bodily search of a person or his private papers and belongings and these shall not be confiscated, except in cases expressly defined by 'law' and on the basis of a 'court' or 'judge's decision' made in accordance with usual procedure; and in cases where delay is considered undesirable on grounds of 'national security' and 'public order', without an order of the competent 'authority' duly authorised by 'law'.

Freedom of Communication *Article 21*

(1) Every person has the right to freedom of communication.

(2) The secrecy of communication is a fundamental principle. In cases required by 'law' unless there is a decision given by a 'court' or a 'judge' in accordance with the 'law', this secrecy shall not be interfered with.

'Legislation' directly focused on the media

Table 1 lists 'laws' that directly concern the media in the northern part of Cyprus. The Chapter 79 Press 'law', the Press Labour 'law' numbered 44/2007 and the 'law' numbered 39/1997 on the Establishment and Broadcast of 'public' and Private Radio and Televisions will be evaluated in this section.

¹⁰ In some circumstances, the right to privacy and the freedom of the press can clash. When assessing cases of this nature brought before it, the European Court of Human Rights considers whether or not there is public interest in the news that is the subject matter of the case.

Table 1 'legislation' of direct relevance for the media

GENERAL	CORPORATE
<p>Chapter 79/1947 Press 'law'</p> <p>44/2007 'press labour law'</p> <p>'law' numbered 39/1997 on the establishment and broadcast of 'public' and private radio and televisions</p> <p>Press card 'regulation' (under the Chapter 79 Press 'law')</p>	<p>50/1983 Bayrak Radio and Television Corporation (BRTK) 'law'</p> <p>41/2011 'Turkish News Agency – Cyprus (TAK) law'</p>

Chapter 79 press 'law'

The Press Law is a law that came into effect during the era when the island was a British Crown colony. In 1947, this law replaced the "Newspaper, Books and Printing Presses Law" dated 1930. The 1930 law became even more restrictive in 1934 relying especially on the pretext of the 1931 revolt. Most of the provisions contained therein were reflected in the Press Law that was passed in 1947.¹¹

The Chapter 79 Press Law, the execution of which was the responsibility of the 'ministry' of interior, regulates the conditions for printing newspapers and owning printing machinery, the banning of "importing newspapers etc.", requests for correction with regard to publications about certain events, the crimes committed against this law and their prosecution and - since 2006 - the practices around the press card commission and press cards.

Dating back to the colonial administration era, this law was amended in 1949, 1951 and 1954. The first, and so far the last, intervention in this law in recent years came in the form of the press (amendment) 'law' numbered 48/2006 that was passed and

entered into force in 2006. This 'law' added a new article (article 30) to the Press 'law' to regulate matters of the "Press Card Commission and Press Cards". When this was done, the previous relevant provision, which was paragraph 6 of article 5 of the public information office 'law', was removed with the introduction of the public information office (amendment) 'law' numbered 49/2006. (Note: The article 30 that was added to the Press 'law' also regulates the amendment/renewal procedure for the Press Card 'regulation'. This point is evaluated below under the Professional Qualifications section.)

The general consensus is to the effect that the current Press 'law' is quite archaic. From time to time, relevant parties (press organizations, especially KTGB, legal experts, interior 'administration', academia) express the need for a more modern press 'law' that would be appropriate for the current 'legal', technological and economic framework. Naturally and before all else, any new 'law' would need to abide by the fundamental principles safeguarded by the abovementioned articles and 'case law' of the 'constitution' and articles and case law of the ECHR. It is understood that the 'ministry' of Interior has been collab-

¹¹ Azgin, s. 22.

orating on the matter with relevant parties since 2011 but that no conclusion has been achieved and that the event even hit a bottleneck in recent years.¹²

44/2007 press labour 'law'

This 'law' regulates the working conditions in 'public' and private workplaces operating in the media sector and the labour relations between "press employees" (that is, journalists and other people working at these workplaces based on an employment contract and in exchange for salary) and their employers. The media sector expression contained within the 'law' describes all broadcast and communication activities carried out via print, electronic, visual and audio media tools with the purpose of providing news and information in areas of politics, economy, culture, sports, social and other matters and also covers the publications of news agencies.

The 'press labour law' includes provisions that adapt the rights and obligations stipulated in the 'labour law' numbered 22/1992, which is a general 'law', to the media sector as well as some additional rules that are specific to the press field. Article 67 of the 'press labour law' regulates the co-application of this 'law' and the 'labour law': accordingly, in matters that are not regulated under the 'press labour law', the rules under the 'labour law' are applied to the extent that these do not contradict the 'press labour law'.

'law numbered 39/1997 on the establishment and broadcast of public and private radio and televisions'

This 'law' was passed in 1997 to meet the regulation and supervision need that was felt as a result of the emergence of private sector broadcasting activities. The purpose of the 'law' is to regulate "radio and television broadcasts and the composition, duties, authorities and responsibilities of the 'higher board of broadcasting' within a framework that observes the 'constitutional' order, rights of individuals and principled broadcasting in line with the principle of the freedom of the press

and information and in compliance with the spirit of the 'constitution'" (article 3). The 'law' covers "matters relating to radio and television broadcasts made domestically, to other countries and from other countries to the domestic market via electromagnetic wave and any other means, under any name, and with any technical methods and instruments" (article 4).

Article 5 of the 'law' underscores that radio and television broadcasts are to be done as a 'public' service and enumerates the principles to be abided by within this framework. Key among these principles are compliance with the rules contained within the 'constitution', and other than those relevant to the principles of general morals and 'national' security, the freedom of expression, pluralism in communication, barring broadcasts containing condemnation or hate speech based on race, gender, social class or faith, impartiality and accuracy in collecting, selecting, and publishing news, publishing news and commentary separately, barring publications that serve private objectives and interests and cause unfair competition, observing the equality of opportunity between groups and political parties among others.

'Press card regulation'

This 'regulation' contains the procedures and principles pertaining to the issuance of Press Cards to journalists working for 'domestic' or foreign press organizations and/or news agencies active in print, audio, audio-visual or electronic publications, and also to freelance journalists operating without being affiliated with an organization.

'Legislation' of relevance for the media

Table 2 includes 'legislation' that does not necessarily pertain exclusively to the media but contain certain rules regulating media activity. The 'laws' in the first five rows under the 'laws' column on the left-hand side of the table contain articles which regulate the media in a de facto manner via the restrictive measures they

¹² KTGB, *Activity Report 2010-2012*, p. 42.

contain: in general, these measures aim to ban slander and libel, protect confidentiality/privacy, protect copyrights, and ban violence and hate speech. These will be briefly evaluated along with the other 'legislation' in the table below.

The 'regulation to support local labour employment' (prepared under the 'provident fund law' numbered 34/1993) that appears on the right-hand column was also included here as it covers employment in the media sector. The 'regulation' aims to: "as per sub-paragraph (C) of paragraph 6 of article 8 of the 'provident fund law', ensure that the 5% "Contribution Premiums to Local Employment" deducted from employers per every foreign employee they employ are used and managed in order to support the development of local labour employment and increase the rate of employment of local labour." Sub-paragraph (D) of paragraph 6 of article 20 of the 'regulation' contains the following provisions of relevance for the media:

(a) Payments to encourage and/or sup-

port employment in the media sector are done for 36 months starting from the date of employment.

(b) For the purposes of this sub-paragraph, the "Media Sector" refers to periodical newspapers published daily, weekly or monthly and sold for a price, radio-television organizations and news agencies.

(c) In the event of doubt regarding whether or not a workplace is part of the media sector, a 3-person committee consisting of representatives to be appointed by the Turkish Cypriot Journalists Association, Basın-Sen Journalists Union and the 'ministry' delivers the final verdict about the matter. The Committee's decision are made by majority of votes.

The other document that appears on the right column in the table, i.e. the 'copyright regulation' (prepared under the 'department of culture law' numbered 19/1986) are evaluated together with the 'copyright law' below.

Table 2 'legislation' containing articles regarding the media

'LAWS'

- chapter 154/1929 criminal 'code'
- chapter 148 'civil wrongs law'
- chapter 157 'juvenile offenders law'
- chapter 164 'seditious publications law'
- 35/1963 'law amending the law on the publication of obscene matters and the protection of literary works'
- 32/2014 'law on the protection of personal life and private space'
- 32/2020 'cybercrimes law'
- chapter 264 'copyright law'
- 12/2006 'law on access to information'
- 22/1992 'labour law'

'REGULATIONS'

- 'regulation to support local labour employment' (prepared under the 'provident fund law' numbered 34/1993)
- copyright 'regulation' (prepared under the 'department of culture law' numbered 19/1986)

Chapter 154 criminal ‘code’

The Criminal Code, which came into effect in 1929 when Cyprus was a British Crown colony, was amended with different amendment ‘laws’ passed at different points in time and made it to our day in its combined form. Right at the outset of the law, there is the following description: “‘law’ to Provide for Certain Crimes and the Punishment Therefore and for Other Matters Relating to the Criminal ‘law’...”.

The law regulates the following crimes in relation to the media: “publications with seditious intention” (articles 47-49), “publishing untrue news with the intention of creating fear and apprehension in the society” (article 5), and “encouraging violence” (article 51) under the heading of “Treason and Other Offences Against the State”, the crime of “libel and slander”¹³(article 68) under the heading of “Offences affecting relations with Foreign States and External Tranquillity”, and the crime of “libel and slander” (articles 194-202) under the heading of “Libel and Slander”.

The idea that many of the abovementioned provisions of the Criminal ‘code’, especially those related to “publications with seditious intention” and “libel and slander”, are contrary to the freedom of expression and the freedom of the press as guaranteed by the ECHR, which is part of the ‘constitution’ and the domestic ‘legislation’ of the Turkish Cypriot community, is quite common in the media sector as well as in legal circles. As per this idea, the offences related to “seditious publications and libel and slander” contained within the Chapter 154 Criminal ‘code’ must be removed and matters of “libel and slander” must be resolved through actions for damages to be filed by the parties before civil ‘courts’ instead of resolving them through criminal cases. The fact that journalists and media organizations can be sued by the office of the ‘chief prosecutor’ under the Criminal ‘code’ for allegations of libel and slander in the north of Cyprus downgrades its status in terms of the freedom of expression and the freedom of the press.

Chapter 148 civil wrongs ‘law’

¹³ The Ottoman words of “zem” and “kadih” (“hakaret” and “karalama” in modern Turkish) refer to the concepts of “libel” and “slander”.

Having come into effect in 1933 when Cyprus was a British Crown colony, the Civil Wrongs ‘law’ remains in effect under its amended form. The section of this ‘law’ that concerns the media consist of the articles 17 to 25 under the heading of “Libel and Slander”. This part of the ‘law’ regulates the acts that can be the subject of actions for damages that can be filed by individuals based on allegations of libel and slander as opposed to criminal cases that can be brought forward by the ‘state’ with the allegation of libel and slander under the Criminal ‘code’.

Chapter 157 juvenile offenders ‘law’

As is the case with the abovementioned ‘laws’, the chapter 157 Juvenile Offenders ‘law’ is a ‘law’ that was passed during the British era (1933) and remained in effect until our day under its amended form. The part that is of relevance for the media is paragraph 4 of article 5 under the heading of ‘juvenile courts’:

In a juvenile ‘court’ no person other than the members and officers of the ‘court’ and the parties to the case, their advocates and other persons directly concerned in the case, shall, except by leave of the ‘court’, be allowed to attend:

Provided that bona fide representatives of a newspaper or news agency shall not be excluded, except by special order of the ‘court’.

Provided also, that no person shall publish the name, address, school, photograph, or anything likely to lead to the identification of the child or young person before the juvenile ‘court’, save with the permission of the ‘court’ or in so far as required by the provisions of this ‘law’. Any person who acts in contravention of the provisions of this proviso shall be liable to a fine not exceeding ten Cypriot liras.

It is quite telling that the fine for contravening the rules remains unchanged as an archaic amount in a currency no longer in circulation in this article that regulates the rules pertaining to the dissemination via the media of information that could lead to the identification of the child or young person before the juvenile ‘court’.

Chapter 164 seditious publications 'law'

This 'law' regulates inciting hatred or contempt or exciting disaffection against the person of the 'president' or the 'state' as well as the importation and banning of all publications, whether periodical or not, that pursue seditious aims with the intention of humiliating the 'president' or the 'state'.

Despite still being in force, it is worth noting that this law, passed during the British era, has not been implemented in recent years.

35/1963 'law amending the 'law' on the publication of obscene matters and the protection of literary works

Containing provisions regarding publications with obscene content, this 'law' is similar to the 'seditious publications law' in that it was passed in the past, is still in force but not implemented.

32/2014 'law' on the protection of personal life and private space

This 'law' aims to protect two fundamental rights guaranteed at the highest level under articles 19 and 21 of the 'constitution', i.e. the privacy of individual's life and the freedom of communication, and to regulate the crimes deemed to be committed by those who violate these fundamental rights and the applicable punishments. The 'law' also stipulates the punishments to be given in cases where these crimes are committed via the "press" or "social media". For the purposes of the 'law'; "press" refers to all print, visual or audio publications, whether electronically available or not, such as newspapers, magazines, radio, television, internet newspaper and internet magazine while "social media" refers to digital media and technologies that allow users to create media content and to share written, audio or visual content whether on an individual basis or in groups.

32/2020 cyber-crimes 'law'

The purpose of this 'law', which had been in the works for a long time and was recently passed on 29 June 2020, is indicated as follows:

- Stipulating the procedures and principles to be implemented with a view to preventing activities that harm the confidentiality, accuracy and availability of information systems, networks and data as well as the ill-intentioned use of these systems, networks and data and the committing of crimes
- Stipulating the responsibilities and obligations of content providers, domain providers, access providers and mass use providers as well as internet news websites
- Identifying the criminal actions and punishments within the framework of all these activities and stipulating the procedures and principles related to the effective fight against the crimes in question and their prosecution

The relevance of this 'law' for the media is obvious as all kinds of media activities can be carried out on the internet in this day and age. "SECTION SEVEN – rules regarding the decision of denial of access and its execution and removal of content" and "SECTION FOUR – rules regarding violations of intellectual property and rights stemming from software and databases" of the 'law' directly impact media organizations broadcasting digitally. Since the 'law' came into effect only very recently, its practical results will naturally manifest over time. However, discussions that initiated in 'legal' and civil society circles when the 'law' was still in the proposal stage and indicated that numerous articles were in violation of the 'constitution' with regard to various fundamental rights, notably the freedom of expression and the press and the right to privacy, still continue to this day, even after the passing of the 'law'. There are currently two applications brought before the 'constitutional court' to have the 'law' annulled: one claimant is the only political party that objected the passing of the 'law' in its current form, that is the Communal Democracy Party (TDP) and the other is Basin-Sen.

12/20 06 'law' on access to information

The 'law' on access to information, which

came into effect in 2006, is not a 'law' that contains explicit provisions that concern the media. However, the "right to information" is the sine qua non of an environment of freedom of expression and of the press, which is necessary to uphold the principles of transparency, equality and impartiality that underpin democratic states and good governance.¹⁴ Applicable to the activities of organizations and institutions in its scope, this 'law' aims to set out the principles and procedures pertaining to the use of the right to access to information by individuals in line with the abovementioned principles.

Chapter 264 copyright 'law' and copyright 'regulation' (prepared under the 'department of culture law' numbered 19/1986)

Copyright legislation constitutes a part of "intellectual property law". Copyright refers to rights that are provided by law to an individual or a group of individuals in connection with the use and copying of information, thoughts, artwork and products created by all kinds of intellectual efforts. No registration is necessary for copyright to apply. There are numerous types of work that fall within the copyright framework: for instance, TV and radio programmes, movies, audio-visual works such as audio and music recordings, courses, articles, written works such as books and music composition, paintings, visual works such as posters and advertisement, works of drama such as theatre plays and musicals, video games and computer software. The internet-based communication technologies of our age enable fast and interactive settings in which works, that is intellectual or artistic production, can be transmitted and disseminated an endless number of times and forever. Content is now user generated especially in the new media that stands out with a culture of creation that relies on "sharing" and this act of "sharing" on social media sites is crucial in terms of copyright law.

It cannot be said that there is a developed piece of 'legislation' that protects copyrights in the northern part of Cyprus. There are three separate legal texts iden-

tified that contain provisions pertaining to copyrights. The Chapter 264 Copyright 'law', which came into effect in 1919 under the British administration, is the general 'law' in this matter. Chapter 264 consists of 4 articles and reference is made to the copyright law in effect in Britain in 1911 for parts of the law that are missing. In other words, the 1911 British Copyright Law is currently being implemented in northern part of Cyprus.¹⁵ The second relevant document is the copyright 'regulation' (prepared under the 'department of culture law' numbered 19/1986). This 'regulation' only covers acts to be carried out in relation to royalties, translations and other rights pertaining to publications to be made with the approval or decision of the 'ministry' of education. The principal objective of the 'regulation' is outlined as "bringing intellectual works into our language and developing literary art, regulating the rights of authors in the printing and publishing of quality works of literature and textbooks". The third document is the abovementioned cyber-crimes 'law'. "SECTION FOUR – rules regarding violations of intellectual property and rights stemming from software and databases" of the 'law' contains the following provision (article 12):

A person who distributes or publishes an intellectual and artistic work by processing, reproducing or modifying or puts up for sale, sells, rents, purchases with commercial intent or imports or exports through information systems without the authorization of the right holder real or legal person commits a crime and, in the event of their conviction, they can be sentenced to a fine of up to 6 (six) times the minimum wage or up to 1 (one) year in prison or both.

However, as per article 13 of this 'law', actions or transactions conducted lawfully fall outside the scope of this article and do not constitute a crime.

It appears that efforts would be called for in order to render the copyright 'legislation' in northern part of Cyprus coherent and effective in implementation and to harmonize it with desired modern norms such as EU law for instance.

¹⁴ L. Maxwell, "Access to information in order to speak freely: Is this a right under the European Convention?", *Oxford Human Rights Hub*, 19 January 2017, <https://ohrh.law.ox.ac.uk/access-to-information-in-order-to-speak-freely-is-this-a-right-under-the-european-convention/>.

¹⁵ <https://www.gurkangurkan.com/yayinlar/kktcde-fikri-mulkiyet-haklarinin-ihlali.35.aspx>

22/1992 labour 'law'

The 'law' aims to regulate working and business life as well as the relations between employers and employees. The definition of "all workers, employers, self-employed and freelance workers as well as their workplaces and factories" made in the law also include the media

sector. As mentioned above, Article 67 of the press labour 'law' regulates the co-application of the press labour 'law' and the labour 'law': accordingly, in matters that are not regulated under the press labour 'law', the rules under the labour 'law' are applied to the extent that these do not contradict the press labour 'law'.

Identified problems:

Criminal 'code':

- Provisions pertaining to the crimes of "seditious publications", "libel and slander against officials of foreign states" and "libel and slander" appear as threats with regard to exercising the freedom of the press. The 'office of the chief prosecutor' can file criminal charges against journalists by relying on these provisions.
- «Caricature Case»: A criminal case was filed by the office of the 'chief prosecutor' against the editor in chief of the daily Afrika (now Avrupa) Şener Levent and Afrika Publishing Ltd. with the allegation that they had made publications with the intention of insulting President of the Republic of Turkey Erdoğan and attempting to disrupt the friendship between Turkey and the northern part of Cyprus.
- Decision of the 'court': It underlined the importance of the freedom of expression in a democratic society, presented examples from Europe to point out that politicians need to be more tolerant towards criticism and made references to the case law of the European Court of Human Rights in the field of the "freedom of expression" and the "protection of personal rights".

Chapter 79 press 'law':

- Given its quite archaic nature, there is a clear need for a modern press 'law' that would fit the current legal, technological and economic framework.

Chapter 157 juvenile offenders 'law'

- Its relevant articles cannot be applied since the juvenile 'courts' stipulated in the 'law' have not been set up.

32/2020 cyber-crimes 'law'

- Certain media organizations and political parties point out that the 'law' has certain problems with regard to the freedom of expression and thought and the right to privacy. There are cases demanding the annulment of this 'law' before the 'constitutional court'.

Chapter 264 copyright 'law'

- The 'law' falls significantly short of protecting copyrights.
- Given its archaic state, it needs to be revised in light of EU norms.

1.1.2. Regulatory Structure for Broadcasts

'Higher board of broadcasting'

The 'board' that regulates broadcasting activity in northern part of Cyprus is the 'higher board of broadcasting' (YKK). Tasked with regulating radio and television broadcasting activities, YKK is defined as "an autonomous and impartial 'public' legal entity" (article 6). YKK has nine members in total: eight members are appointed by the political parties with groups in the 'assembly' and one member is appointed by the 'president'. The qualifications sought in individuals to be appointed as members of the 'board' are specified under article 8. The fact that these "minimum" qualifications are very "modest", for instance the lack of any requirement for specialization in any field for appointment to this role, appears as a shortcoming. Article 11 stipulates that individuals appointed as members of the 'board' cannot carry responsibilities in organs of a political party, and that they cannot have duties or have shares in any broadcast organization. There is no doubt that this is a minimum requirement for the 'board' to be "autonomous and impartial".

YKK bears the responsibility of frequency planning in northern part of Cyprus, issuing licences and broadcast authorizations to organizations that will engage in terrestrial, digital, satellite, cable and IPTV broadcasting, issuing establishment and operation authorizations for relevant facilities and supervise the broadcasts of these organizations. In the event that broadcast organizations perform broadcasts that violate the rules stipulated in this 'law' and breach the conditions of their authorizations, it is also among the duties of the body to carry out the necessary actions as per this 'law'. (Article 14)

The budget of the 'board' is subject to approval by the 'assembly'. YKK drafts its budget and communicates it to the 'government' for submission to the 'assembly'. The budget revenue consists of the following:

- Three percent share to be collected from total gross advertisement revenue of private broadcasting organizations (article 16);
- Any fees for broadcast authoriza-

tions and license fees as well as advertisement fees and frequency/channel fees;

- Fines to be collected as per the 'law' (articles 43 and 44).

Having started its activities during its first period covering 1998-1999, YKK has so far completed a total of six periods and is currently in its seventh period.

The 'legislation' that serves as the justification for YKK's activities consists of the relevant 'law' as well as 5 'regulations'¹⁶ and 8 by-laws regarding technical matters passed as per this 'law'. YKK has a close relationship and working ties with the Radio and Television Supreme Council (RTÜK) of the Republic of Turkey. YKK uses a special system to record and archive all radio and television broadcasts. Broadcasts are constantly monitored by broadcast monitoring agents of YKK. YKK also carries out its supervision activities based on the assessment of complaints received via email or the "Alo 178 Request and Complaint Hotline".

According to information published on its website, YKK has so far organized 20 training seminars covering different topics with regard to the media and led the efforts to prepare and broadcast 'public' service announcements to educate the society and introduce "media literacy" courses in secondary education.

YKK has made significant contributions towards the incorporation of Turkish Cypriot broadcasting organizations in the satellite broadcast system (TÜRKSAT), the initiation of DBV-T broadcasts and the preparation of the necessary 'legal' framework for IPTV.¹⁷

YKK, 'public broadcasting' and relations with BRTK

The 'law' numbered 39/1997 on the establishment and broadcast of 'public' and private radio and televisions contains only one article on 'public' broadcasting: Article 39. It is stipulated here that 'public' broadcasting is done through BRTK (see p. 70) and according to the broadcasting principles outlined in this 'law'. Article 41 of the 'law' concerns the collaboration to be carried out - primarily in technical matters - with BRTK in the workings of YKK:

Upon the request of YKK, BRTK carries

¹⁶ Its 'regulations' are the following: licence and broadcast authorization 'regulation'; 'regulation' on the principles and procedures for the protection of copyrights and the rights of producers; 'regulation' on principles and procedures for advertisement broadcasting and advertisement revenue; retransmission 'regulation' and IP TV 'regulation' (proposal)

¹⁷ IPTV (Internet Protocol Television) refers to television broadcasting delivered via Internet protocol networks as opposed to terrestrial, satellite or cable television. The initiative on this matter is still in the proposal phase.

out the necessary measurement and inspections to form the basis for 'national', regional and local planning. It continuously monitors the frequency spectrum with regard to radio and television broadcasts and reports changes. It executes frequency planning upon the request of YKK. The instruments, tools and technical equipment required for the measurements and inspections as well as expenses to be incurred are paid for by YKK as per a special agreement.

In line with requests from YKK, BRTK sets up listening centres and posts for purposes such as monitoring radio-television broadcasts carried out domestically, terrestrial broadcasts made from neighbouring countries and broadcasts made via satellite into the domestic market as well as inspecting their frequencies and strengths and their compliance with broadcasting standards. Its [relevant] expenses are covered by YKK through a special agreement.

Article 40 of the 'law' regulates the relations of YK with international organizations and the organizations of other countries. Accordingly, collaboration or relations to be established with organizations such as TRT, the European Broadcasting Union, the International Telecommunication Union etc. are either directly carried out by YK or by BRTK with YK's approval.

'Information Technologies and Communication Authority

As per the electronic communication 'law', the 'Information Technologies and Communication Authority' (BTHK) was established for the purpose of having an independent 'authority' to fulfil the function of regulating and supervising the electronic

communications sector. The 'authority' is a 'legal entity' with financial and administrative autonomy and is independent in its functions.

The 'authority' is governed by a 7-member board including the 'president' and 'deputy president'. Each member serves for a 5-year term and members can serve a maximum of two terms. One member of the 'authority' is selected by the 'president', three members are selected by the 'minister' in charge of electronic communication, two members are selected by the two political parties with the highest number of members in their groups in the 'assembly' and one member is selected with a joint decision of the Union of the Chambers of Cyprus Turkish Engineers and Architects, the Chamber of Commerce and the Chamber of Industry. The duties of members are terminated as a result of resignation, absence from 'authority' meetings and failure to fulfil certain responsibilities. Therefore, even though members of the 'authority' are political appointees with the exception of one member, one can conclude that political influence does not have a significant impact on decision making processes given that the removal of members is bound to strict rules. Moreover, it is very important that the members of the 'authority' need to have a speciality as per the selection criteria.

The competences of BTHK, which consist of "coordinating, examining and carrying out the allocations for the placement of all radio transmitters in order to encourage the efficient and high-quality use of the frequency spectrum and ensure the efficient use of existing locations", used to be under the responsibility of YK. Since the establishment of BTHK, the two organizations have been collaborating on cross sectional issues.

Identified problems:

- The qualifications sought in individuals to become members of YK do not include the condition of specializing in any field.
- Even though YK is considered to be autonomous, the fact that members of the body are appointed by political parties means that they are open to political influence.
- The allocation of one fourth of channel and frequency bands to Bayrak Radio and Television Corporation in channel and frequency allocation creates an unjust situation for private broadcasting organizations. YK remains insufficient with regard to the allocation of frequencies for certain private organizations.
- YK has a low level of technical capacity within its specialized team to support the members of the Body.

1.2. PLURALITY OF MEDIA, A LEVEL ECONOMIC PLAYING FIELD AND MEDIA OWNERSHIP

The plurality of media in a country refers to the balanced operation of organizations carrying out public broadcasting, private broadcasting and community broadcasting. In this framework, the State may introduce certain legal, financial and administrative arrangements in order to protect the plurality of the media. It must also take the necessary precautions to ensure a more balanced and fairer spectrum allocation for visual and audio broadcasting.

Creating a more level economic playing field for the media is also possible through certain legal and administrative regulations to be introduced by the state. In democratic societies, mergers between or the acquisition of media organizations by bigger corporations are considered to threaten the pluralistic structure of the media, which reflects the entire diversity of opinions, views and beliefs and accommodates the opinions of different political and cultural groups. It is crucial that the necessary legal and administrative structures be created in order to prevent the excessive concentration of media ownership with a view to preserving democratic processes. Especially competition and anti-trust legislation must be put into force and effectively implemented and efforts must be deployed to make sure that organizations implementing the legislation (for instance the Competition Board) have the necessary technical know-how and enforcement authority with regard to concentrations and mergers in media.

Certain tax regimes that include prohibitive taxes on media equipment that consist of printing equipment or consumable materials such as paper etc. and restrictions such as sales taxes against print media may thwart media's growth. Discriminatory taxes and fees levied by states to favour media organizations that are close to them also figure among factors that disrupt the media landscape.

The state must apply all taxation and labour related regulations equally to all media organizations. However, the state may leave some wiggle room in certain matters to promote media development. The following recommendations are made in UNESCO's "Media Indicators" report regarding this matter:

"... the state may help the media flourish by putting in place preferential tax, import duty and tariff regimes for media outlets and for the purchase of receiving equipment (radios, televisions, computers, portable devices). The state may also avoid or reduce direct levies on broadcasters. The principle of non-discrimination is key: the state should not use taxation or business regulation as a way of preferring some media outlets over others, for either political or commercial gain."¹⁸

Advertisements financed by the state represent a very significant source of revenue in countries with limited commercial advertisement markets. The principle of non-discrimination is key when it comes to organizations through which advertisements will be served. The State should not use advertisements as a tool to favour a certain media organization over others for political or commercial gain. Public broadcasters should not serve advertisements at below-market rates to gain an unfair advantage over their commercial competitors.

This section includes information about all TVs, radios and newspapers operating in the Turkish Cypriot media to draw a picture of media plurality in northern part of Cyprus. In addition, reference is also made to the current situation of the Turkish Cypriot media in terms of economic sustainability with a view to preserving media pluralism and variety as well as to the applicable 'legal' framework and practices regarding competition. Finally, the media ownership structure is examined.

¹⁸ *Media Development Indicators: A framework for assessing media development. UNESCO. 2008 (p. 45)*

The audio and visual broadcasting landscape has undergone major transformations over time. When it comes to the methods through which broadcasts are presented, changes have occurred in terms of the commissioning, compiling, distribution and sale of audio-visual programmes. On the demand side, media users are accessing and consuming audio-visual content through different channels.

The European Union revised the “**Audio-visual Media Services Directive**”, introduced a distinction within online broadcasting services and included within the scope of the Directive those publications that have editorial responsibility and some degree of effective control over the content. The Directive only exempts real and legal persons that publish programmes where the editorial responsibility belongs to third parties from the definition of “Media Service Provider”.

Member states and courts have faced different definitions when it comes to “editorial responsibility” and “control over content”. The British regulatory authority for broadcasting, Ofcom, has indicated that audio-visual broadcasts made by online news sites cannot be defined as an audio-visual media service. The Swedish Broadcasting Authority arrived at a diametrically opposed conclusion and indicated that similar broadcasts by online news sites can be referred to as an “audio-visual service”.

In the case of “New Media Online v. Austrian Broadcast Authority”, the Court of Justice of the European Union clearly demonstrated that the directive in question apply to services that have editorial responsibility and effective control over the content that competes for the same audiences as TV broadcasting, regardless of whether or not video content is the primary service of the service provider.¹⁹ The French broadcast authority, CSA,

also define professionally prepared videos published on YouTube as audio-visual broadcast subject to supervision.

The broadcast authorities of German states also make it compulsory for online live broadcasting portals to obtain broadcasting licenses just like ordinary channels. The Supreme Broadcast Authority in Germany’s North Rhine-Westphalia State require online audio-visual broadcasts to obtain broadcasting licenses if they meet the following criteria²⁰:

- **Live Broadcast (Linear Diffusion):** In general terms, “live broadcast” refers to a situation where it is the broadcaster, rather than the viewer, that determines when a programme starts, as is the case with traditional television. For instance, if a programme starts at 19:00, a viewer that starts watching the broadcast at 19:20 no longer has the option to access the first 20 minutes of the broadcast. Even though this live broadcast will later be recorded in the media archive as a video, it is still considered to be live. However, on-demand videos available on the internet without a broadcast schedule (for instance YouTube videos) essentially do not require broadcast licenses.

- **More than 500 potential concurrent viewers:** In this case, a broadcast that is made available to a closed group of users where a maximum of 500 people can sign in does not constitute a broadcast that is subject to licensing. However, if a broadcast is accessible over the internet free of charge (for instance on Twitch, YouTube or another platform), given the theoretical possibility of all online users across the world viewing the broadcast at the same time, this broadcast is subject to licensing even though it can be proven that the actual number of viewers is fewer than 500.

- **Editorial responsibility:** Even minimal editorial responsibility is sufficient to fulfil this criteria. If a broadcast has a line-

¹⁹ “White Paper - TV regulation in a digital age”, Hogan Lovells (Paris) LLP, p.20.

²⁰ Website of the Media Authority of North Rhine-Westphalia, <https://www.medienanstalt-nrw.de/about-us/topics/am-i-a-broadcaster.html>

up, different camera angles and if editorial zoom is applied, this is taken to mean that there is editorial responsibility. If the view of a certain area or the screen is static or published in one take, and also displayed without camera or perspective change or commentary, this cannot be construed as there being editorial responsibility.

- **Existence of a broadcast programme or regular repetitions:** If a channel has a regular broadcast line-up at very short

intervals or consistently at certain times (for instance, first Thursday of every month), this is considered as **“regular repetition”** and fulfils this criterion. If there is a fixed (general) broadcast programme, i.e. if upcoming broadcasts are announced, if the stream appears to lack visible regularity, this means that the criterion is not met. If live broadcast is only occasional, very sporadic and/or temporary at certain times, this means that the criterion is not met.

Digital Broadcasting Transformation: EU Support Provided to Serbia

The high number of new radio and TV channels that have opened without obtaining the required licenses over the 20 years since the collapse of Yugoslavia led to significant difficulties in spectrum allocation. This also reduced the picture quality of analogue broadcasts and risked an outage at any time due to weak signals. Channels would also overlap from time to time since only one television channel can broadcast in one frequency in analogue broadcasting. A moratorium was introduced on new broadcast authorizations with the end of Slobodan Milošević's regime. The arbitrariness of the licensing regime and constantly changing institutional authorities pushed electronic media to start broadcasting without obtaining licences. The Government of Serbia asked for EU funding in order to end these uncertainties in licensing processes and to introduce higher-quality broadcasting to the country.

The EU allocated 10 million euros in support for the project "Assistance to the Digital Broadcasting Switchover in Serbia" put together in 2009. The project, which had a total budget of 13.750.000 euros, had two main components:

Main component 1: Institutional and Legal Framework for the Switching to Digital TV Broadcasting in Serbia

This component envisaged the creation of a national legal framework harmonised with the EU *acquis* and the organization of public information campaigns to acquaint citizens with the radio and television digitisation process.

The goal in efforts towards the creation of a legal framework is to create conditions for development of the freedom of information and media pluralism, through further harmonisation of the Serbian legal framework with international and specifically EU and Council of Europe standards, as well as strengthening the institutional setup and additional assessment of the necessary provisions for digital broadcasting. New services will be introduced in the audio-visual sector so that interactive services and other contents are developed, with preservation and promotion of cultural differences and

realization of rights of the persons with disabilities.

Activities envisaged in this framework are as follows:

- Establishment of the institutional setup for the digitisation process (coordination mechanisms, monitoring and evaluation of the process)
- Assessment of the conditions related to the scope of coverage of digital TV
- Estimation of the costs related to the switching off analogue broadcasting
- Revision of the legal framework for the introduction of digital technologies
- Preparation of by-laws for the digitisation process (property, ownership, maintenance of the equipment for digital broadcasting, budgeting etc.)
- Preparation of the plan for digitisation (phases and coverage)

The following activities were considered as awareness-raising activities:

- Setting coordination process among relevant stakeholders
- Conducting a survey prior to the launch of the information campaign
- Informing the citizens on the reasons for the digitisation process (TV campaign, brochures, TV discussions, Internet presentations etc.)
- Conducting a survey on the results of the information campaign

Main component 2: Improvement of the Technical Conditions for Digital Broadcasting

The following activities will be carried out for the purpose of purchasing and installing equipment to improve the broadcasting technology:

- The acquisition of the following digital broadcasting equipment;
 - Main station for forming of a multiplex
 - Network for transmitting from the main station to the transmitting station based on RR links and IP technology
 - Transmitters
 - Antenna systems
 - Remote controlled system for surveillance control and management
- Training of the relevant technical personnel in broadcasting infrastructure

1.2.1. Plurality of Media

Print Media

Current Newspapers: Print and Digital

The widespread use of Internet technology in our age is pushing media organizations to transform in various ways, diversify their services, and more importantly, seek new business and financing models. In the meantime, it is getting harder to group media organizations according to the type of service they provide. For instance, many “traditional” newspapers adopt a news site look in their digital presentations. On the other hand, some news sites also publish articles that amount to signed commentary or “opinion columns”, as is the case with “traditional” newspapers.

Newspapers

Currently, there are nine newspapers publishing in daily format (Annex 1) and two newspapers presented weekly in English (Annex 2) in northern part of Cyprus. Of the daily newspapers, Avrupa is still only available in print version.²¹ The newspapers Haberal Kıbrıslı, Haberatör and Kıbrıs Postası that have also been available in print until recently are now only operating in online/digital format. The remaining organizations continue to engage in both print and online/digital newspaper publication.

Newspaper circulation numbers

It is known that print media sales have been significantly dropping in almost every country in recent years.²² This is also true for newspapers.²³ According to those with knowledge about the matter (newspaper executives, researchers etc.), developments that have accelerated the shift towards digital constitute the primary reason for falling newspaper circulation. Some also suggest that another reason is the general problem of the failure on newspapers’ part to prioritize renewing themselves by taking into account the changes occurring in the social structure.

Even though we were not able to obtain any current numerical data regarding print newspaper sales in northern part of Cyprus, the

top five bestselling (print) newspapers are as follows according to a generally accepted estimation: 1. Kıbrıs; 2. Diyalog; 3. Yenidüzen; 4. Avrupa; 5. Havadis.²⁴

Audio-visual Media: Radios and Televisions

The “BRTK monopoly” in broadcasting in northern part of Cyprus ended with the emergence of private broadcasting channels in 1996. In fact, private broadcasting started to develop in Turkey as early as 1990, spread to northern part of Cyprus and the Magic Box TV channel as well as the Süper FM radio channel started to broadcast in northern part of Cyprus.

The first local private broadcasting channels of the Turkish Cypriot community were, in order, First FM radio (owned by Ertan Birinci) and Tempo TV (later called Kanal T; owned by Ersin Tatar). Others quickly joined these two Turkish Cypriot broadcasting organizations in following years. The beginning of private broadcasting in 1996 is both a turning point and a breaking point for Turkish Cypriot media. The emergence of private broadcasting organizations made a significant contribution to the development of pluralism in media.²⁵ The best example of this effect was the fact that broadcasts that also reflected opinions that differed from the ‘official’ line with regard to the developments and societal effervescence of the 2000s within the framework of the Cyprus problem and especially the intense discussions around the Annan Plan in the 2002-2004 period were able to reach the people thanks to certain private channels (for instance Sim FM radio and Genç TV).

After the emergence of broadcasting activities in the private sector, YYK was established to carry out regulation and supervision activities “in compliance with the essence of the ‘constitution’, in line with the principle of the freedom of the press and broadcasting, within a framework that observes the ‘constitutional’ order, the rights of individuals, and principled broadcasting”.

There are currently several radio and television channels broadcasting as private capi-

²¹ The website of the newspaper contains an electronic archive of past issues as of 2014.

²² Pew Research Center: Journalism and Media, <https://www.journalism.org/fact-sheet/newspapers/>; World Press Trends, <http://www.wptdatabase.org/world-press-trends-2019-facts-and-figures>.

²³ <https://www.diyaloggazetesi.com/son-dakika/medyada-degisim-yazili-basin-nereye-gidiyor-konulu-panel-yapildi-h10954.html>

²⁴ Source: KTGB.

²⁵ KTGB, p. 377

tal initiatives in the northern part of Cyprus. These private channels operate in market conditions, as opposed to the 'public' broadcaster BRTK which receives almost its entire budget in the form of direct 'state' subsidies. Given the scale of the Turkish Cypriot community and the resulting market opportunities, the number of private channels in the Turkish Cypriot community appears to be quite high.

Television channels

There are seven local TV channels in northern part of Cyprus, which fall within our subject matter, that operate under YYK licences and can be viewed across the Turkish Cypriot community mostly via the terrestrial digital broadcasting system (DBV-T), and both within and outside the Turkish Cypriot community via satellite or on the Internet (ANNEX 4).

Turkish Cypriot televisions carry out their satellite broadcasting via TÜRKSAT. The satellite connection of private channels have been through BRT since 2017 as per the agreement between BRTK and TÜRKSAT, the "up-link" fees for these channels are also paid via BRT. As mentioned above, a significant portion of this fee is covered by the 'state'. On the other hand, it has been frequently pointed out that private channels are experiencing economic difficulties and in general having a hard time paying the remaining amount to BRTK as a result.

Another important problem that needs to be underlined with regard to the freedom of expression and of the press is the fact that broadcasting via TÜRKSAT makes it compulsory to abide by the applicable broadcasting principles of the country where this organization is based. As indicated by Olgun Üstün, the former chair of YYK, the fact that Turkish Cypriot television channels are available via TÜRKSAT places their broadcasts under the supervision of RTÜK:²⁶

In order for broadcasting organizations to transmit on the TÜRKSAT satellite platform, which they consider to be the closest to and the most appropriate for them, it is compulsory for them to sign a direct agreement with TÜRKSAT and another agreement via BRTK, which possesses the

infrastructure equipment. Under these conditions, there is room for the application of the RTÜK law and the legal provisions concerning TÜRKSAT in the event that RTÜK and TÜRKSAT determine, based on their own legal rules, that the applicable rules of the agreement have been violated.

As a result and given the alternatives, it appears the sector converges on either DVB-T or digital terrestrial broadcast technology as the solution.²⁷ "The only way of getting rid of satellite broadcasting is to switch over to DVB-T 'digital terrestrial broadcasting' that is implemented in member countries as per the recommendation of the International Telecommunication Union (ITU)", states the former chair of YYK. The infrastructure for this system, which is already implemented in several countries including the United Kingdom, France, Italy and the Republic of Cyprus, has already been set up in the north of Cyprus but there are still some shortcomings that need to be addressed:²⁸

We switched off analogue broadcasting in [Selvili Tepe/Kyparissovouno] and Kantara and kick-started digital terrestrial broadcasting with a decision made last year²⁹[April 2019]. However, a significant majority of broadcasting organizations (with the exception of BRTK and Kanal T) have preferred satellite broadcasting. The system deployed at the Nicosia BRTK facilities have some shortcomings but we believe these will soon be remedied.

Other than these channels, there are apparently Turkish Cypriot based television broadcasts affiliated with certain newspapers and/or news sites that only broadcast on internet platforms and do not figure among the list of broadcast organizations on YYK's website. Examples that have been identified are presented in Annex 5.

Radios

There are numerous radio channels broadcasting in northern part of Cyprus. Among these, the radio channels of interest, i.e. those with news-oriented programmes in their broadcasting schedules, are listed in Annex 6.³⁰

²⁶ "Higher Board of Broadcasting Chair Olgun Üstün's Declaration on Diyalog TV", Genç TV, 2 May 2020, <https://www.kibrisgenctv.com/kibris/yayin-yuksekkurulu-baskani-olgun-ustun-den-diyalog-tv-aciklamasi-h68655.html>.

²⁷ "Majority opinion among TV executives: 'DVB-T should become more common instead of satellite'", Kibris Postasi, https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/h188280-tv-yoneticilerinin-cogunun-ortak-gorusu-uydu-yerine-dvbt-yaygin/.

²⁸ "Higher Board of Broadcasting former Olgun Üstün's Declaration on Diyalog TV", Genç TV, 2 May 2020, <https://www.kibrisgenctv.com/kibris/yayin-yuksekkurulu-baskani-olgun-ustun-den-diyalog-tv-aciklamasi-h68655.html>.

²⁹ "DVB-T era in broadcasting officially starts", YYK, 3 April 2019, <http://www.kkctcyk.org/duyurular/25>.

³⁰ Ada FM and Radio T broadcasts are available online.

Internet Journalism

Numerous websites operating on the internet have emerged in northern part of Cyprus in recent years. Many of these sites do not have impressums³¹ and it has been observed that the news they publish are served from other news sites or news agencies without using references.

Users have a tendency to prefer online news sites as they are easier to access and free of charge. With declining interest in print publications as part of the digital transformation in media, certain media organizations have been experiencing a de-

cline in their revenues. Many online news sites are able to sustain their broadcasts thanks to user donations and subscription fees in addition to their advertisement revenue. Therefore, it is crucial for online news sites to engage more interactively with their users and develop a loyal reader base in order to increase their donation and subscription revenue.

Approximately 300 hundred organizations have been identified to be serving as online news sites (news portals) in northern part of Cyprus, however; those with impressums and relatively bigger readership are listed in Annex 3.



Identified problems:

- When it comes to publishing political news concerning foreign countries, many media organizations choose to be cautious and resort to self-censorship.
- Several media organizations are unable to develop original content as they lack the necessary equipment and human resource. When we look at print media, although there are differences between front pages, the remaining pages reflect news taken directly from news agencies.
- There are numerous online news sites that lack impressums, do not produce content and aim to spread disinformation and slander certain institutions and individuals.
- Positioned as a new approach to journalism that aims to overcome the problems caused by journalism being shaped according to the economic requirements of media organizations, citizen journalism has recently emerged and is slowly developing.

³¹ As per the 'cyber-crimes law', "Internet news sites must publish impressum and contact information that point out the name of the Editor in Chief and/or Editorial Director and the broadcasting centre and contain a valid address and contact number."

1.2.2. A Level Economic Playing Field

Economic Sustainability

Kuzey Kıbrıs'ta arkasında büyük sermaye/Private broadcasting organizations that lack big capital/patron support in northern part of Cyprus are faced with chronic economic sustainability problems. In addition, the problem of unfair competition from foreign television channels preventing broadcast organizations from obtaining the expected level of advertisement revenue from the economic market continues to worsen.³²

In the face of such economic problems, the practice of 'state' subsidy to television has emerged as is customary in northern part of Cyprus.³³ The payment of a significant portion of the satellite uplink fees charged to Turkish Cypriot television channels by the 'state' is the most notable example of this practice. Some of the visible justifications for the policy of broadcast organizations to not completely quit the market but rather receive 'state' subsidies are as follows:

- Supporting employment-creating economic activity;
- The acknowledgement that television broadcasts serve the purpose of representing and promoting Turkish Cypriots under isolation;
- The importance given to the communication service provided especially by satellite television broadcasting for Turkish Cypriots living abroad.

In 2016 the then manager of BRTK (Mustafa Tosun) underlined that Turkish Cypriot broadcasting has unique problems and listed these as "having a small scale, being bombarded by broadcasts from abroad, worrying about not having a certain status or identity and failing to set the right framework".³⁴

The general opinion in the sector is that private organizations engaging in television broadcasting are faced with "unfair competition" from foreign television channels with regard to advertisement revenue for imported products of foreign origin and that this situation constitutes the biggest factor negatively impacting the sustainability of local broadcasting organizations. In a 2011 discussion with the then 'minister of finance' Ersin Tatar, the chair of KTGB described this problem as follows:³⁵

[We are faced with advertisements for numerous products and services via the media in Turkey.] However, our media sector, our press and broadcasting organizations do not receive advertisements from there. We watch advertisements for products we consume everyday [in the media in Turkey] but we do not get a share from the advertisement revenue.

The owner of a media organization summarised this problem caused by broadcasts of these channels targeting the north of Cyprus as follows:³⁶

[Advertisements of channels from Turkey are also viewed in northern part of Cyprus; however, these advertisements are cut out in European countries.] This is the main problem. This is because major firms in Turkey do not serve advertisements through us because of the advertisements on TV channels from Turkey.

Several methods have been elaborated and initiatives have been made to compensate, in some shape or form, this potential loss of advertisement revenue suffered by local media as a result of this "unfair competition"; however, no result has been achieved. For instance, in 2016, the then chair of YYK (İlkay Diren) associated the lack of sufficient progress in broadcasting in northern part of Cyprus with the failure to compete with national broadcasts in Turkey and announced a

³² Source: Interviews and focus group meetings

³³ "'State' to make financial contribution to television channels", 11 March 2011, Kıbrıs Postası, https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n49083-Devletin-televizyon-kanallarina-maddi-katki-yapacagi-bildirildi; "Television satellite frequencies set to change on July 10", BRTK, 8 July 2017, <https://www.brtk.net/televizyonlarin-uydu-frekanslari-10-temmuzdan- itibaren-degisiyor/>.

³⁴ "TV Broadcasting in the TCC", 17 April 2016, BRTK, <https://www.brtk.net/kktcde-tv-yayinciligi/>.

³⁵ "Ortak Ses", KTGB Activity Report 2010-2012, p. 18-19.

³⁶ "Majority opinion among TV executives: 'DVB-T should become more common instead of satellite'", Kıbrıs Postası, 17 April 2016, https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n188280-tv-yoneticilerinin-cogunun-ortak-gorusu-uydu-yerine-dvbt-yaygini.

proposal to impose a %1.5 tax on imported products whereby the revenue would be accumulated in a fund and distributed to broadcasting organizations to overcome the problem.³⁷

The delay of Turkish Cypriot media in following the digital transformation trend stands out as another major problem in terms of economic sustainability. With the digital transformation in journalism, one can claim that the concept of circulation has lost its significance and it has been replaced with the notion of “access”.³⁸ This is certainly true but the situation is a bit more complicated from a financial point of view as the sale of print newspapers continues to constitute the biggest share in the revenue of press organizations.³⁹ In other words, realizing the high access potential offered by the digital environment needs to be accompanied by increasing the financial gains to be obtained in exchange for the services offered on this platform.

Financing models in digital journalism other than commercial advertisement revenue are currently in development phase in northern part of Cyprus. Recently, some media organizations such as Yenidüzen, Gazedda Kıbrıs, Özgür Gazete and Bugün Kıbrıs have taken initiatives in this direction.⁴⁰ The objective is to translate the high reader access created by good and/or popular content into financial support to be derived via electronic subscriptions or donations from readers asking for more. (These sorts of methods are also used by internationally prestigious newspapers such as the Guardian and the New York Times.) On the other hand, there are widespread rumours stating that certain broadcasting organizations resort to methods such as publishing news or commentary in exchange for a fee (“sponsored”) without explicitly indicating it.⁴¹ If true, this is clearly very problematic in terms of the reliability and ethics of journalism. If such a practice

were to become widespread, it would indicate a significant regression in the media sector’s public capacity to ensure the sound functioning of democratic processes.

Competitive Landscape

The ‘competition law’ was passed in 2009 within the framework of harmonization with the EU and with the objective of creating and enabling an effective competitive landscape in the northern part of Cyprus. The ‘law’ contains provisions regarding the matter of blocking activities that aim to significantly prevent, restrict or disrupt competition or create or have the potential of creating this outcome. In addition, a ‘competition board’ with the status of a ‘legal’ entity was created for the effective implementation of the ‘law’. Independent and impartial in its functioning, the ‘board’ is not subject to instructions and guidance from any ‘authority’.

Market disrupting activities carried out by certain companies gathering in groups were banned in light of the criteria regulated by the ‘legislation’ within the framework of the ‘concentration communique’. This legislation regulates matters pertaining to the monopolization, abuse of dominant market position or domination of the market by concentration carried out companies acting in the media domain. In its evaluations, examinations and decisions regarding the electronic communications sector (including its decisions on mergers and acquisitions), the ‘competition board’ takes into account the opinion and regulatory actions of BTHK.

As per the ‘competition law’, the ‘competition board’ is responsible for implementing the following provision: “Any unit of the ‘state’ is barred from providing assistance, in any shape or form, that disrupts or carries the threat of disrupting competition with the purpose of supporting cer-

³⁷ “TV Broadcasting in the TCc”, 17 April 2016, BRTK, <https://www.brtk.net/kktcde-tv-yayinciligi/>

³⁸ C. Mutluyakalı, “As circulation is replaced by the concept of ‘access’”, Yenidüzen, 3 September 2019, <http://www.yeniduzen.com/tirajin-yerini-erisim-kavrami-alirken-14410yy.htm>.

³⁹ Even though it is not possible to access precise data to support the validity of this proposition in northern part of Cyprus, it holds true globally. Source: A reliable source of data regarding the news industry, World Press Trends, <http://www.wptdatabase.org/world-press-trends-2019-facts-and-figures>.

⁴⁰ For Yenidüzen see: <http://www.yeniduzen.com/dayanisma-21s.htm>; For Gazedda Kıbrıs see: <https://gazeddakibris.com/gazedda-okuyucu-fonu-icin-dayanisma-cagrisi-2/>. For Özgür Gazete see: <https://www.patreon.com/join/ozgurgazete>

⁴¹ Interviews with various journalists.

tain economic activities or the production of certain products or certain initiatives.” However, the ‘board’ is not able to exercise this authority given to it by the ‘law’ since the procedures and principles regarding the notification, evaluation, inspection and reporting of ‘state’ subsidies and the secondary legislation covering the scope of ‘state’ subsidies have yet to come into effect.

When it comes to practices concerning ‘state’ subsidies in the media sector, the ‘state’ pays approximately 9 million TL per year to Türksat through the ‘public’ broadcasting organization BRT’s budget in order to allow all channels to broadcast via satellite. The diffusion of Turkish Cypriot channels via Türksat is considered to be important for accessing the approximately 600 thousand Turkish Cypriots living abroad in various countries⁴². However, the current economic structure of Turkish Cypriot televisions cannot afford these fees. The failure of the ‘State’ to develop the necessary infrastructure for IPTV and

digital terrestrial broadcasting (DVB-T) and the menace of channels being removed from Türksat might cause Turkish Cypriot television channels to be left without a (broadcasting) platform.⁴³

Another ‘state’ contribution to the media comes in the form of the provident fund and social insurance contributions for employees in the private media sector. As per the ‘regulation on supporting the employment of local labour’, employers who operate in the media sector in the TCc and have a minimum of three employees who hold press cards as per the rules of the Press Card ‘regulation’ are refunded the entirety of the social insurance/social security contributions they must make for every employee who is a TCc member and the entirety of the ‘provident fund’ premiums and deposits for a period of 36 months starting from the date of application on the condition that there is a Collective Labour Agreement between the workplace and the relevant authorized labour union.

⁴¹ “Majority opinion among TV executives: ‘DVB-T should become more common instead of satellite’”, *Kıbrıs Postası*, https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n188280-tv-yoneticilerinin-cogunun-ortak-gorusu-uydu-yerine-dvbt-yayginl

⁴² Ertuğrul Senova, “Broadcasts of Turkish Cypriot private television channels not interrupted”, *Kıbrıs Postası*, https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n370451-kibrisli-turk-ozel-televizyon-kanallarinin-yayinlari-kesilmedi

Identified problems:

Limited sources of revenue:

- Advertisements and announcements continue to constitute the biggest share of revenue. Especially media organizations with weak financial structures can become susceptible to pressure. Therefore, a tendency on the part of newspaper bosses/high level executives to not disrupt relations with advertisement providers might negatively impact editorial independence.
- The existence of advertisements for imported products on foreign channels keep importing companies from making use of local television channels. The 'state' is not taking the initiatives expected by local media organizations regarding this matter.
- There is a possibility that Turkish Cypriot TV channels will be left without a platform since Türksat subscription fees are not paid regularly by the 'state' and private TV channels cannot afford to pay this fee either.

Failure to create alternative sources of income:

- Media organizations are not able to make optimal use of different digital media formats and the tools used to further develop these. As a result, they have significant shortcomings in terms of creating alternative sources of income (such as donations, subscriptions and crowd funding).
- There are no available 'state' supports or tax facilities for the investments that are necessary for digital transformation. Media organizations have a low level of awareness when it comes to digital transformation and the new media.
- External funding providers (the EU, Turkey etc.) do not provide support to encourage media organizations to invest towards digital transformation.

The Covid-19 pandemic:

- The closure of several workplaces and lockdowns led to a significant drop in print newspaper sales and advertisement revenue. Some newspapers stopped their printing operations. There is a danger that many media organizations might be shut down and dozens of journalists might become unemployed.

Competitive Landscape:

- The fact that 'public' broadcasting receives direct 'state' contribution leads to unfair competition vis-a-vis the private sector.
- The secondary legislation concerning the control and regulation of state subsidies, which is among the duties of the 'competition board', is yet to be approved. Therefore, there is currently no institutional structure to observe and inspect criteria such as impartiality, fair distribution and transparency as they apply to financial assistance already provided or to be provided by the 'state' to media organizations.
- There is no media-focused specialization within the 'competition board'. There are also shortcomings in terms of in-service trainings and experience in this field.

1.2.3. Media Ownership

As per article 27 of the 'constitution', "the publication of newspapers, magazines and pamphlets by 'citizens' shall not be subject to obtaining prior permission or to furnishing of financial security". This has allowed the emergence of numerous media organizations supporting all sorts of different political views. When we look at the history of print media until the 1990s, we observe that the ownership of Turkish Cypriot media pursued political aims and was mostly under the control of political parties. With certain economic interest groups starting to take an interest in Turkish Cypriot print media after 1990, it is considered that newspapers owned by these groups shaped their political opinions to the extent required by their individual interests.

As opposed to print media, 'legal' persons with the exception of political parties, labour unions, foundations, associations, chambers, professional organizations, 'municipalities' and cooperatives and all

real persons can set up radio and television organizations, broadcast and become partners in organizations.

Private radio and television organizations are established as limited companies as per the rules stipulated in the 'corporations law'. There is also the obligation of having multiple shareholders. In this context, the shares of each shareholder cannot exceed 20%, or 30% if they are shareholders in multiple companies, of the paid capital. Moreover, the restriction that prevents first degree relatives by blood or marriage⁴⁴ from owning shares at the same time in private radio and television organizations keeps media organizations from being managed by the same individuals and their families.

There are also certain capital requirements for establishing audio and visual media organizations. These amounts are set at \$100.000 for 'national' broadcasts of radios and at \$50.000 for regional and local broadcasts. The capital requirement for all TV broadcasts is \$1.000.000.

Identified problems:

- The fact that interest groups have either sponsored certain media organizations or established their own media organizations in order to observe their economic and individual interests has eroded principles of ethics and editorial independence.
- There is no 'publicly' available source of information where media users can learn about the ownership (shareholders etc.) of media organizations. As a result, media users are not able to differentiate between media organizations that genuinely observe the 'public' interest and those that cater to their individual and economic interests.

⁴⁴ *Evlilik yoluyla meydana gelen akrabalık*

1.3. MEDIA AS A PLATFORM FOR DEMOCRATIC DISCOURSE

The media allows for democratic discussion, exchange of information and cultural expression to take place. The media is also a social actor in and of itself; it serves as the public watchdog over strong institutions (both public and private) and holds the government accountable for its activities. As a social actor, the media also has dangerous potential of serving as a partisan power or a tool of conflict. As a result, the media should be held accountable for its own actions just like any other social actor. However, it is of utmost importance that the media, where all discussions and exchanges of opinion take place, is not under the control of a party or government.

This also applies to public service broadcasting. Even though owned by the state, a public service broadcaster should not be partisan and should have a non-profit structure that works for public interest and encompasses the entire country in general. Public service broadcasting also entails the responsibility of allowing the people to access balanced information especially during election times.

The concept of freedom constitutes the normative essence of society but it also entails certain responsibilities in its application. In this framework, freedom comes with the responsibility of accepting the consequences of our own choices and actions while respecting the freedoms of others. However, it is clear that not everyone will accept this responsibility on a voluntary basis. The idea of regulating and inspecting the activities of the press or the media is based on this affirmation. Regulation and inspection refer to the potential interventions to ongoing activities generally for reasons of “public interest” but also sometimes to ensure the correct functioning of the market (for instance supporting competition) or for technical efficiency reasons. The sector can be regulated from within or from the exterior. Regulation from within or self-regulation refers to control mechanisms built within the sector. Media self-regulation is a collective effort by media professionals. The objective is to come up with voluntary ed-

itorial guidelines and to make sure that these are abided by in a process of learning that is open to the public. By doing this, independent media preserves its editorial autonomy in shaping the public political discourse on the one hand and accepts its responsibility in terms of the level and quality of this discourse on the other.⁴⁵

The public confidence and belief in media, which serves as a platform for monitoring and discussing democratic processes, need to be measured regularly and maintained at a high level. In this framework, media organizations should be capable of conducting research into their own target audiences and strive to meet the needs of the viewers to the extent allowed by their means. The emergence of bloggers and citizen journalism has started to introduce a new dimension to the public opinion’s relationship with media. The society is no longer a passive receiver but it has rather transformed into an agent that takes an active interest in the media, creates content and adapts its consumption according to its individual needs.

The media cannot serve as a platform for democratic processes as long as the individual rights of journalists are not sufficient, or they are not able to effectively exercise the rights they have and their personal safety is not ensured while exercising their profession. The working conditions, hours, salaries and other rights of journalists must be guaranteed by legislation to a degree that would allow them to exercise their profession. Moreover, the law must be effectively inspected and mechanisms must be established to obtain quick results to resolve disputes.

In this section, we examined self-regulation mechanisms in media as a requirement of a democratic society and levels of ‘public’ confidence in media especially in ‘public’ broadcasting. Finally, we assessed the situation with regard to the individual rights of journalists, which constitute one of the most important elements of having a sustainable media structure.

⁴⁵ *The Media Self-Regulation Guidebook, OSCE, 2008* – <https://www.osce.org/files/f/documents/1/d/31497.pdf>.

Project on Building Trust in Media in South East Europe and Turkey

South East Europe and Turkey are considered as problematic regions in terms of the freedom of the media according to international standards. The media is faced with significant threats as a result of ever increasing political pressures. For this reason, the European Union implemented a project covering Albania, Bosnia and Herzegovina, the Republic of North Macedonia, Montenegro, Serbia, Kosovo* and Turkey with the purpose of improving media accountability mechanisms, media and information literacy among citizens and thus increasing the demand for quality media.

Financed by the European Union and covering the period from 2016 to 2019, the project had activities under three different levels:

1- Strengthening media self-regulation through;

- Financial and technical support for press and media councils (such as Media Ethics Boards),
- Changing best practices in terms of media ethics in the digital age,
- National and regional capacity building activities on standards of media professions,
- Developing existing media trainings in the region

2- Strengthening good governance in media through;

- Organizing national and regional trainings regarding the professional rights of journalists,
- Establishing a regional information exchange network on professional rights,
- Organizing transparency and ethics seminars for media organizations,
- Encouraging internal regulation in matters of media ethics

3- Strengthening Media and Information Literacy (MIL) through;

- Assessing national MIL practices,
- Organizing MIL social media campaigns,
- Establishing an Information and Media

Users Coalition in the region,

- Delivering MIL trainings

Some of the project outcomes are as follows:

- 6 national codes of journalism were revised according to the needs of our age.
- The Serbian Media Council prepared specific guidelines on online copyright matters.
- The Albanian Code of Ethics were prepared in Albania.
- The Media Council of Montenegro created a new code of ethics on online comments together with the ombudsman.
- More than 100 new media outlets acknowledged the authority of press councils.
- A press council was established in Albania.
- 24 awareness-raising activities were organized about Media Councils.
- More than 800 complaints have been received over the past 3 years and 526 of these were resolved.
- The Turkish Press Council became a member of the Alliance of Independent Press Councils of Europe.
- Databases were created within the Press Council of Kosovo to classify complaints and code of ethics violations.
- A regional network was established with the purpose of raising awareness and exchanging information about the media profession and relevant rights.
- Trainings on journalistic professional standards were organized in the following three subjects:
 - o Fighting for the conditions of journalists without contracts, short-term contracts or open contracts
 - o Methods of objecting to journalist dismissals based on claims of “low performance at work” brought by employers before the courts in certain court cases
 - o Collective labour agreement negotiations
- Recommendations were developed for enhanced awareness about Media and Information Literacy as well as the analysis and improvement of current practices.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence

1.3.1. Public broadcasting

Bayrak Radio and Television Corporation

In the 1940s, there were three radio broadcasts of foreign origin that were available on the island: Ankara Radio, Moscow Radio and BBC Radio. The first local radio broadcast was initiated by the Cyprus Broadcasting Service established in 1953. The broadcasts were made on medium waveband in Greek, Turkish and English. The first television broadcast on the island started in 1957. The Cyprus Broadcasting Service was transformed into the Cyprus Broadcasting Corporation (CyBC) with a law in 1959. There were of course Turkish Cypriots in addition to Greek Cypriots among the members of this corporation (and its predecessor). This period where individuals from both communities worked for the sole broadcasting corporation of the island would come to an end with the beginning of the clashes in December 1963. The experience and expertise of the Turkish Cypriot members of CyBC would then contribute to the rapid establishment of the Turkish Cypriot community's own radio broadcasts.

As the first radio of Turkish Cypriots, Bayrak Radio started broadcasting on 25 December 1963 in Nicosia in order to “let the voice of Turkish Cypriots be heard across the world” during the clashes that started on 21 December 1963 and brought an end to the bicomunal administration in Cyprus. The radio's signal strength would go from reaching only 2.500 metres at first to quickly covering every part of the island within two short months.⁴⁶ Bayrak Radio continued its activity as an institution affiliated to the military wing of the semi-militarist Turkish Cypriot ‘administration’ of the time until 1974.

In those years, there were also “sancak (standard) radios”. Outside of Nicosia (the headquarters), military units known as

“sancaktarlık” answering to the “Bayraktarlık” at the headquarters were set up in six regions with dense Turkish Cypriot population. In 1964, the standard radios broadcasting to the regions under these units were the following: Leymosun Radio (had a very brief existence), Lefke Radio, Mağusa Canbulat Radio, Gazi Baf'ın Sesi Radio, Larnaka Doğan'ın Sesi Radio. Other than these radios, there was also the radio known as Kıbrıs'ın Sesi (Voice of Cyprus) or Mücahid'in Sesi (Voice of the Mujahid) that started to broadcast in 3 languages (Turkish, English and Greek) from the town of Anamur in Turkey's south coast in 1964. The radios activities were managed by a team of Turkish Cypriots under TRT's management. The broadcasts of this radio continued until 1979.

After 1974, efforts were deployed at Bayrak radio for a restructuring period. In 1976, the first television broadcast started (in black and white) and the organization's name changed to Bayrak Radio Television—BRT. In 1977, FM broadcast was added to the radio's medium wavelength broadcast. In 1979, the transition was made to colour TV broadcast.

In 1983, the standard radios that had not stopped their broadcasts already were shut down and a ‘law’ passed in 1983 (50/1983 Bayrak Radio and Television Corporation (BRTK) ‘law’) transformed the BRT into the ‘state’-owned but “autonomous” Bayrak Radio and Television Corporation (BRTK). In 1987, BRTK started carrying out television broadcasts through two separate channels (BRT 1 and BRT 2) and radio broadcasts through 6 channels.

Today, the TV and radio channels owned by BRTK are accessible online. Two TV channels and 4 radio channels of the corporation (Bayrak Radio, Bayrak International, Bayrak FM and Bayrak Klasik) are also available through the digital satellite broadcast system.

⁴⁶ BRT from 1963 to Present, BRTK, <https://www.brtk.net/tarihcemiz/>.

As per its 'law', BRTK "has 'public' legal entity status and is impartial" as a corporation. Almost the entire budget of BRTK is made up of the annual contribution from 'state' budget.

The broadcasting principles of the corporation are also stipulated in the 'law'. In addition to "abiding by the principle of impartiality", the duties of the corporation as outlined by the 'law' include the following: abiding by the 'constitution'; assisting the entrenching of the principles of a democratic, secular and social 'state' based on human rights as well as the principles and reforms of Atatürk; observing the requirements of 'national' security and 'public' morality as well as 'national' traditions; adhering to the principles of impartiality, accuracy and promptness as well as the techniques and methods of modern journalism in the collection, selection and publishing of news; publishing news and commentary separately; preparing and executing broadcasts of commentary nature as per the principles stipulated by the 'law' and in a manner that also includes opposing views that do not violate the 'constitution'; including opposing views in panel discussions within the framework of the principles of impartiality and equality; promoting and advocating for the 'national' cause and policy of the community and social problems domestically and internationally.

The board of directors of the corporation consists of 7 members. These members consist of the following:

- 1- Two people with experience in economic, social, cultural, educational and legal matters to be appointed by decision of 'ministers',
- 2- One representative of the 'security forces command',
- 3- One representative of the NGO with the highest number of members representing the employees of the corpora-

tion, (i.e. Bay-sen)

4- One representative of the NGO with the highest number of members of the media as its members, (i.e. KTGB)

5- The 'rector' or one of the deputy 'rectors' to be determined by the Board of Trustees of the Eastern Mediterranean 'University',

6- BRTK Manager

The members other than the BRTK manager serve 3-year terms. Expired memberships can be renewed. The President of the Board of Directors is selected among the members. The BRTK manager cannot become the President of the Board of Directors. The duties of the President or Members are terminated by the appointing or represented organization in the event that they are absent from three consecutive meetings of the Board of Directors, lose the qualifications stipulated by the 'law' or pursue directly or indirectly their relations with a political party.

Turkish News Agency - Cyprus (Türk Ajansı Kıbrıs)

A news agency collect news and submit the reports it compiles to its subscribing organizations (for instance; newspapers, magazines, radio and television broadcasters, new sites etc. but also to governments or academic institutions).⁴⁷ The first, and still to this day only, organization in northern part of Cyprus that truly fits the description of a news agency is the Turkish News Agency - Cyprus (Türk Ajansı Kıbrıs—TAK), which serves as the 'national' news agency.

Publishing its first bulletin on 21 December 1973, TAK was established in 1973 by the Turkish Cypriot 'administration' of the time with the purpose of "announcing the just cause of the Turkish Cypriot people to the world". Said Arif Terzioğlu, who founded and served as the first director of TAK, was a journalist brought over from Turkey by Rauf Denктаş, the Turkish Cypriot com-

⁴⁷ <https://www.easymedia.in/dont-know-news-agencies-bring-world/amp/>.

munity leader of the time.⁴⁸

According to the information on the Public Information Office website: “Serving only the Turkish Cypriot press in its early days, the Agency now has media organizations located in Turkey as well as international news agencies such as Reuters and [Islamic Republic News Agency] IRNA among its subscribers. Services are exchanged within the framework of cooperation protocols signed with Anadolu Agency, Ihlas News Agency and Azeri Press Agency.”⁴⁹

TAK carried out its activities with very limited means and without a ‘legal’ status for a long time after its establishment. It gained ‘legal’ status with the ‘law numbered 41/1983 on the establishment, duties and working principles of Turkish News Agency - Cyprus (TAK) that came into effect in 1983. This ‘law’ was abolished and replaced by the current ‘law’ numbered 41/2011 with the same title in 2011.

Described in its ‘law’ as “an impartial organization with administrative autonomy and public legal entity status”, TAK receives a very consequential portion of its budget through the annual ‘state’ contribution. The remainder of the budget comes from revenues generated through the organization’s own means (primarily service fees collected from subscribers). In addition to “abiding by the principle of impartiality”, TAK’s duties stipulated in the ‘law’ consist of the following:

“Remaining completely loyal to the essence and wording of the ‘constitution’; resonating the voice of every segment of the Turkish Cypriot people domestically and internationally; adhering to the principles of impartiality, accuracy and promptness as well as the techniques and methods of modern journalism in the collection, selection and publishing of news and keeping every group at arm’s length; not presenting photo-

graphs and images that would violate the principles of a democratic, secular and social ‘state’ governed by rule of law based on human rights; refraining from broadcasts that would condemn or humiliate any race, gender, social level and faith; refraining from broadcasts that would restrict the freedom of thought, conscience and expression, refraining from broadcasts that would disrupt or offend general morality, religious sentiment and the fundamentals of the family institution; refraining from immoral broadcasts that would further private objectives or interests; refraining from broadcasts that would expose individuals’ private life or encourage violence and bullying with the exception of circumstances required by ‘public’ interest; refraining from broadcasts that would humiliate, insult and slander individuals and organizations beyond the limits of criticism and without investigation and verification in matters where such investigation is possible.”

An article by the academic researcher in communication Süleyman İrvan published in the Yenidüzen newspaper at a time when he was serving as the readers’ representative contains a well thought out answer to the question of “How necessary is a national news agency?”, which comes on to the agenda from time to time. The relevant portion of the article (a long quotation) is as follows:⁵⁰

As an academician who is critical of TAK’s concept of journalism, and I believe I’m the only person to write an academic paper on TAK, I believe that a national news agency is important and necessary. A 2001 UNESCO report starts with the following statement: “UNESCO has been supporting the establishment of national news agencies since the early 1980s in order to improve the exchange of news between countries and encourage diversity in international news.” I think this

⁴⁸ S. İrvan, “Turkish News Agency - Cyprus: Evolution of a Propaganda Organization”, *Cyprus Articles, Issue 3/ Summer-Fall 2006*, <http://i-rep.emu.edu.tr:8080/jspui/bitstream/11129/585/1/Türk%20Ajansı%20Kıbrıs.%20Bir%20Propaganda%20Örgütünün%20Evrimi.pdf>

⁴⁹ <https://pio.mfa.gov.ct.tr/medya-rehberi/kibris-turk-basin-tarihi/>

⁵⁰ S. İrvan, “One year as readers’ representative”, *Yenidüzen*, 18 March 2013; <http://www.yeniduzen.com/okur-temsilciliginde-bir-yil-504yy.htm>

is one of the most important aspects of the matter. The circulation of news [regarding northern part of Cyprus] is only possible with a strong national agency. TAK tries to fulfil this role in collaboration with other agencies. Another important point is that TAK meets a significant portion of the Turkish Cypriot media's need for news. This point is of course open to criticism and I believe that TAK also has a negative impact on Turkish Cypriot newspapers. Newspapers refrain from hiring reporters since they already think that they are filling their pages up with news from TAK... In fact, there are many examples of cases where newspapers end up using TAK's news even though they had dispatched a reporter. Another point concerns the fewer number of misspellings in TAK's news. News sent in by reporters are not served without being redacted first. However, we do not come across the same level of diligence in news written by the reporters of newspapers. There is no need to drag this matter on any further. I don't think the question is whether or not a national agency is necessary. The main issue stems from the fact that TAK does not have an autonomous structure. The employees of the organization should be able to decide who the manager will be. Editorial independence envisaged in the 'press labour law' should be realized. The agency's news publishing principles should be drafted. Financial and administrative autonomy should be achieved.

The era of free news should come to an end.

The board of directors of TAK consists of 9 members:

- Agency Manager,
- BRTK Manager,
- Two members to be appointed by the 'president',
- Two members to be appointed by the 'council of ministers',
- A member to be identified by the main opposition party represented in the 'assembly',
- A member to be appointed by the authorized labour union with the highest number of members where TAK employees are organized,
- A member to be appointed by the professional organization with the highest number of members holding yellow press cards from among its members.

The members other than the agency manager and BRTK manager serve 3-year terms. The terms of members are terminated under the following conditions:

- Death or resignation of members,
- Loss of one of the appointment criteria
- Absence from three consecutive meetings without authorization or excuse
- Members commissioning work or profiting directly or indirectly in matters that fall within the authority of the Agency
- Violating the prohibition of sharing information and making statements

Identified problems:

- The predominantly political nature of the appointments made to the boards of directors of 'public' broadcast organizations results in a high degree of influence by politicians on broadcasting and content and undermine professional autonomy.
- There are observations indicating that opposition voices have received less airtime and content at BRTK under different administrations.

1.3.2. Self-Regulation in Turkish Cypriot media

Why Self-Regulation?

Self-regulation in media refers to rules around responsibilities practiced or chosen on a voluntary basis by those working in media as opposed to regulatory or supervisory legislation. These rules are usually organized in the form of desired objectives, guidelines or principles and are sometimes supervised by a body that is within the media organization itself and sometimes by a separate intermediary body representing 'public' and media interests. In this context, responsibility is often attributed on a voluntary basis and it is not subject to penalties. Self-regulation in the media usually manifests in the form of codes intended to fulfil the principles of accuracy, equality and fairness in journalistic activity and processes that need to be followed by journalists in stages of news collection and transmission. In many cases, self-regulation also covers confidentiality/privacy, the protection of journalistic sources and advertising standards.

Media or journalism ethics refer to the body of rules and principles that journalists must abide by in the exercise of their profession. As a concept, media ethics covers the professional values of individual journalists in media rather than the values attributed to an organization.

It is acknowledged that the media is an important instrument with regard to the transparency and accountability demanded by the society from public and private sector institutions and that the media can only fulfil this role in the presence of the freedom of expression and the press. Having said that, the media itself must be held responsible and accountable in order for it to execute the mission of the public's watchdog vis-à-vis state and other powerful institutions. Self-regulation is the most reliable method of achieving this while observing the

freedom of expression and the press. This method allows the media to fulfil its responsibility vis-à-vis the society and increases the quality in media through mechanisms that encourage media professionals (journalists, editors and publishers) to implement professional principles on a voluntary basis.

Historical Development of Self-Regulation in Turkish Cypriot Media

The efforts towards identifying professional principles and ethics codes in the Turkish Cypriot media sector do not have a long history. The first journalism ethics initiative for receiving complaints regarding unethical practices of newspapers and the examination of news in terms of accuracy and/or impartiality date back to 2012 when the daily Yenidüzen introduced a "readers' representative" (news ombudsman). Süleyman İrvan from EMU Faculty of Communication was the first to take on this role. In his article on the matter published in the same newspaper one year into his role, İrvan presented enlightening assessments on the disgruntlement caused by criticism and the declining reader interest:

Since the role of the readers' representative relies on criticism in its essence, a newspaper that appoints a readers' representative actually opens itself up to criticism. Over the past year, I've addressed my criticism towards many articles and reporters of Yenidüzen. Some columnists and reporters were unhappy about my criticism too. However, the newspaper management... have always supported this initiative...

My main expectation was that there would be an increase in criticism from readers over time. However, I must admit that I was wrong. Either readers are very happy about the newspaper's journalism and cannot find anything to criticise or they do not care about the readers' representative...

İbrahim Özejder from NEU Faculty of

⁵¹ S. İrvan, "Medya ve Etik", *Medya, Etik ve Hukuk, Sevda Alankuş (derleyen), IPS İletişim Vakfı Yayınları, 2003, s. 62; https://bianet.org/system/uploads/1/files/attachments/000/001/517/original/etik_hukuk.pdf?1447151242.*

⁵² "Önsöz", *Profesyonel Gazetecilik ve Özdenetim: Güneydoğu Avrupa ve Türkiye'de Yeni Medya, Eski Açmazlar, Birleşmiş Milletler Eğitim, Bilim ve Kültür Örgütü, 2011, s. 13.*

⁵³ Y. Baydar, "Vicdan Misyoneri Rolündeki 'Yalnız Kovboy': Kamu Denetçisinin Rolü", *Profesyonel Gazetecilik ve Özdenetim: Güneydoğu Avrupa ve Türkiye'de Yeni Medya, Eski Açmazlar, Birleşmiş Milletler Eğitim, Bilim ve Kültür Örgütü, 2011, s. 61-84; https://unesdoc.unesco.org/ark:/48223/pf0000190810_tur.*

⁵⁴ S. İrvan, "Okur temsilciliğinde bir yıl", *Yenidüzen, 18 Mart 2013, <http://www.yeniduzen.com/okur-temsilciliginde-bir-yil-504yy.htm>.*

Communication took over the position approximately two years later and this practice came to an end after a couple more years. The fact that both readers' representatives were from outside the sector and independent from the organization were appropriate choices.

A more collective initiative on rules of ethics in the media sector came about in the years that followed. The decision was made during the "Media Ethics Declaration Meeting" organized on 8 January 2011 at the KTGB clubhouse to start preparations to draft a "Media Ethics Declaration". This was the first step towards the creation of a "Media Ethics Council".

Media Ethics Council and Emergence of Professional Principles in Journalism

The "Media Ethics Council Declaration" prepared jointly by KTGB and the other professional organizations in the sector was announced to the 'public' with a press conference held on 1 April 2013. The first organizations to sign the Media Ethics Council Declaration were KTGB, the Cyprus Turkish Sports Writers Association (KTSYD), the Cyprus Turkish News Cameramen Association, the Cyprus Turkish Caricaturists Association and the Union of Bayrak Radio and Television Corporation Employees (Bay-Sen).

The Media Ethics Council, which was composed as envisaged by the declaration, held its first meeting on 13 June 2013. Among those that took on roles within the 'board' were Süleyman İrvan from EMU Faculty of Communication and Gürdal Hüdaoğlu from NEU Faculty of Communication as representatives of academia, Hüseyin Güven, the President of KTGB, journalists Hasan Kahvecioğlu, Erten Kasımoğlu and Erdiñç Gündüz as representatives of media professional organizations and Attorney Öncel Polili as the representative of the 'bar association'. At its first meeting, the 'board' elected Süleyman İrvan and Gürdal Hüdaoğlu as the president and the vice-president respectively.

The 'board' quickly completed the preparatory work to finalize the "Professional Principles in Journalism" to be added to the declaration and paid visits to media organizations to receive their signed support before starting its actual activities. Discussions were held with the executives of all daily newspapers and television organizations, regarded as traditional media, to receive their signatures in support of the declaration. Of the executives with whom discussions were held in this introductory phase, only the president of TAK abstained from signing the declaration indicating that it required the approval of the board of directors. (Despite all efforts, no appointment could be made with the daily Demokrat Barış. Striving to reach out to Internet newspapers as well, the board received the signed or oral support of many newspapers.)⁵⁶

Media Ethics Council Declaration⁵⁷

The declaration, which was opened to the signatures of media organizations and civil society organizations in the sector in 2013, involves "contributing to the workings of the Media Ethics Council established with the purpose of ensuring compliance with ethics codes" in media and "accepting and undertaking to abide by the decisions to be taken by the council". In addition, the media organizations that read and sign this declaration also pledge to abide by the "Professional Principles in Journalism" annexed to the declaration.

The composition, working principles and duties of the Media Ethics Council are outlined as follows in the declaration:

1- The Media Ethics Council consists of a total of seven people; four holders of Yellow Press Card for at least 5 years to be selected by labour unions or [associations] operating in the media field that are registered based on the [Associations] or 'labour unions law' and have been carrying out regular operations for at least 5 years from the date of their registration, one to be selected by the 'bar association' and two to be assigned by the faculties of communication of 'universities' oper-

⁵⁵ İ. Özejder, "Merhaba", *Yenidüzen*, 12 Mayıs 2014; <http://www.yeniduzen.com/merhaba-3887yy.htm>.

⁵⁶ Tarihçe, *Medya Etik Kurulu*, <http://medyaetikkurulu.org/wordpress/index.php/hakkimizda/tarihce-2/>.

⁵⁷ <http://medyaetikkurulu.org/wordpress/index.php/medya-etik-kurulu-deklerasyonu/>

ating [in the north of Cyprus].

2- The members of the Council are appointed for a period of 3 years in the joint meeting of representatives authorized by the boards of directors of the relevant organizations and institutions. The Council identifies its president and secretariat from within its members. The board presidency and secretariat function based on the principle of rotation between the board members for periods of six months.

3- The Council meets during the first week of each month and with the agenda to be communicated by the president to the members via e-mail and/or phone at least 3 days before the meeting. Meeting quorum is the simple majority of all members and decision quorum is the simple majority of the members participating in the meeting. The members can make agenda recommendations outside the agenda determined by the president. These recommendations are put to a vote before the meeting begins. If a simple majority is achieved, the recommendations are included in the agenda. The Council can hold extraordinary meetings upon the invitation of the president or a demand from at least four members.

4- The Media Ethics Council functions with a focus on organizing training activities in publishing based on the demands and organization of institutions that are council members.

5- The Council assesses and decides whether or not publications are in compliance with professional media ethics by relying on the observations of its members or based on private or public complaints. The matters to be taken into consideration by the Council in its inspections are listed in the [following] article.

6- The media organizations that read and sign this declaration pledge to abide by the “Professional Principles in Journalism” presented in the annex. The Council oversees the compliance of journalists, those participating in media activities despite not being journalists,

editors in chief and news directors working for media organizations operating in [northern part of Cyprus] and broadcasting domestically and/or internationally with the professional principles presented in the annex.

7- The Council can issue warnings or reprimands vis-a-vis those who fail to comply with the annexed Professional Principles in Journalism either upon complaint or acting in an ex officio capacity.

8- The justified warning or reprimand decisions to be issued by the Council are duly published by all media organizations that are signatories of this text. In the event of non-compliance with this obligation, the Council issues a warning to the relevant organization; and issues a reprimand in case of repeated non-compliance.

As it can be deducted from the above, the Council actually represents the media and its function consists of reminding media professionals of their professional responsibilities and codes of ethics and encouraging them to abide by these. As opposed to ‘laws’, there is no question of a criminal sanction here. The authority of the Council is limited to taking action “upon complaint or in an ex officio capacity” to issue warnings or reprimands vis-a-vis those who fail to comply with the Professional Principles in Journalism and ensuring that these warnings and reprimands, along with their justifications, are duly published and announced to the public opinion by all media organizations supporting the Declaration.

The current president and vice-president of the Media Ethics Council are the journalists Dr Bekir Azgın and Perihan Aziz respectively. The other members are:

- Dr. Engin Aluç (Representative of the Faculty of Communication of Eastern Mediterranean ‘University’)
- Özen Çatal (Representative of the Faculty of Communication of Girne American ‘University’)
- Erdiñ Gündüz (Journalist)
- Muazzez Seldağ (Journalist)
- Nuray Necdet (Representative of the ‘bar association’)

Professional Principles in Journalism

As mentioned above, the Media Ethics Council oversees whether or not journalists abide by the Professional Principles in Journalism presented in the annex to the Declaration. This document contains obligations such as “relaying the realities in an objective manner without distortion or censorship”, “refraining from broadcasting in a way that violates democratic values and human rights”, “respecting the presumption of innocence, refraining from broadcasting that would announce someone as guilty unless their guilt is ascertained with a decision of the ‘judiciary’”, “refraining from publishing the full names and photographs of minors below the age of 18 who have the status of accused, defendant, convicted, witness, victim or deceased in connection to crimes pertaining to children”, “refraining from broadcasting that justifies, encourages and incites to violence and instigates hate and animosity”. All principles that journalists are expected to abide by are listed under 30 articles in the following manner.

- 1.** The primary duty of a journalist is to relay the realities in an objective manner without distortion or censorship.
- 2.** A journalist must not engage in broadcasting that violates democratic values and human rights.
- 3.** News, commentary and opinions must be clearly distinguished from one another to allow readers and viewers to understand the nature of the broadcast.
- 4.** Media organizations must respect the presumption of innocence and refrain from broadcasting that would announce someone as guilty unless their guilt is ascertained with a decision of the ‘judiciary’. In cases where the ‘judicial’ process is ongoing, allegations and defence must be relayed in a fair and balanced manner.
- 5.** People close to the accused, defend-

ants and convicts must not be exposed unless they have explicit connection to the committed act and required for the incident to be correctly understood.

- 6.** The full names and photographs of minors below the age of 18 who have accused, defendant, convicted, witness, victim or deceased status in connection to crimes pertaining to children must not be published, interviews must not be conducted with these children without the authorization of their parents or those legally responsible for them.
- 7.** In crimes pertaining to sexual inviolability and the abuse of women and children, the full name and photographs of the victim must not be published; broadcasting that would reveal their identity must be refrained from.
- 8.** In published news, opinions and commentary, there must be no emphasis implying that a person’s behaviour or a crime they have committed is due to their race, nationality, religious or sectarian belief, gender, gender identity, gender orientation, age, disability or any other characteristic unless it is of direct relevance for the incident that is the subject of the news.
- 9.** In the medical field, there must be no broadcasting aimed at encouraging the use of methods and medication the validity of which has not been scientifically proven.
- 10.** A journalist conducting research and trying to obtain information or footage in hospitals must indicate their identity and access prohibited areas only with the permission of the authorities. No audio or footage must be recorded in hospitals and similar institutions without the permission of the responsible person and the patient (or a person close to the patient if they are unable to consent).
- 11.** The right to retraction and reply must be respected.

12. No documents, photographs, audio or footage must be obtained without the owner's authorization unless it is in the best public interest.

13. Regarding incidents of suicide, no broadcasting must be done that would exceed the news framework and influence and encourage the reader or the viewer by its nature or scope. Details of the incident and the description of the implemented method must be avoided; no photos, drawings or footage demonstrating the incident must be published.

14. A journalist must abide by the preference of a news source with regard to the date on which the information and document they have supplied will be published unless this was obtained by the journalist themselves.

15. There must be no broadcasting that justifies, encourages and incites to violence and instigates hate and animosity.

16. There must be no broadcasting that would encourage discrimination based on race, nationality, ethnic origin, gender identity, sexual orientation, language, religion and sect.

17. A journalist must indicate their sources in news they obtain from news agencies or other media organizations and use directly or elaborate upon.

18. A journalist must refrain from activities and duties that would blemish the reputation of the profession.

19. No gifts, pecuniary advantages or privileges must be accepted from individuals and organizations that are or potentially could be the subject of news.

20. A journalist must strive to verify the information they obtain.

21. A journalist must not use expressions that humiliate and insult individuals and organizations beyond the limits of criticism.

22. The right to privacy is essential. There must be no journalism that violates the right to privacy unless this is in the best public interest or without the consent of the individual.

23. A journalist must not expose a news source to which they have promised confidentiality. Confidentiality is lifted in circumstances where the source has deliberately misled public opinion.

24. A journalist has the obligation to correct a mistake in news as soon as possible.

25. The context must not be misrepresented in quotations from speeches and statements in news.

26. The use of methods such as hidden camera, unauthorized audio recording, the obfuscation of one's identity and other similar methods must be refrained from in researching for news unless this is in the best public interest.

27. No photos or images containing blood and elements of violence must be published in news pertaining to accidents and homicide.

28. In advertisements that replicate the news format, it must be clearly indicated that these publications are advertisements.

29. A journalist must not seek pecuniary or non-pecuniary interest in exchange for the publication or non-publication of news.

30. Everyone who carries a journalist identity card strives to abide by the universal principles of journalism.

Internet Journalism Declaration

This is a separate declaration that underlines that the “Professional Principles in Journalism” consisting of 30 articles and published by the Media Ethics Council also apply to internet journalism and includes some procedures that need to be followed especially when broadcasting online in the face of the rapid development and dissemination of internet journalism in the world and in northern part of Cyprus:

- 1.** The professional principles in journalism also apply to internet news sites. The impressum shall include an expression along the lines of “this news site abides by the professional principles in journalism”.
- 2.** News sites have the obligation to publish their impressum and contact information. The managing editor of the news site shall be clearly indicated in the impressum.
- 3.** With regard to news that are taken from another media organization and published, it is essential to indicate the source, refrain from using the entirety of the exclusive produced by the media organization by relying on their own means and include a link to the media organization that produced the news instead.
- 4.** A column published in a newspaper or on an internet news site can be presented on a news site only with the authorization of the author and the publisher.
- 5.** Those in charge of internet news sites shall observe journalistic considerations in their actions.

6. Internet news sites shall not depart from honesty when communicating the read counts of news and articles.

7. Internet news sites shall carry out their publishing activity in compliance with human rights and universal values and refrain from hate speech.

8. Internet news sites shall not carry out their publishing activity in a manner that serves the commodification of the human body and violates gender equality.

9. It is not right to use sensational and distorted news headlines that do not reflect the content as clickbait.

10. It is essential to use real names in readers’ comments written under news and columns. Even though a news site allows the use of pseudonyms, it must first inspect the comments to make sure they do not contain profanities and insults. A news site shall accept the responsibility for all of the content it publishes, including readers’ comments.

Organizations and Institutions Supporting the Media Ethics Council Declaration

These are the organizations that currently support the Media Ethics Council Declaration:⁵⁸

- 1-** Turkish Cypriot Journalists Association (KTGB)
- 2-** Foreign Press Association (DBB)
- 3-** Cyprus Turkish Sports Writers Association (KTSYD)
- 4-** News Cameramen Association
- 5-** Cyprus Turkish Caricaturists Association
- 6-** Union of Bayrak Radio and Television Corporation Employees (BAY-SEN)

⁵⁸ <http://medyaetikkurulu.org/wordpress/index.php/hakkimizda/destek-veren-orgutler/>

The list of media organizations that currently express support for the Media Ethics Council declaration is as follows.

- 1- BRTK
- 2- Birinci Medya Agency
- 3- Kanal Sim
- 4- Yenidüzen
- 5- Havadis Gazetesi
- 6- Cyprus Media Group (Kıbrıs Medya Grubu)
- 7- Haberdar Newspaper
- 8- Kanal T
- 9- Kıbrıs Volkan Newspaper
- 10- Haberal Kıbrıslı Newspaper
- 11- Halkın Sesi Newspaper
- 12- Avrupa (Afrika) Newspaper
- 13- Star Cyprus Media Group (Star Kıbrıs Medya Grubu)
- 14- Fog TV (it was shut down in 2014⁵⁹ but it is yet to be removed from the list on the website)
- 15- Ortam Newspaper (not published since 2017)
- 16- Vatan Newspaper
- 17- Güneş Newspaper

- 18- Mediterranean Media Group (Akdeniz Medya Grubu)
- 19- Kıbrıs Postası
- 20- Haber Kıbrıs
- 21- Kıbrıs Today
- 22- Gazedda Kıbrıs
- 23- Habercim Kıbrıs
- 24- Kıbrıs Time
- 25- Gündem Kıbrıs
- 26- Haber Havadis
- 27- Kıbrıs Ada Haber
- 28- Kıbrıs Online Haber
- 29- Kıbrıs 7/24
- 30- Kıbrıs360
- 31- Turkish News Agency - Cyprus (TAK)⁶⁰

Note: Although it is not clear when the list on the Media Ethics Council website accessed during the drafting of this report was last updated, it is possible to say that it was not done recently: for instance, the list still includes an organization that is now shut down but TAK, which joined the Declaration in October 2019, is not included.

⁵⁹https://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n123920-FOG-TV-yonetimi-mali-sorunlar-nedeniyle-kana-li-kapatti

⁶⁰ After signing the Media Ethics Council Declaration on 14 October 2019, the president of TAK Fehmi Gürdallı made an announcement and highlighted the significance of the Media Ethics Council. Gürdallı indicated that the Turkish News Agency - Cyprus already abided by the principles that were drawn up, that it was however a shortcoming on the part of TAK, one of the most important actors in Turkish Cypriot press, to not have signed the Media Ethics Council Declaration until then and that the signature of the day rectified this shortcoming. Gürdallı underlined that the topic of media ethics and all relevant regulations were born out of necessity for responsible journalism and that the Media Ethics Council must be supported as the body shouldering this responsibility in the TCc. Gürdallı added that "the collaboration between the Turkish News Agency - Cyprus and the Media Ethics Council [would] go from strength to strength in the upcoming period following today's signature." (<http://www.yeniduzen.com/tak-medya-etik-deklarasyonunu-imzaladi-119902h.htm>)

Compliance with the Professional Principles in Journalism

There are some studies, most of which are academic in nature, that tackle the professional and ethical values of Turkish Cypriot media professionals (journalists, editors and publishers). A study published in 2006 concluded that journalists appear to be sensitive with regard to ethical principles in general but have difficulty putting it into practice. The observation made in that period indicating that media organizations were in general “very weak from an economic point of view” and that this situation “prevents serious journalism” still holds true, and is even further accentuated, in our day. Today, a significant majority of media organizations are economically very weak and/or dependent, and therefore susceptible to pressure and/or influence from both political and economic circles of power. Despite the high number of journalism organizations, it is quite hard to claim that these organizations are sufficiently efficient in terms of protecting journalists from a professional point of view.

It is an important finding outlined by academic research that especially the ethical principles of journalism with regard to rights of individuals are often sacrificed for

circulation-favouring/clickbait type sensational journalism:⁶²

The practice of including licence plates and images of crushed vehicles in addition to names in news about traffic accidents, which is a major problem [in the northern part of Cyprus]... occupy the first place among warnings issued by the Media Ethics Council. Insulting individuals, whitewashing rape, publishing the names of photographs of children and omitting news sources are among other topics for warnings that are issued.⁶³

According to the same study (quoted above):

Ethics in the Turkish Cypriot media appears to be an issue caught between the mission-oriented, partisan quarrels lead first by newspapers and then journalists as a result of the ambiguity [that is becoming permanent] between news and commentary [which has been the case historically and still is today]...

As a result, an “impact analysis” looking into the effectiveness of the efforts by the Media Ethics Council and the instruments that have been developed in conjunction with it since 2013 in terms of improving the situation surrounding the principles and values of professional ethics will allow for more in-depth analysis in this field.

Identified problems:

- There has been a significant drop in the number of council decisions over the recent years. The council does not proactively monitor ethical violations and only makes assessments in line with the complaints it receives.
- The enforceability of the council decisions is very low (only reprimands are issued) and the council lacks an effective monitoring mechanism to determine whether or not its decisions are abided by.
- There are too many articles in the Professional Principles in Journalism and they are not grouped conceptually. This leads to internalisation problems among media organizations and institutions. There are no awareness-raising activities about the code of ethics.

⁶² E.A. Tunca, “Unchanging Language of News in a Changing World: Analysis of Complaints Filed with the TCc Media Ethics Council Based on Journalism Language”, Symposium on the Role of Communication in a Changing World, Cyprus International University, Nicosia, 15-16 March 2018.

⁶³ Ercan, p. 149-151;

1.3.3. Public Confidence in the Media

The confidence of the Turkish Cypriot community in the media is measured at certain intervals and by a single research company (the Center for Migration and Identity Studies - CMIRS). The most recent survey conducted in December 2020 asked participants about their confidence in the institutions⁶⁴. The institutions were given a score out of 5 in light of the answers that were received. In this framework, the confidence in the media gets a score of 2.89 out of 5. Institutions scoring more than 3 are considered to have full confidence while institutions with a score lower than 3 are deemed to fall short of

the desired level of confidence.

The diversification of research companies that regularly measure the Turkish Cypriot community's confidence in the media, their expectations from the media, the strengths and weaknesses they observe in the media etc. and the emergence of different results are significant in terms of comparing these results and creating more reliable data.

In addition to research companies, it is also important for media organizations to set up and develop feedback mechanisms (such as questionnaires, panel discussions etc.) to monitor the preferences and expectations of their own readers and viewers in order to bolster the community's confidence in the media.

Identified problems:

- The studies that measure the Turkish Cypriot community's confidence in the media are insufficient. There is no data available to use for comparison in order to make a more reliable assessment.
- The study that is currently carried out by a single company places confidence in the media in general among other organizations. However, there is no percentage data available to indicate the share of survey participants who have confidence in the media.
- Media organizations have not developed their own feedback mechanisms that are necessary to increase the interaction with their readership.

⁶⁴ "CMIRS publishes the second part of its survey". *Özgür Gazete*. <https://www.ozgurgazetekibris.com/kibris/19129-cmir-sun-anketinin-ikinci-bolumu-yayimlandi.html>

1.3.4. Individual Rights of Journalists

The 'press labour law' stipulated various rules with regard to preserving the social and economic rights and professional freedom of media employees. In terms of social and economic rights, the general framework of rights provided to media employees is as follows;

- Drafting employment contracts longer than three months in writing
- Conditions for the termination of employment contracts and providing new employment seeking leave to employees
- The right to compensation in the event of termination of the employment contract
- Rights that protect media employees vis-à-vis their employers in the execution of their profession such as the right to rest, overtime conditions and rights

In terms of professional freedoms, it is worth noting that journalists have the right to reject requests to work in a way that restricts their capacity to create free and autonomous news and commentary; to execute a duty, news, programme, commentary etc. that would violate the universal principles of journalism or tarnish the journalistic profession; or to defend an opinion they do not believe in.

The 'press labour law' outlines the minimum requirements that apply to media employees working in both the 'public' and the private sector. Moreover, those employed in 'public' broadcasting and the members of the press working for certain private organizations are granted additional rights through the relevant organizations' 'law' and Collective Labour Agreements in addition to the provisions of the 'press labour law'.

It is known that there are problems in terms of the implementation of the 'law' and that 'legal' provisions regarding the professional freedom and social rights of journalists are not complied

with in many media organizations. This shows that certain measures need to be taken for a genuine application of the 'press labour law'.

Article 60 of the 'press labour law' attributes the responsibility of monitoring and inspecting the implementation of the relevant 'legislation' to the 'department of labour'. The general opinion of organizations operating in the press sector (especially KTGB and Basin-Sen) is that the 'press labour law' guarantees all rights of press employees in northern part of Cyprus. However, it is also observed that the 'law' is not fully implemented due to the lack of sufficient monitoring and inspection and that employees of the press are victimized in different ways as a result. The report produced as a result of the application made a couple of years ago by the presidents of KTGB and Basin-Sen to the 'ombudsman' with the request to investigate the matter also affirms this observation in general terms.⁶⁵ It is indicated in the report that certain employers have varying degrees of irregularities or debt when it comes to the payment of social insurance contributions for their employees. The report concludes the following:

In summary, it is understood that the 'department of labour' does not or cannot ensure the necessary monitoring and inspection with regard to the protection of the rights of media employees as stipulated by the 'press labour law' in a timely manner. Since the relevant inspections are not carried out in a timely manner, it is understood that many press employees have been victimized, that they have not been able to exercise their 'legal' rights and that they have suffered losses as they have not been able to receive their due compensation until the missing Social Insurance premiums are paid.

...the inspector positions within the 'department of labour' must be rapidly increased in number and filled in order to fulfil the monitoring and inspection duty fully and regularly...

Identified problems:

'Public' broadcasting

- No new recruitments as permanent staff have taken place at BRT since 1993.
- It has been stated that BRT employees have been faced with internal pressures as well as activities of intimidation and neutralisation.

Private sector broadcasting

- It is known 'legal' provisions regarding the professional freedom and social rights of journalists are not complied with in many media organizations. The institution that is in charge of implementing the 'law' does not carry out effective inspections. Journalists are subjected to long working hours in exchange for low pay and toil away without job safety or security.
- There are no 'legal' provisions with regard to mobbing.
- Journalists have a low level of awareness about their own rights. Those who have higher awareness refrain from taking initiative in this matter as they fear losing their jobs.
- The rules or principles regulating the rights of freelance journalists are insufficient. Ex: The fact that they were not able to benefit from 'state' contributions offered during Covid-19 pandemic etc.
- Lengthy cases concerning rights violations due to the non-existence of labour 'courts' or alternative dispute resolution mechanisms cause frustration.
- Gruelling attitudes and threats are observed against unionisation at workplaces.

⁶⁵ "ombudsman' Emine Dizdarlı publishes report by Cyprus Turkish Journalists Union and Press Workers' Trade Union", 31 May 2018, <https://ombudsman.gov.ct.tr/BAŞVURU-RAPORLARI/ArtMID/38993/ArticleID/91773/Ombudsman-Emine-Dizdarlı-Kıbrıs-T252rk-Gazeteciler-Birliği-ve-Basın-Emek23İleri160-Sendikasının-raporunu-yayınladı>.

1.4. PROFESSIONAL CAPACITY BUILDING, ORGANIZATION AND COOPERATION WITH OTHER CIVIL SOCIETY ORGANIZATIONS

Capacity building in the media profession takes place via media trainings at universities and in-service trainings. Media training covers a wide range of opportunities ranging from structured courses and qualification programmes for media employees to on-the-job coaching, internships and distance learning. These trainings are provided by employers, media training organizations, universities, professional organizations and international organizations working in the field of media development.

There are media centres or academies in some counties where journalists can access training or professional support. These institutions contribute to the professional development of journalists and organize courses to further improve their skills. Topics that cater to the needs and demands of local media markets are selected during the educational planning of these courses.

The academic curriculum implemented in media related departments of universities must also include the necessary skills for independent thinking and analysis for the media professionals of the future. Moreover, the rapidly changing dynamics in the media sector require the curriculum to be regularly revised and updated as well.

Another important element that needs to be incorporated into media related academic curriculum is Media and Information Literacy (MIL). MIL plays an important role in the reshaping of communication related business models as a result of the increasing presence of citizen interaction, blogs, cell phone use and other tools of two-way communication between the media and citizens in light of the changing communication methods of our age. In summary, the masses that are no longer in a passive position but rather access and disseminate news rapidly through the use of new communication technologies “must be knowledgeable about media posts and methods in order to make more effective use of these platforms and increase their awareness about some of the risks they may face in the process”⁶⁶. In this context, media and information literacy trainings must be offered starting from the primary school age and not just as part of higher education curriculum. Indeed, “the introduction of these courses at an early age

will allow students to better understand the media at a time when they are more susceptible to influence”⁶⁷.

Another important factor is the existence of media organizations that support the professional development of media employees, offer in-service training opportunities either free of charge or at low prices and allow media employees to act collectively in matters of relevance for their profession. Media employees must be able to exercise their right to establish and become members of labour unions, associations or other similar civil society organizations without feeling any pressure. Labour unions and professional associations can offer direct advocacy on behalf of the profession in matters such as unjust dismissals, pay, working conditions, protection of sources and the freedom of expression. They can also play an important role in elevating professional standards by means of organizing trainings, creating codes of ethics and enabling discussion forums.

Achieving effective collaboration with other civil society organizations is also crucial to gather the necessary support and monitoring in order to create a sound media ecosystem. In this framework, other civil society organizations can provide support to media organizations in matters pertaining to monitoring media content and ownership, the freedom of expression, the protection of journalists, media policy and regulation, capacity building and advocacy work to enable the community’s access to information and to allow their voices to be heard. Moreover, these organizations can engage with media organizations to achieve the required level of sensitivity in media content in certain matters (such as minorities, disadvantaged groups etc.).

In this section, a context analysis is made regarding the existing media trainings available in northern part of Cyprus and experiences in media literacy are shared. Moreover, the press card system is being discussed with its pro’s and con’s. In addition, all media related NGO’s are being described and problems in the media NGO environment is discussed. Finally, the section deals with the interaction with civil society organizations other than those operating in the media field.

⁶⁶ “What is media literacy?”, https://www.medyakuryazarligi.gov.tr/menu_goster.php?Guid=B7AA7732-1593-4B32-BDE5-D76E64C2A5FA&MenuId=2#:~:text=Medya%20okuryazarl%C4%B1%C4%9F%C4%B1%3B%20yayg%C4%B1n%20 Kabul%20g%C3%B6ren,kendi%20medya%20iletirini%20%C3%BCretebilme%20becerisidir

⁶⁷ Ersoy, Metin. “Everyone needs media literacy”. *Havadis Gazetesi*, 4 June 2013.

Lifelong Learning for Members of the Media: Examples of Media Academies

In many countries of the world, media academies serve the purposes of supporting the professional development of members of the media as well as the institutional and financial development of media organizations. Allowing individuals to perform more efficiently in their profession and boost the business capacity of their organizations through trainings ranging from digital marketing and social media management to news presenting, media academies also offer certificate programmes for individuals seeking to build a career in media.

German Media Academy

Since its establishment in 1993, the German Media Academy (Akademie der Deutschen Medien – ADM) has specialized in offering affordable and high-quality trainings for executives and qualified personnel working in publishing and media. While the academy's first mission in the 1990s was to develop a series of continuous training courses for the publishing and media sectors, it quickly expanded the scope of services it offered. With more than 4.500 participants to its training programmes, ADM figures among the leading media academies in Germany. Specializing in media, ADM offers a wide variety of class-based short courses covering all media skills from editing and software to digital publishing.

Operating as a not-for-profit limited company since 1999, ADM belongs to ten shareholders. This wide ownership base makes it possible for the Academy to offer a wide range of rich and comprehensive trainings in the main working areas of the media. In addition, ADM aims to provide high quality training at relatively low cost as a non-profit.

The trainings offered at ADM are the following:

Management and expert seminars for publishing and media companies

- Short courses on media law
- Short courses on digital publishing
- Short courses on corporate broadcasting

- Short courses on publishing private information

In-house training and consultancy services:

- Digital publishing
- Mobile publishing
- Future of magazine publishing
- Publishing specialized information
- Corporate publishing
- Markets for youth and children
- Media law

Istanbul Media Academy

Istanbul Media Academy is a media training institution and production house that organizes trainings on technical and creative areas of media in order to allow students to obtain professional experience through its extensive practical opportunities. Istanbul Media Academy offers production, studio and technical, and production consulting services as well as producing TV content and trains the elite media members of the future by incorporating students in all of these processes.

The academy offers the following trainings in “cinema”, “visual arts” and “acting and media”:

- **Cinema:** Film Directing, Scriptwriting, Editing and Post Production
- **Visual Arts:** Advanced Photography, Graphical Design, Visual Effects and Compositing, 3D Animation
- **Acting:** On-Camera Acting
- **Media:** News Presenting, Television Journalism, Digital Marketing and Social Media Specialization, Copywriting in Advertising, Brand Management and Strategic Planning, Television Programming, Diction and Effective Communication

Media Academy

Established in Istanbul in 2013, the Media Academy broadcasts in the fields of digital marketing, social media, advertising and e-commerce and offers consulting services. In addition to offering training, consulting and operation services to Turkish companies in Turkey, the

USA, Germany, the Netherlands, Azerbaijan, the northern part of Cyprus and Iraq, the Media Academy has published many books that are used in undergraduate and graduate courses in many universities.

The courses offered by the Media Academy are the following:

- Digital Marketing and Social Media

- E-Commerce and E-Export Specialization
- User Experience Design (UX)
- Google Ads, Facebook and Instagram Advertising
- WordPress and Web Design
- Podcast and Internet Radio Broadcasting
- Video Production and Editing
- Internet News and Journalism

1.4.1. Media Training

Academic Media Training

There are nine ‘universities’ in northern part of Cyprus offering associate degree, undergraduate and doctorate level education in relation to media. These higher education institutions offer a wide range of courses concerning the media ranging from visual design to animation (Table 3). Despite the extensive academic education opportunities in matters of interest for the media sector, a limited number of courses are offered, without a systematic framework, to the employees of the sector to improve their personal and professional skills. Trainings to improve the personal skills of media employees are offered by KTGB, the media CSO with the highest number of members in the TCc, in the form of periodical language courses, in-service trainings (for instance on diction), seminars, confer-

ences and workshops. Moreover, there are joint efforts with various ‘universities’ to provide scholarships to contribute to the professional development of its members. Within the framework of the Journalist Exchange Programme organized under the leadership of the Organization for Security and Co-operation in Europe (OSCE) and in collaboration with the Press Workers’ Trade Union, the Turkish Cypriot Journalists Association and the Union of Cyprus Journalists, journalists selected from northern part of Cyprus worked in a media organization in the south and journalists selected from the south of Cyprus worked in a media organization in the north for 5 days. Thanks to this exchange programme, media employees from both communities had the opportunity of better understanding each other and developing skills to improve language that reconciliates and approaches the two communities to each other in news content.

Table 3: ‘Universities’ in the north of Cyprus and Media-Related Education on Offer

‘university’ Name	Departments
Ada Kent ‘University’	x
‘University’ of Mediterranean Karpasia	x
Anadolu ‘University’ Faculty of Open Education	<ul style="list-style-type: none"> • Public Relations and Publicity (Associate Degree) • Media and Communication (Associate Degree) • Radio and Television Programme Production (Associate Degree) • Social Media Management (Associate Degree) • 5. Public Relations and Advertising (Undergraduate)
Arkin ‘University’ of Creative Arts and Design	<ul style="list-style-type: none"> • Visual Communication Design (Undergraduate) • New Media and Communication (Undergraduate) • Advertising Design and Communication (Undergraduate)
Bahçeşehir Cyprus ‘University’	x
Atatürk Teacher Training Academy	x
Eastern Mediterranean ‘University’	<ul style="list-style-type: none"> • Digital Game Design (Undergraduate) • Visual Communication Design (Undergraduate) • Public Relations and Advertising (Undergraduate) • Radio, TV and Film Studies (Undergraduate) • New Media and Communication (Undergraduate) • Digital Media and Film (Master) • Visual Arts and Visual Communication Design (Master) • Communication and Media Studies (Master) • Communication (Doctorate)
Girne American ‘University’	<ul style="list-style-type: none"> • Journalism and Broadcasting (Undergraduate) • Digital Marketing and Social Media Management (Undergraduate) • Public Relations (Undergraduate) • Media and Communication (Undergraduate) • Radio, TV and Film Studies (Undergraduate) • New Media (Undergraduate) • Journalism and Broadcasting (Master) • Public Relations (Master) • Communication and Media Management (Doctorate)
‘University’ of Kyrenia	x

Istanbul Technical University North Cyprus	x
American 'University' of Cyprus	• Visual Communication Design (Undergraduate)
Cyprus West 'University'	x
Cyprus Science 'University'	x
Cyprus 'University' of Health and Social Sciences	x
European 'University' of Lefke	• Visual Communication Design (Undergraduate) • Public Relations and Advertising (Undergraduate) • Radio, TV and Film Studies (Undergraduate) • New Media and Communication (Undergraduate) • Communication Sciences (Master) • Communication Sciences (Doctorate)
Mediterranean 'University' of Research and Science	x
Onbeş Kasım 'University'	• Visual Communication Design (Undergraduate) • New Media (Undergraduate) • Radio, TV and Film Studies (Undergraduate)
Middle East Technical University Northern Cyprus Campus	x
Rauf Denktaş 'University'	x
Final 'University'	x
Cyprus International 'University'	• Journalism (Undergraduate) • Visual Communication Design (Undergraduate) • Public Relations (Undergraduate) • Radio, TV and Film (Undergraduate) • Communication and Media Studies (Master) • Communication and Media Studies (Doctorate)
Near East 'University'	• Cartoon and Animation (Undergraduate) • Filmmaking and Broadcasting (Undergraduate) • Journalism (Undergraduate) • Visual Communication Design (Undergraduate) • Public Relations and Publicity (Undergraduate) • Radio, TV and Film Studies (Undergraduate) • Media and Communication Studies (Master) • Media and Communication Studies (Doctorate)

Media and Information Literacy

Media and Information Literacy (MIL) plays an important role in raising a new generation that is able to think reasonably, question presented information and create knowledge out of information⁶⁸. In northern part of Cyprus, MIL was incorporated into the education curriculum in 2012 only for secondary school students. Offered as an elective course due to a shortage of teachers in this field, MIL was introduced within the framework of the Media Literacy Teaching Programme prepared by a 'commission' set up under the 'education department'.

In our community, there are various problems with the teaching of MIL, which enables individuals to analyse news from every aspect and distinguish fake news from real news and thus plays a role that

is complementary to the media's self-regulation processes. Chief among these is the lack of student interest in MIL as it is offered as an elective course, which has resulted in a situation where it is no longer taught.

The absence of MIL at the primary school level is also a problem in and of itself. In many countries across the world, MIL is taught at primary school level so that young children can understand the functioning of media and means of mass communication. It is hard, and already too late, to change certain habits of secondary school or high school students. In addition, it is observed that students of high school age do not prefer MIL as an elective course as they focus on higher priority courses with regard to the university entrance process.⁶⁹

Identified problems:

- The fact that MIL courses are not compulsory leads to a suboptimal level of interest. It is currently not taught at any secondary education institution as it is not preferred.
- The introduction of media and information literacy courses in secondary schools and high schools, and not at earlier ages, can mean that it is too late to correct certain habits.
- There is a lack of teachers to teach MIL courses.
- The community's awareness with regard to media and information literacy is low.

⁶⁸ Metin Ersoy, "Problem with the media literacy course". *Gündem Kıbrıs*. 7 October 2013 <https://www.gundemkibris.com/medya-okuryazarligi-dersinde-sikinti-var-makale,6079.html>

⁶⁹ A.g.e

1.4.2. Professional Qualifications

Press Card

Medya mensuplarının belli bir mesleki niThe press card, which served as an identity card certifying that media members had certain professional qualifications, abided by ethical rules and observed ‘public’ interest in their activities, was issued by the ‘state public information office’ from 1988 to 2006. This situation was changed with the amendment of the ‘law’ in 2006 and the transition was made to the current system whereby the press card is now issued by an autonomous ‘press card commission’ composed of the representatives of professional organizations in the field of journalism and broadcasting. This change, which can be described as an act of civilianization, was spearheaded by KTGB.

The ‘legislation’ pertaining to the press card initially consisted merely of the phrase of “issuing Press Cards to members of the press and media” under paragraph 6 of article 5 of the ‘law’ numbered 46/1988 on the ‘public’ Information office (primary ‘law’), which enumerated the primary responsibilities of the office. Then came the addition of “the principles and procedures to be abided by in issuing Press Cards shall be stipulated in a ‘regulation’ to be prepared by the ‘council of ministers’ upon the recommendation of the office” to this paragraph with the amendment ‘law’ numbered 58/1991. Under the previous practice which lasted until 2006, issuing press cards was the duty of the ‘public information office’ and this was done by a ‘commission’ which consisted of members appointed by the office with the exception of one representative from media organizations.

In this era, certain individuals who could not be considered as bona fide journalists were able to receive press cards for instance for political or partisan reasons or upon the request of military authorities and these decisions could not be prevented despite the growing reaction from the press world. The effort led by KTGB with the belief that the situation would be rectified with a more democratic and autonomous commission with a wider participation finally convinced the CTP-DP coalition ‘government’ of the time to take action and the objective was achieved on

8 May 2006: Paragraph 6 of article 5 of the ‘law on the public information office’ was removed with the amendment numbered 49/2006, which meant that “issuing Press Cards to members of the press and media” was no longer the responsibility of the ‘public information office’, while a new article (article 30) that was added to the chapter 79 ‘press law’ with the amendment numbered 48/2006 handed over the issuance of press cards to a ‘press card commission’ composed of representatives of civil society organizations affiliated with the profession. The added article 30 reads as follows:

- (1)** The ‘press card commission’, elected unanimously [by the representatives] to serve a two-year term by one representative, who has been holding a Yellow Press Card for at least five years, from each of the associations or unions that operate in the field of journalism, are registered based on the Unions and Associations ‘law’ and have been carrying out their operations for at least five years from the date of their registration, shall be authorized to issue Press Cards to members of the press and media.
- (2)** The rules regulating the workings of the ‘press card commission’, the requirements for the issuance and renewal of Press Cards, the types of Press Cards, the rights and facilities granted by the Press Card as well as other procedures and principles pertaining to the Press Card shall be stipulated in a ‘regulation’ prepared by the ‘press card commission’, submitted by the ‘ministry’ to which the ‘public information office’ is affiliated to the ‘council of ministers’ which enters into force after being published in the ‘official gazette’.

In addition, the following “provisional article” was included into the ‘press (amendment) law’ numbered 48/2006:

Within three months of the entry into force of this (amendment) ‘law’, the ‘public information office’ prepares a ‘regulation’ on the procedures and principles of issuing Press Cards to members of the press and media and submits it to the ‘council of ministers’. The duty and authority of the ‘public information office’ to prepare the ‘regulation’ shall be a one-off duty and Press Cards shall be

changed or renewed as per article 30 of the 'primary law'.

The function of this provisional article 30 is to give the 'public information office' the one-off duty of preparing the first 'regulation' that is necessary to allow the first 'commission' to be established as per article 30 to start working. Following these amendments in the 'laws', the new Press Card 'regulation', which was prepared by the 'public information office', was submitted to the 'council of ministers', approved, published in the 'official gazette' on 29 September 2006 and entered into force. This is the current 'regulation' that is in force.

The 'press card commission', which is established as per the 'regulation', is currently composed of six members. The following are represented on the 'commission': the Press Workers' Trade Union, the Turkish Cypriot Journalists Association, the Foreign Press Association, the Cyprus Turkish Sports Writers Association and the TCc News Cameramen Association. The sixth member is a senior journalist who holds a Permanent Press Card and is unanimously elected by the other members. The Press Card 'regulation' stipulates that "the 'commission' shall be chaired by the representative of the association or union with the highest number of Yellow Press Card holders as its members". As a result, the 'commission' has always been chaired by the KTGB representative since its inception in 2007.

The 'commission' issues two types of press cards; namely the 'yellow press card' and the 'permanent press card'. The yellow press card is issued to "journalists of local and foreign press and media organizations who are TCc members or hold TCc residence and work 'permits' and to freelance journalists who work on a contract basis or in exchange for royalties without being affiliated with an organization and are either members of the TCc or hold TCc residence and work 'permits'" (on the condition that they also fulfil certain criteria as outlined in the Press Card 'regulation'). This card is issued for a period of two years and holders must reapply to the 'commis-

sion' for its renewal.

The permanent press card is issued to "journalists who are members of the TCc, have served as journalists for 20 years consecutively or 25 years with interruptions and have been issued a Yellow Press Card by [the 'public information office'] or the 'commission' over this period".

The 'commission' decides unanimously regarding applications for permanent press cards and in circumstances where a yellow press card will be issued to an applicant for the first time. In applications to renew the yellow press card, decisions are made by majority of votes and the president's vote is decisive in case of a tie.

The primary requirement for issuing a press card is that the applicant must work as a journalist on a full-time basis and that their social security (insurance and 'provident fund') contributions must be made for their capacity as a journalist. Therefore, this criterion ensures the protection and oversight of the individual rights (social security, job security etc.) of journalists working especially in private sector media organizations and is considered to be a supplementary mechanism towards rectifying the serious issues in this matter.

Journalists holding press cards are granted certain privileges. The notable privileges among these are listed below:

- Attending the discussions and meetings of representatives of all kinds of organizations and institutions, CSOs, the 'state' and the 'government',
- Priority participation in 'official' ceremonies,
- Right to park, leave vehicles and the right of way during important meetings and 'official' visits
- Right to have free access to culture & arts activities, museums, sports competitions etc.
- Free attendance to ceremonies and meetings in 'public' ports and airports
- Discounts in telephone communication, technological products relevant to the press and transportation vehicles as per bilateral agreements between organizations

The Press Card 'commission' has recently been faced with uncertainty caused by the abovementioned problem with the 'regulation' and also some other more prominent irritants.⁷⁰ There is consensus among 'commission' members that the 'regulation' needs a thorough revision and that this needs to be done as soon as possible.

Another problem the 'commission' faces is budget related. The Press Card 'regulation' stipulates that the organizations represented on the 'commission' contribute 1.5 times the minimum wage to the 'commission's budget every year. However, it is understood that the organizations other than KTGB have been irregular with this payment and that this is negatively impacting the 'commission's functioning. A potential pitfall is the following: It might be that the organizations other than KTGB

see the 'commission' as the Association's project and not take sufficient ownership of it. In this context, none of these organizations impose holding a press card as a membership requirement in their regulations. This requirement only exists in KTGB's regulation. To sum up, it can be said that there is need for dialogue and a new agreement, a new consensus among the relevant professional organizations regarding the matter of press cards.

In contacts with members of the press, it has been brought up that they are unable to take advantage of certain advantages of holding a press card in practice. Moreover, Turkish Cypriot members of the media working for the Cyprus Broadcasting Corporation (RIK) are unable to obtain press cards due to the provisions of the Press Card 'regulation'.v

Identified problems:

- Paragraph 6 of article 5 of the 'law' on the 'public information office', which formed the basis for the Press Card 'regulation', was removed. There is a void with regard to the 'legal' basis of the 'regulation'.
- The advantages of holding a Press Card, as envisaged by the 'regulation', are not materialized in practice.
- Turkish Cypriot members of the press working for media organizations in the Republic of Cyprus cannot take advantage of the press card.

⁷⁰ <https://gazetecilerbirligi.com/basin-karti-komisyonu-calismalarini-sonlandirdi/>.

1.4.3. Professional Development

Certain professional development opportunities are offered from time to time to members of the media in the form of in-service trainings, language courses, seminars, conferences and workshops. In addition to these sorts of activities organized especially with the leadership of KTGB and sometimes upon the initiative of Basin-Sen, there are joint efforts with various 'universities' to provide scholarships to contribute to the professional de-

velopment of the members of the press. A Journalist Exchange Programme was also organized in collaboration with the Organization for Security and Co-operation in Europe (OSCE), the Press Workers' Trade Union and the Union of Cyprus Journalists in order to instil peace journalism in members of the press from both communities of the island and develop skills to improve language that reconciliates and approaches the two parties to each other in news content.

Identified problems:

- The training opportunities offered for the professional development of members of the press in northern part of Cyprus are insufficient. There are very limited orientation or internship opportunities especially for fresh graduates making their debut in the profession or students on the brink of graduation.
- In-service trainings offered to journalists already exercising their profession are not organized within the framework of a regular programme.
- Limited career advancement opportunities (salary increase or additional compensation, promotion etc.) to encourage professional development result in low participation in trainings that are organized.
- Since many media organizations do not attribute sufficient importance to the professional development of journalists or lack the necessary resources, they do not offer the required additional leave, compensation etc. to encourage participation in such programmes.
- Programmes aiming to bring the two communities closer together, such as the Journalism Exchange Programme, are mostly short in duration and are carried out based on external initiatives.

1.4.4. Professional Organization

There are varying numbers of civil society organizations working in the media field. There are 7 civil society organizations working in northern part of Cyprus in this context. Each of these organizations are briefly mentioned below. Two of these organizations are not included here as they operate exclusively in the press sector.⁷¹

a. Press Workers' Trade Union - Basın-Sen

Basın-Sen (the Press Workers' Trade Union) was established in 1972 in Nicosia and is registered with the Republic of Cyprus Trade Unions Registry as a labour union established prior to 1974. Functioning within the TÜRK-SEN federation structure between 1983-1992, it then separated from the federation and continued to exist as an independent labour union. Anyone working at workplaces that qualify as media (journalists, television employees, cleaning staff and printing press employees etc.) can become a member of Basın-Sen. The labour union currently has approximately 380 members. Around twenty percent of Basın-Sen members work for BRT or TAK while the remaining eight percent work for organizations in the private sector. Basın-Sen is a full member of the International Federation of Journalists - IFJ.⁷² As a result, any journalist working in Cyprus can apply via Basın-Sen to receive the "international press card" issued by IFJ. Basın-Sen is also a member of the European Federation of Journalists (EFJ).⁷³

b. Union of Bayrak Radio and Television Corporation Employees - Bay-Sen

The Union of Bayrak Radio and Television Corporation Employees - Bay-Sen is a la-

bour union that anyone working for the BRT corporation as a worker, civil servant, permanent or non-permanent staff can join. Its objective is to improve the working conditions and protect the rights of employees.

c. Turkish Cypriot Journalists Association - KTGB

The Turkish Cypriot Journalists Association - KTGB was established in 1982 by a group that separated from the Turkish Cypriot Journalists Community, which was the only professional journalism organization at the time. It aims to protect the rights of journalists, ensure their professional development, strengthen social solidarity among journalists, elevate the professional standards in Turkish Cypriot media, defend professional principles and serve the community among other objectives. Since it has the highest number of yellow press card holding members, KTGB is represented on the boards of management of the two 'public' press and media organizations of the TCC, TAK and BRTK, and the 'press card commission' is chaired by the member representing KTGB on the 'commission' for the same reason.

d. Turkish Cypriot Journalists Community

The Turkish Cypriot Journalists Community was established in 1971. Differences of opinion that emerged within this first professional organization of Turkish Cypriot journalists resulted in a group separating from the Community to set up KTGB (Turkish Cypriot Journalists Association) in 1982. Even though the Journalists Community was later abandoned by its members who joined KTGB, a group of journalists who objected to the opinions of those elected to the management of the Association at the general assembly held

⁷¹ Among the labour unions that are organized in multiple sectors, KTAMS and Dev-İş have members who are media employees (with TAK and Yenidüzen, Sim etc. respectively).

⁷² As the world's most extensive journalism organization, the International Federation of Journalists - IFJ represents 600.000 members of 187 unions and associations from more than 140 countries. Headquartered in Brussels and aiming, among others, to "defend press freedom and social justice through strong, free and independent trade unions of journalists", the organization indicates that it does not support any particular political opinion and that it supports collective action to defend human rights, democracy and pluralism in media. There are two labour organizations in Cyprus that are IFJ members: Basın-Sen in the north of Cyprus and the Union of Cyprus Journalists - ESK in the south of Cyprus (<https://www.ifj.org/who/members/europe.html>)

⁷³ Headquartered in Brussels, the European Federation of Journalists - EFJ is the largest journalism organization in Europe: it represents more than 320.000 members of 72 journalism organizations from 45 countries. Structured first within the IFJ in 1994, the EFJ has been continuing its activities in an independent capacity since 2013. The EFJ fights for social and professional rights of journalists working in all sectors of the media across Europe through trade unions and associations. The EFJ promotes and defends the rights to freedom of expression and information as guaranteed by Article 10 of the European Convention on Human Rights. The EFJ is recognised by the European Union and the Council of Europe as the representative voice of journalists in Europe. The two EFJ member labour organizations in Cyprus are Basın-Sen in the north of Cyprus and the Union of Cyprus Journalists - ESK in the south of Cyprus (<https://european-journalists.org/blog/2014/01/14/cyprus/>).

in 1998 regarding the Cyprus issue left the Association to reactivate the current Turkish Cypriot Journalists Community. The division among Turkish Cypriot journalists in terms of professional organization that started then still continues to this day. The basis of today's division is, in general terms, the incompatibility between nationalist/two-state and pro-federation opinions. The Turkish Cypriot Journalists Community is represented on the 'press card commission'.

e. Foreign Press Association

The Foreign Press Association was established in 1992 as the organization of journalists working in northern part of Cyprus as representatives of foreign press organizations. Its objective is to improve the working conditions and to protect the rights of employees. The Foreign Press Association is represented on the 'press card commission'.

f. Cyprus Turkish Sports Writers Association - KTSYD

The Cyprus Turkish Sports Writers Association - KTSYD was established in 1983 to support sports journalism and sports writ-

ers and to contribute to sporting activities in the TCc. The association has advanced facilities (three clubhouses, social facilities, swimming pool). The association currently has around 80 members. Many of these members are individuals who engage in sports journalism outside the scope of their primary professions without holding yellow press cards. KTSYD is represented on the 'press card commission'.

g. News Cameramen Association

The News Cameramen Association was established in 2005. It was set up to meet an emerging need in relation to the increasing number of television broadcasting organizations. It is a professional representation and solidarity organization joined by those who work professionally as cameramen in northern part of Cyprus. It is worth noting that the membership base of the association has recently weakened and that this has had negative ramifications in terms of both the association's activities and the working conditions and rights of members of the profession.⁷⁴ The News Cameramen Association also has a representative on the 'press card commission'.

Identified problems:

- The media is faced with serious structural issues in professional organization. Despite the high number of CSOs in media, these CSOs lack the sufficient institutional structure and capacity to defend journalists with regard to their professional, social and economic rights. In addition, there are no platforms that would allow CSOs to gather media organizations and members on common ground to facilitate joint action.
- Another prominent problem concerning the organizations is that the Media Ethics Council, which was established as a result of a common initiative of media organizations, does not receive sufficient pecuniary and non-pecuniary support from these organizations. This leads to ineffectiveness in terms of taking the necessary steps to solve the problem of ethics in media, which is one of the important factors for establishing confidence in the media.
- Similar problems were also experienced in the functioning of the 'press card commission' which was removed from 'state' control and entirely handed over to the management of media organizations in 2007.
- Even though 80.27% of participants considered membership to an organization in the field of media to be beneficial in a 2020 survey conducted by KTGB among media employees, it was brought up during focus group meetings that the organizations do not sufficiently embrace their members and vice versa.

⁷⁴ This assessment comes from the president of the association (ECOSO, Focus group, No. 3).

1.4.5. Collaboration with Other CSOs

There are several civil society organizations in the northern part of Cyprus, defending the principles of the freedom of expression, human rights, pluralism and democracy which media organizations, institutions and members also try to further advance.

Both media organizations and media institutions engage in joint projects and awareness-raising activities with other CSOs in a limited capacity. For instance, the COMMIT Project, which is led by the Refugee Rights Association and executed with participation from KTGB as well, carries out activities to develop effective and

coordinated interventions to human trafficking.

Other CSOs that advocate for the above-mentioned principles adopted by the journalism profession constitute an important stakeholder for media organizations and members in terms of content development and accurate reporting.

There is a great potential to develop the collaboration between media organizations and institutions and other (local and international) CSOs. CSOs can provide the technical assistance or the information source that media organizations may require while the latter can serve as the instrument to make the voices of these civil society organizations heard.

Identified problems:

- The collaboration between CSOs and media organizations is still not at the desired level in our community. The level of awareness is low among media organizations in terms content or reporting that takes into account the sensitivities of especially disadvantaged groups (LGBTI+, people with disabilities, women, children, refugees etc.).
- These groups expect certain initiatives from media organizations in order to be able to make their voices heard.
- In addition, the technical infrastructure and services offered by media organizations need to be improved to enable news access for especially individuals with disabilities.

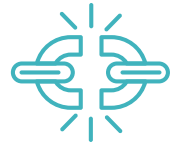
2. STRATEGIC OBJECTIVES AND ACTIVITIES



STRENGTHS

- Existence of 'legislation' that allows for the freedom of expression to a large extent
- Existence of 'regulatory-supervisory boards'
- Existence of a basis for self-regulation and awareness among members of the media
- Existence of an organization that supports the development of journalism
- Sufficient number of departments offering academic media education in the TCc
- Existence of media organizations with different views
- Absence of severe punishment such as censorship or imprisonment

WEAKNESSES



- Problems experienced in the institutionalization and professionalization of media organizations and institutions
- Lack of technological investments due to low revenues
- Insufficient infrastructure
- Low job security and qualified staff not staying in the profession for long
- Insufficiency of 'regulatory-supervisory boards' despite their existence
- Decline in investigative journalism and chasing stories, declining reporting quality in connection with the increase in copy-paste news making
- Neglecting editing mechanisms and low-quality reporting in internet journalism
- Low level of interest by media organizations and members of the media in professional development
- Insufficient coverage of disadvantaged groups in Turkish Cypriot media
- Low level of accessibility of media platforms by people with disabilities

SWOT ANALYSIS



OPPORTUNITIES

- Role of the 'judiciary' in blocking attempts that threaten the freedom of expression, consideration of the European Court of Human Rights case law
- Strong resistance in the Turkish Cypriot community against the violation of the freedom of expression
- Digital transformation in media paving the way for new business models

THREATS



- Increasing interest of different interest groups in media ownership and the risk of intervention to content
- Importers refraining from serving advertisement for their imported products via the Turkish Cypriot media as these ads are already run on the Turkish media
- Provisions of the 'criminal law' threatening the freedom of expression
- Elements of the cyber-crimes 'law' impacting the freedom of expression, the right to privacy etc.
 1. Access denials
 2. Authority of internet service providers to store data for 24 months
- Threats against the freedom of expression and the press seen in other countries starting to be felt in Turkish Cypriot media as well
- Court cases starting to be filed against members of Turkish Cypriot media abroad as well
- Low level of media and information literacy in the community
- End of the financial support provided to Turkish Cypriot channels for broadcasting via Türksat
- Lack of effective implementation of the 'law' on access to Information, lack of complaint mechanisms

ELEMENTS OF THE VISION AND A NEW VISION FOR NEW MEDIA



“ Media that enjoys guaranteed freedom of expression, has economic viability, is professionalized and takes into account the psychology of the community ”

LIST OF STRATEGIC OBJECTIVES AND ACTIVITIES

1- Enabling an environment conducive to freedom of expression, pluralism and diversity of the media

Activities	Responsible Organization(s)
<p>1.1 Improving the 'legislation' clashing with the freedom of expression ('criminal law', 'press law', 'juvenile delinquents law', 'copyright law', 'cyber-crimes law')</p> <ul style="list-style-type: none"> • Creation of a 'legal' affairs working group to determine the gaps in the 'legislation' • Annulment or revision of out-of-date 'laws' and preparation of proposals to amend existing 'laws' 	<ul style="list-style-type: none"> • KTGB, 'bar association', 'prime ministry', YYK, BTHK • KTGB
<p>1.2 Ensuring the high-quality development of internet journalism</p> <ul style="list-style-type: none"> • Swift preparation and implementation of 'regulations' to protect intellectual property and copyrights in internet journalism • Raising the awareness about ethical rules to be abided by in internet journalism 	<ul style="list-style-type: none"> • 'prime ministry', 'ministry' in charge of the economy, 'prosecutor's office' • KTGB, Media Ethics Board
<p>1.3 Improving the autonomy and technical capacity of the 'higher board of broadcasting'</p> <ul style="list-style-type: none"> • Examination of the YYK 'law', revision of provisions regarding autonomy and introduction of necessary improvements • Conducting the necessary advocacy work for the employment of the technical personnel required by YYK 	<ul style="list-style-type: none"> • YYK • KTGB
<p>1.4 Initiatives for the more effective implementation of the 'law' on access to Information</p>	<ul style="list-style-type: none"> • KTGB

2- Plurality of Media, Level Economic Playing Field and Media Ownership

Activities	Responsible Organization(s)
<p>2.1 Preventing practices that disrupt the competition in the media sector</p> <ul style="list-style-type: none"> • Implementation of the European Union-compliant 'state' subsidies communique • Providing trainings to members of the 'competition board' on practices that disrupt the competition in the media sector 	<ul style="list-style-type: none"> • 'ministry' in charge of the economy • KTGB, 'competition board'
<p>2.2 Media organizations following new trends in media, provision of incentives from the 'state' and/or other funding sources to enhance professionalization and institutionalization and to develop high-quality content</p>	<ul style="list-style-type: none"> • KTGB
<p>2.3 Improving the broadcasting infrastructure of television channels</p> <ul style="list-style-type: none"> • Updating and improving the DVB-T infrastructure to cover the TCc • Creating the necessary infrastructure for IPTV broadcasting • Organising awareness raising campaigns about accessing TV channels over DVB-T and IPTV 	<ul style="list-style-type: none"> • 'prime ministry', 'ministry' in charge of telecommunications • 'prime ministry', 'ministry' in charge of telecommunications • 'higher board of broadcasting', KTGB
<p>2.4 Pursuing initiatives to compensate lost advertisement revenue due to ads for imported products not being served on local television channels</p> <ul style="list-style-type: none"> • Initiatives to sign bilateral agreements regarding practices that disrupt competition 	<ul style="list-style-type: none"> • 'prime ministry'
<p>2.5 Introduction of certain additional professional requirements in establishing audio-visual media organizations</p> <ul style="list-style-type: none"> • Revision of the 'law' on the establishment and broadcast of 'public' and Private Radio and Televisions to introduce certain qualification conditions so that individuals to be appointed as managers/ executives/ editors in audio-visual media organizations are required to have education and/or work experience in journalism • Licensing Web TVs broadcasting like TV channels based on certain conditions and in light of international practices 	<ul style="list-style-type: none"> • 'prime ministry' • 'prime ministry'
<p>2.6 Taking the necessary steps to make sure information on media ownership is transparent and accessible</p> <ul style="list-style-type: none"> • Introducing the 'legal regulations' to ensure the transparency of the ownership of print, audio-visual and internet media organizations • Making the information on media ownership accessible to the public free of charge and regularly updating this information 	<ul style="list-style-type: none"> • 'prime ministry' • YYK, KTGB

3- Media as a Platform for Democratic Discourse

Activities	Responsible Organization(s)
<p>3.1 Reducing the political nature of media organizations engaging in 'public' broadcasting</p> <ul style="list-style-type: none"> Reducing the political influence in the appointment procedures of boards of management Improving the qualifications in appointments of board members and technical personnel 	<ul style="list-style-type: none"> BRTK, TAK BRTK, TAK
<p>3.2 Improving the Media Ethics Council's capacity for media self-regulation</p> <ul style="list-style-type: none"> Revising the existing rules of ethics in light on international practices to make them easier to understand Improving the monitoring capacity with regard to violations of ethical rules Diversifying the announcement methods for decisions that are taken Undertaking initiatives to make sure that rules of ethics are further internalized by media organizations 	<ul style="list-style-type: none"> KTGB, MEK KTGB, MEK KTGB, MEK KTGB, MEK
<p>3.3 Enhancing interactions with the community and measuring the community's confidence in general and specifically with regard to media organizations</p> <ul style="list-style-type: none"> Conducting confidence in media surveys at regular intervals Undertaking initiatives to increase the activities of media organizations that incorporate the community, for instance Panel discussions, debates, reader/viewer questionnaires etc. 	<ul style="list-style-type: none"> KTGB KTGB
<p>3.4 Undertaking awareness-raising activities with regard to the individual rights of members of the press</p> <ul style="list-style-type: none"> Executing awareness-raising campaigns in visual, audio, print and social media regarding what the individual rights of members of the press are and how these could be used Increasing awareness about the working conditions and individual rights of members of the press 	<ul style="list-style-type: none"> KTGB, Basın-sen, 'ministry' in charge of labour o KTGB, Basın-sen
<p>3.5 Creating the necessary mechanisms for the resolution of business disputes</p> <ul style="list-style-type: none"> Creating arbitration mechanisms for the friendly resolution of conflicts 	<ul style="list-style-type: none"> Basın-sen, KTGB, 'ministry' in charge of labour

4- Professional Capacity Building, Organization and Cooperation with Other Civil Society Organizations

Activities	Responsible Organization(s)
<p>4.1 Supporting the professional development of media employees and taking the necessary measures within the framework of the professionalization and institutionalization of media organizations</p> <ul style="list-style-type: none"> • Creating a training plan to deliver trainings within a certain programme and on a regular basis • Organizing affordable trainings in collaboration with media departments of 'universities' 	<ul style="list-style-type: none"> • KTGB • KTGB
<p>4.2 Enhancing Media and Information Literacy</p> <ul style="list-style-type: none"> • Undertaking initiatives before the authorities in order to include Media and Information Literacy courses in the educational curriculum • Organizing awareness-raising activities within the community regarding this matter 	<ul style="list-style-type: none"> • KTGB • KTGB, 'ministry' in charge of education
<p>4.3 Establishing a Media Academy that supports continuing education and collaborates with other education institutions under the leadership of KTGB</p> <ul style="list-style-type: none"> • Carrying out a feasibility study to convert the unused sections of the KTGB premises for this purpose • Taking the necessary steps for the use of this space for academic purposes as a result of the collaboration to be established with 'universities' 	<ul style="list-style-type: none"> • KTGB • KTGB
<p>4.4 Creating a platform that would enable collective action by media organizations and employees in cross-cutting issues and more effective advocacy before the authorities</p> <ul style="list-style-type: none"> • Building the institutional identity of this platform • Setting up the platform secretariat within KTGB 	<ul style="list-style-type: none"> • KTGB, media organizations • KTGB
<p>4.5 Developing projects and taking initiative to increase the access of disadvantaged sections of the community, notable people with disabilities, to media and including their voices in content and coverage</p>	<ul style="list-style-type: none"> • KTGB, Media organizations
<p>4.6 Improving the press card system</p> <ul style="list-style-type: none"> • Increasing the inclusiveness of the press card (for instance: members of the press working in the Republic of Cyprus, freelance journalists) • Taking initiative to enhance the advantages envisaged by the press card and make their implementation more common 	<ul style="list-style-type: none"> • 'press card commission', KTGB • 'press card commission', KTGB

PANEL PRESENTATIONS

Enabling a Favourable Environment for Media

Aidan White, Founder of the Ethical Journalism Network

The journalistic profession is about exercising restricted speech rather than free speech. Therefore, journalism is a profession that must be exercised within a framework of values and ethical rules. Although the journalistic profession has a public purpose, it is about “others” and not the journalists themselves. However, the freedom of expression is a concept that needs to be tackled separately from journalism. Opinions expressed by individuals on social networks as well as on many public areas with political and commercial objectives are “egocentric” opinions. Although features such as prejudices, unfairness and hurtful rhetoric that exist in the emotions and thoughts of individuals can be admissible before the law, these are elements that journalists must refrain from in their news content. In this framework, there are **five core ethical principles** that journalists must follow and that restrict them in their work. These are:

- **Accuracy:** communication based on the realities
- **Independence:** not pursuing a propaganda purpose
- **Impartiality:** presenting every side to the news
- **Humanity:** not doing harm
- **Accountability:** transparency

Even though journalists do their own work within ethical rules, they must also fight against the pressures created by the state, citizens and commercial powers on the media. When we look at the common problems in media, these **cross-cutting issues** are worth taking note of:

- Limited human resource capacity in news centres for the preparation of comprehensive and in-depth news content,
- Ambiguity in the media with regard to the rule of law and the situation of migrants, refugees and asylum seekers,
- Tendency for clichés, prejudices and urban myths,
- Not including the voices of minorities in the news to a sufficient degree,
- Lack of complete adherence to the core

values of journalism

Understanding the threats caused by the egocentric communication entrenched in the public culture; **standing strong** against attempts by the state and certain commercial groups to take control and re-interpreting the internet to **defend transparency**; establishing trust in news **about others** and defending **responsible news** through accuracy, humanity and transparency are among the methods that media can employ in order to overcome the challenges of the digital age.

Hate speech is preferred in media for certain reasons and appears as one of the biggest obstacles for public interest journalism. It also further provokes conflicts in the world. In general terms, hate speech occurs in subjects such as **Islamophobia, anti-Semitism, genocide, religion, race, migration, gender equality and homosexuality** in the media.

In addition to hate speech, **misinformation** and **fake news** also take up significant space in our age. We are faced with more misinformation than ever before in the form of propaganda that occurs especially during conditions of conflict and war. To counter it, our information sources should be as varied as possible and we should not compromise on principles at the cost of losing allies. Journalists must not lie to and mislead people as per their profession. Media employees must be professional and they must, especially in times of crisis, constantly question whether or not they are telling the truth, being ethical, using their sources correctly and reflecting all sides to a story.

Here's what needs to be done **to further improve the journalistic profession:**

- Strengthening journalism and broadcasting independence (improving public interest journalism, creating new employment)
- Not putting up with intolerance in political and religious events

- Encouraging responsible journalism online through new media literacy initiatives
- Creating new civil society dialogue initiatives steered by journalists and academicians
- Introducing new rules and regulations to increase respect for ethical journalism and journalistic values

Who is a journalist? The journalistic profession can be defined in three ways:

- Those who were educated in and received a diploma for journalism
- Members of a Journalism Association and/or Union
- Those engaging in journalistic activity regardless of whether or not they work for a media organization

In our internet and digital media age, anyone can call themselves a journalist. However, what is critical is whether or not these individuals fulfil their journalistic duties in compliance with ethical principles. As we are going through an economic crisis, media organizations use certain individuals in their capacity as journalists for their own purposes. Everyone engaging in the journalistic profession must be encouraged to become members of a journalism organization. This will ensure that journalists will pursue public interest in the news they report, engage in ethical and accurate reporting, present all sides to the news and exclude hate speech from their reporting.

The **press card** is a journalist's badge of honour. It is a symbol representing that the journalist remains loyal to accuracy, standards and ethical principles. Press cards are issued by different organizations in the United Kingdom. Issued solely by the union of journalists in the past, press cards are nowadays also issued by state information offices in addition to the union of journalists and the association of journalists. However, the state's criterion

in issuing press cards has shifted from how they exercise their profession to how they sustain themselves. In the UK, a special committee, which acts independently and consists of representatives of the Association of Journalists, employees, the police and the Home Office, is set up to receive and decide on press card applications. Applicants must be Union members or present proof that they exercise the journalistic profession. Issued for the most part in London, the press card facilitates journalists' access to the police and other government institutions.

Creating a level economic playing field is among the most important factors to enable a suitable environment for exercising the journalistic profession. Certain regulations are required to accommodate different voices in order to prevent the monopolization of media. Due to the limited nature of resources, there are frequent examples of mergers and market dominance in the media. In this context, anti-trust and competition legislation must be passed to prevent such competition-disrupting activities. In addition, additional resources must be sought to develop public interest journalism. Journalism cannot survive on advertisement and circulation revenue alone. The internet has dramatically altered the functioning of the media. That is why new areas of financing must be created to ensure pluralism in the media. Such as asking people for donations. The best example of this is the daily Guardian. It is among the most read and respected newspapers in the UK. However, it has long been calling on its readers to make donations as it has been unable to increase its revenue merely through journalism. More than 2 million readers have so far made donations to the Guardian to help keep the newspaper alive.

The Future of Media: Concepts and Trends

Adam Thomas, Director of the European Journalism Centre

The profession of journalism is faced with four main threats.

- **Commercial threat** due to declining advertisement revenue
- **Political threat** due to increasing number of authoritarian regimes
- **Technological threat** due to increasing competition on the internet caused by attention seeking and misinformation
- **Ideological threat** due to declining confidence in journalism and the politicization of information

Further exacerbated as a result of the COVID-19 pandemic that gripped the world in 2020, these problems mean that many news organizations, especially independent and local news organizations, will not be able to survive in the future. If this happens, the threat to democracy and open society will be immeasurable.

According to World Press Freedom Index published by Reporters Without Borders (RSF), the freedom of the press has deteriorated globally by 12% since 2013. However, there are some encouraging and innovative developments in journalism across Europe. Some examples of these innovative initiatives are the following:

- The wave of more **engaged journalism**: Decât o Revistă in Romania or Zetland in Denmark
- Professionalization of **fact-checking**:

Maldita.es in Spain

- **Open data journalism**: Troika Laundromat carried out under the Organized Crime and Corruption Reporting Project (OCCRP)
 - **International, national and local investigative journalism such as** Correctiv (Germany) or Disclose (France)
 - **Membership and subscription models** such as Dennik N (Slovakia) or De Correspondent (the Netherlands)
 - **Solution-oriented journalism** such as Outriders (Poland)
 - **Artificial intelligence portals** such as Kinzen (Ireland) that creates automatic content suggestions and United Robots (Sweden) that does news automation
 - Technologies that support news dissemination and revenue via **podcasts and newsletters**: Substack or Steady
- Due to declining advertisement revenue and product sales, news organizations are becoming more dependent on reader subscriptions, memberships and donations. This makes it compulsory for them to establish a trust-based relationship with the reader. The abovementioned innovative initiatives serve as important instruments for transitioning into a new economic model based on the reader's trust by enabling the creation of a more interactive structure between the reader and media organizations.

COVID-19 Emergency Fund

Despite the rapid decline in revenues as a result of the digitalisation of media in recent years, the transition into the new economic models offered by the digital transformation has been making slow progress. Many media organizations have been negatively impacted especially by the COVID-19 pandemic. This has made support from both states and international organizations to media institutions inevitable. Chief among these international organizations, the European Journalism Centre (EJC) has received 2000 applications for financial support from media organizations in member states of the Council of Europe through the COVID-19 emergency fund it created. Out of these applications, 200 candidates became eligible to receive a grant. It is indicated that the media organizations expressed the following common problems in their applications:

- There is very little diversification and almost non-existent planning in product development
- Certain incidents are impacting circulation and parallel revenue streams
- Subscriptions to media organizations go up and down
- Most requests for financial support are intended to pay salaries
- Final results: staff cuts, newspapers that are shelved or shut down.
- Interaction with the society is limited
- Most had promising ideas about new products/initiatives but lacked the product specialization or shipping and scaling skills.
- The infrastructure is insufficient for working from home
- Freelancers are hit the hardest

The EJC makes the following recommendations for media organizations going

through economic hardship:

1- Build trust

- It is important to apply standards set at the international level such as the Journalism Trust Initiative.
- Optimize the reader's confidence through all sorts of instruments.
- Embrace transparency around sources and processes.

2- Create diversified experiences

- Community searches, virtual town halls, discussion groups, marketplaces and initiatives that connect communities will become important.
- News organizations need to get better at creating enjoyable digital environments

3- Focus on health

- News about health and science must be at centre stage.
- More special and localized news must be developed for readers.
- Journalists will likely need a deeper understanding of health related events and better data journalism and visualisation skills.

4- Provide safe spaces

- News organizations must create products that cater to new behaviour.
- They must channel information to the e-mails, cell phone applications and programmes of their communities.
- News organizations must increase their capacity of listening and research their viewers.

5- Improve resistance against external interventions

- Resilience refers to independence from the attempts of authorities to take over the media and requires a strong and well-articulated mission to hold the rulers responsible for their actions.

- The media must point to a mission that extends beyond content creation with purpose.

The problem of the media being taken over by public authorities does not only impact the part of the world where Cyprus is located but it has also become an issue impacting entire Europe. Even the BBC potentially taking political sides and ambiguity around who has authority in its management have emerged as problems in the UK.

There are three methods through which public authorities take control over the media. First, regulatory rules (such as licensing etc.) introduced by the state restrict the area of freedom for the media. Secondly, media ownership appears as another problem. States and powerful oligarchs appoint their supporters to editorial positions of the media organizations they own to control them. The third method is financial. It is commonly observed that states serve advertisements via media organizations using their own financial resources and threaten a reduction in revenue by cutting these advertisements in the event of unfavourable broadcasting. Some progress has been achieved in this matter at the EU level. This is particularly seen in recent initiatives regarding Hungary. Here the European Union must play a more active role in matters regarding the freedom of the press and use all its might for the application of internationally accepted media standards.

It is important for media organizations to not be completely reliant on advertisement sources and increase their resilience in order to shield themselves from the influence of public broadcasting. For instance, the Hungarian media organization Direkt 36 does not serve advertisements and engages in independent jour-

nalism by relying only on contributions from its readers. The EJC uses examples of organizations such as Direkt 36, shares information, assists in the creation of different business models and organizes trainings to help media organizations become more resilient.

Journalism that depends on advertisement revenue is no longer sustainable. That is why new methods are needed. Methods such as memberships and subscriptions must be used to ask the society to make financial contributions to media organizations. This will also help build resilience.

Diversifying revenue streams and digital transformation may not be easy for all journalism organizations. Some newspapers and other similar organizations are set up as de facto subsidiaries of large corporations and holdings rather than being established with the intention of engaging in journalism. These organizations threaten the independence and freedom of the media by purchasing content and journalists. On the other hand, media organizations such as the Guardian are able to survive without needing external resources thanks to the donation system they have developed. This example is both good and bad. The upside is that it proves the possibility of surviving based on reader contributions by engaging and investing in direct communication with the reader. The New York Times is another media organization that pulls this off. However, what sets these examples apart is that not all organizations are as well-established and well-known as the Guardian or the New York Times. The Guardian achieved this transformation through its foundation. The New York Times, on the other hand, still has a significant level of print newspaper sales. Moreover, they started investing in these new business models 20 years

ago and developed innovative ideas and methods to allow for more reader engagement. However, there is still nothing that keeps a small media organization from achieving the same result.

The Engaged Journalism Accelerator initiative led by the European Journalism Centre supports media organizations to re-establish trust in the media, develop new sustainable revenue models and provide citizens with different sources of information they need to make informed decisions. What is important here is that you consider your target population as active participants to your work rather than mere passive readers. It is important

that you listen to them and understand what their needs are. You can make use of WhatsApp groups, Facebook pages and Zoom meetings with editors to this end. This will allow you to listen to reader requests, problems and criticism. Secondly, the methods you will pick for reader donations must be straightforward. Just like paying for a Netflix subscription... As a third important point, it might be useful to analyse your readers and find out why they have subscribed or cancelled their subscriptions. You can also develop incentives for them to subscribe. The European Journalism Centre provides instruments and recommendations that can benefit media organizations in these subjects.

EU Member State Examples in Media and Media Organizations - Estonia

Helle Tiikmaa - President of the Estonian Association of Journalists

The media in Estonia is divided into public broadcasting and private broadcasting as is the case in other countries. There are also a few small media organizations owned by civil society organizations. However, these are also considered to fall within the scope of private broadcasting. The three “whales” of Estonian media are the national broadcaster ERR and the large private broadcasting organizations of Postimees Grupp and Ekspress Grupp. ERR functions as a public service broadcaster. Postimees Grupp owns Estonia’s largest newspaper as well as a TV channel and a radio station. Ekspress Grupp owns a daily newspaper, a number of weekly newspapers and a news

agency with branches in Latvia and Lithuania. There is also “Äripäev/Business Day”, a financial newspaper owned by the Swedish Bonnier Group. This is the country’s only newspaper with foreign ownership. There used to be more foreign media organizations in Estonia but these were sold to Estonians over time. Therefore, the vast majority of Estonian media ownership belongs to Estonians.

When you look at the applicable legal framework in the field of media in Estonia, you can see that there is no standalone media code. Instead, there are multiple media-related codes as summarized below.

Code	Date of first adoption	Area of regulation in print media
Constitution of the Estonian Republic	28 June 1992	The freedom of expression and the press, the freedom to obtain and disseminate information and opinions, the prohibition of censorship
Estonian Penal Code	May 1992	Provisions regarding slander/libel
Civil Code	1994	Protection of individual rights
Civil Service and Foreign Service Code	25 January 1995	It obliges public officials to keep official secrets and safeguard classified data
Personal Data Protection Act	12 June 1996	Rules pertaining to the unauthorized publication of personal data
Advertising Act	11 June 1997	General presentation and rules of advertisements, broadcasting rules and definition of rules for broadcasters
Act to Regulate Dissemination of Works which Contain Pornography or Promote Violence or Cruelty	16 December 1997	Definition of prohibited content, dissemination limits or prohibition, special exceptions.
State Secrets Act	26 January 1999	Definition of state secrets, foundations of accession and handling state secrets.
Public Information Act	15 November 2000	Rules for enabling access to information for general use in compliance with the fundamental rules of democracy and social justice and the principle of open society; creating the means for public control on the fulfilment of public duties
Law of Obligations Act	26 September 2001	Regulates compensation for damages including damage to individual rights, forms the basis of contracts

With regard to broadcasting, there are also the Broadcasting Act that remained in force from 1994 to 2010 and was replaced with the Media Services Act and the Public Broadcasting Act starting from 2007 (Chapter of the Broadcasting Act for National Broadcasters between 1994-2007 - separate for TV and Radio).

There is no legislation in Estonia for putting journalists on trial for libel and slander.

When we look at matters of self-regulation in Estonia, we can see that the first Press Council was established under the name of "Public Speech Council" in 1991 when Estonia declared its independence. The Council carried out a number of successful initiatives even at a time when there was not code of ethics. The Estonian code of ethics was adopted in 1997 after much discussion. There has not been many changes in the code of ethics since then. Following the emergence of differences of opinion within the press council in 2003, media owners and editors-in-chief left the Council and established their own council under the name of the "Press Council". That is why there are two Press Councils in Estonia. The Press Council established by the editors has more extensive resources and a more significant sanctioning capacity compared to the other council. The voice of this council is heard more internationally. The Council, to which the Association of Journalists is affiliated, still exists.

Whereas the Press Council produces decisions regarding only those press organizations that are its members, the Public Speech Council produces decisions covering all media. Journalists show interest in both Councils. Sometimes the same complaints are filed with both Councils to compare the decisions coming from both. The self-regulation mechanism does not have a very strong sanctioning capacity. If there are constantly negative opinions about a journalist, this affects the future of their profession negatively. The visibility of the Press Council's decisions is higher

especially since these get more coverage in the media. Abiding by the decisions of the Council is an important matter in Estonia. Media-related problems are often resolved before the council and do not get referred to the courts.

The Estonian Association of Journalists, which is a very old organization, suffered a serious image problem between 1999-2002. When you look at the advocacy work carried out by the Association, you can see that the top priority is improving this image. The second point concerns the ex officio social rights of journalists. Moreover, the training and professional development of journalists are also part of the Association's agenda. Another issue is the support provided to freelance journalists and journalism-related projects.

The Estonian State offers incentives to individuals operating in the cultural field. This list includes painters, writers, architects and designers but not journalists. Similarly, while freelance workers who are members of "creative civil society organizations" can benefit from this fund, those who are members of journalism-related organizations are excluded. The Association lobbies to make sure journalists can benefit from the incentives offered by the state as well.

The EU "Digital Directive" will come up on the agenda in the following days. This directive will bring up the issue of internet companies such as Google and Facebook making payments to media organizations for the journalism services they provide. At this point, the Association's role will be to lobby for the payment of a portion of the revenue to be generated by media organizations to the journalists who have prepared the media content.

The Association of Media Enterprises (formerly the Association of Newspapers) occupies a central place among the other CSOs operating in the media field in Estonia. There are also smaller associations of journalists. These include associations of press photographers, film critics, young

journalists, science reporters, sports journalists, women editors etc. Moreover, there is the Association of Academic Journalism, which has ties with the University of Tartu. There is also an association for those working in Estonian public broadcasting. Also for public sector employees, there are two small associations for creative employees and technical employees in TV respectively.

Holding a press card in Estonia does not come with a long list of additional advantages. It allows the holder to attend official press conferences as it identifies the person as a journalist. It is different than a standard identity card in this way. Card holders enjoy free entry into national museums. They also get discounts at certain hotels etc. However, this is not very much encouraged by the Association as it amounts to offering gifts to journalists.

In addition to the press card it issues to its own members, the Association also issues international press cards belonging to the International Federation of Journalists (IFJ). Holders of this card can attend certain meetings domestically and internationally. Moreover, every media organization has the right to issue its own press card. Therefore, there are multiple press cards.

All enterprises that have suffered lost revenue, including media organizations, have the right to apply for state financial assistance. There is no media-specific financial assistance. However, independ-

ent journalists, who make up the majority of the members of the Association, cannot take advantage of this assistance as they are not enterprises. The Association itself does not benefit from state financing either. The Association's only financial source consists of the contributions from its members. Therefore it is in a tough financial situation and does not employ any salaried workers.

When we look into the differences between public and private sector media employees, we can say that public sector employees have more job security. The public broadcaster's policy has generally been to retain its employees. When we look at the salaries in the private sector, there is not a great gap between the highest and the lowest salaries.

Even though public broadcasting is financed by the State, the government has no control over programming. If this were to happen, not only journalists but also the society would react strongly. The public broadcasting organization is managed by the Public Broadcasting Commission. The members of the Commission include 4 non-political experts. Moreover, every political party represented in the Parliament sends one representative each. There are 6 political appointees since there are currently 6 parties represented in the Parliament. Commission members cannot intervene in the content of public broadcasting but they have control over the use of finances.

EU Member State Examples in Media and Media Organizations - Slovenia

Špela Stare - Secretary General of the Slovene Association of Journalists

There was a substantial wave of liberalisation in Slovenian media in the first couple of years that followed the independence from Yugoslavia in early 1990s. The first media law and radio-TV law were prepared according to the recommendations of the Council of Europe and constituted a role model for other countries. At the time, members of the programming board of the public broadcaster were appointed by civil society organizations. Even though political power infiltrated the civil society later on, the media law of the time was very liberal and progressive on paper. Moreover, matters such as removing editors were evaluated by the independent Board of Editors. In addition, the “right of reply” was introduced into the Media Law.

The right-wing government that was in power between 2004-2008 attempted to amend certain liberal provisions of the Media Law and the Radio-TV Law. The editors of public broadcasting organizations started to be appointed by the Parliament or the Government. This allowed for direct state intervention in the preparation of the programming.

During the EU accession negotiations, the media laws were thoroughly examined by the European Commission. Among the demands addressed by the European Commission to Slovenia during the accession negotiations, “defining the media in more general terms” and “opening the media sector to foreign investors” were of utmost importance.

Due to the small size of the Slovenian market, not too many foreign investors were interested in the media sector. Even after EU membership, Slovenians retained most media ownership. However the Czech Republic recently started to show interest in media organizations broadcasting in the Balkans. There is a especially the likelihood that the organization called CMA will be sold to Czechia.

There are 3 major newspapers and numerous regional newspapers in Slovenia.

There are also newspapers publishing locally under the ownership of municipalities but these have limited editorial independence. In terms of online portals, small groups consisting of investigative journalists have emerged. In addition to these, there is also an online portal owned by Telekom Slovenije. Another portal is financed by the Government of Hungary and engages in publications that do not comply with the ethics of journalism. A large number of fake news are published on this portal. The current populist and right-wing Slovenian Government is in close collaboration with the Government of Hungary, which shares a similar structure. Slovenia’s current prime minister qualifies independent media as threats acting against him in the hands of leftist powers and communists. This is a worrying situation for independent media.

The Slovene Association of Journalists is a very old organization that dates back to 100 years ago. It existed under Communist Yugoslavia but it was a different organization at the time and it was legally required to collaborate with the Communist government. Over the years, the Association built up its reputation and was joined by a large number of journalists. Recently there has been a significant decline in the number of its members. The Association current has approximately 900 members. This number used hover around 2000.

The Association has only two full-time employees. The salaries of the two employees and office expenses are financed through membership contributions. Additional expenditure for workshops, media festivals, awards etc. are covered by media organizations. The Association does not accept grants or contributions from the private sector in order to prevent conflicts of interest. One third of the Association’s revenue comes from grants provided for the projects it carries out. The Association is carrying out two projects at the moment. These are the projects titled “Protecting the oversight role of the civil society and journalists in Slovenia” and “Developing innovative support and communication

models for civil society organizations” respectively. The first project is financed through the EU’s Civitates programme and includes a series of activities for the protection of investigative journalists. The second project is geared towards the professionalization of the civil society sector. Financed under the previous government, the project envisages activities to improve the employment methods and professional lives of journalists.

The Association carries out a large number of advocacy activities. Amending laws is among these. For instance, amendments were introduced into the penal code to provide protection measures so that journalists do not expose their sources. Amendments were also made in the labour inspection law upon the association’s initiative and improvements were made in terms of the individual rights of journalists. The Slovene Association of Journalists has submitted amendment proposals with regard to four media-related laws. These are the Slovenian Radio Television Law, Media Law, Audio-visual Media Services Law (compliant with EU directives), and the Slovenian Press Agency Law. The government is also in the process of trying to amend these laws to increase its control over the media and financially destabilize the public broadcaster. The Association resists against this and carries out the necessary fight.

There are two more media organizations in the country. One of these is the Slovenian Union of Journalists, which was established with the support of the Association of Journalists after independence. The two organizations work together in close collaboration. The third media organization in Slovenia is the “Association of Journalists and Publishers”. The very small organization was established by right-wing journalists and has fewer than 20 members.

The Association of Journalists and the Union of Journalists established the Media Ethics Board, which is responsible for self-regulation. The two organizations later went on to create the code of ethics. They also provide the necessary funding for the functioning of the Board. The union engages in collective labour agreement ne-

gotiations, works to improve professional rights and represents journalists before the Courts. The Association of Journalists focuses on matters such as ethical standards, editorial independence and journalism festivals and awards.

In addition to these media organizations, the Slovenian Press Agency also plays an important role. Employing more than one hundred full-time and part-time journalists, the Agency produces excellent and beneficial news. They use up-to-date and high quality content. The Agency also provides services in English. This is important since the other media organizations in Slovenia do not produce content in English. Many Slovenian media organizations use the agency’s news content to create their own news. The agency also carries out specialized journalism in science and health. The agency generates half of its revenue through the sale of its content. The government is currently seeking to amend the Agency’s law to obtain more control over it. To this end, they are envisaging legal provisions that would allow the state to appoint the agency’s entire board of management.

The reputation of journalists in Slovenia among the society has recently started to decline. People have started to have more confidence in news transmitted through the traditional media especially as a result of the abundant online misinformation during the Covid-19 pandemic. Moreover, the increasing left-right opinion quarrels further tarnish the media’s reputation.

In terms of revenue, print media is in a severe crisis. The revenues of media organizations have been declining, which has forced them to lay off employees. Especially journalists reporting from abroad are dismissed as it is expensive to finance their activities. The average minimum wage in Slovenia is 1100 euros. Journalists make 1500 euros on average. Those working in public broadcasting organizations are considered public officials and have more extensive rights (salary, individual rights). Collective labour agreements have been losing their importance in private media. Every negotiation round leads to a regression in journalists’ rights.

EU Member State Examples in Media and Media Organizations - the Republic of Cyprus

Ioannis Seitanidis, Member of the Executive Council of the Union of Cyprus Journalists

The COVID-19 pandemic crisis had a devastating impact on the economy across the world. As the crisis disrupted the revenue models of enterprises, the media sector has been significantly impacted. This crisis has also negatively affected the working conditions of journalists. There is need for new business models but it appears to be a job for media owners. The duty of those representing journalists is to give the floor to them and defend their rights in this new transformation.

The Union of Cyprus Journalists plays a dual role of being both a professional association and a labour union. Established in 1960, the Union current has around 560 members. It embraces virtually all professional journalists working for newspapers, magazines, radios, television organizations and news agencies in the country. Regardless of their ethnic origin, race and religion, professional journalists are entitled to join the Union of Cyprus Journalists on the condition that they work in local media, earn their living from journalism and have worked in the profession for at least six months. Journalists working in Cyprus can become members of the Union as autonomous entities through their own Associations.

The aims and objectives of the Union are clear: Strengthening and protecting the freedom of the press, defending the freedom of expression and opinion, protecting the independence, freedom and rights of journalists, improving and regulating their professional conditions by making sure that they are employed through collective labour agreements, elevating journalism standards and training journalists.

The Union of Cyprus Journalists is an active member of both the International and the European Federation of Journalists and has bilateral ties with the Journalists'

Associations of several countries.

The Union is currently focused on defending the working conditions and incomes of Cypriot journalists. The COVID-19 pandemic has dealt a significant blow to the media sector. Even though state incentive measures have so far been able to prevent layoffs, it is expected that there will be some layoffs in the near future. The Union defends the rights of all journalists, including those who are not members. In this framework, the Union organizes occasional protests to demand the improvement of the working conditions of media employees.

The Union's revenue consists of member contributions. About 30 years ago, the union used to sell lottery tickets to make some of its income. However, the government of Cyprus then made a decision to conduct lotteries only through state mechanisms. To compensate this lost revenue, the state pays the union an annual contribution of €50,000. The Union uses this amount to provide financial assistance to its low-income members. The Union is not carrying out any projects at the moment.

Protecting a more ethical and free media

There are two main issues concerning professional journalists in these challenging circumstances: media employees being able to freely exercise their professions and ensuring the media organizations' sustainability in economic crisis conditions

With regard to the first issue, there is a discussion about journalism all across the world. There needs to be sound self-regulation in the media in order to keep government intervention and other interests at bay. The authorized institution about this matter in Cyprus is the Cyprus Media

Complaints Commission, which was established in May 1997 by the Association of Newspaper and Magazine Publishers, private Electronic Media owners and the Union of Cyprus Journalists. It is an independent commission responsible for self-regulation in both print and electronic/digital news media. It is completely exempt from government intervention and judicial supervision and relies on self-regulation to sustain the freedom of the press, elevate standards and allow the readers to submit their complaints to the media.

The media owners in Cyprus mostly consist of people with a background in the media sector. Recently there has been an increase in the number of online media organizations. There is no information about the owners of these organizations. This causes great concern. In the Cyprus chapter of its report on “the rule of law” in member states, the European Commission pointed out the lack of transparency in media ownership. It is expected that this matter will be tackled later on.

Regulatory authorities

The regulatory authority in Cyprus functions only in relation to the broadcasting sector and it is called the Cyprus Radio-Television Authority (CRTA). It is a regulatory body with extensive responsibilities in matters such as the establishment and operations of organizations that will function in the area of private broadcasting.

The mission and role of the authority consists of ensuring the following:

- The freedom of expression exercised without prejudice to the rights of others,
- The right to access free and pluralistic information to form opinions and decide freely
- Transparency in the ownership of media service providers to avoid oligopoly or monopoly conditions

Stations belonging to countries other than Cyprus, for instance Greek stations, can broadcast their programmes in Cyprus and serve local advertisements. There is

no bilateral broadcasting agreement between Greece and Cyprus.

If a foreign television channel wishes to broadcast its own programme in Cyprus, it can do so with the relevant permission of the Broadcasting Authority and two conditions: that they return 0.2% of the advertisement revenue to the Broadcasting Authority and that they broadcast the programme without any modifications. Under these conditions, a foreign television channel can serve advertisements to local viewers.

When it comes to print media, there is no need for no pre-authorization from any authority for the printing of a newspaper or magazine by a citizen of Cyprus or another EU member state in Cyprus. With that being said, the applicant must sign a sworn declaration that includes the relevant details before the Registrar of the District Court prior to the publication of a newspaper or magazine. This declaration is then sent to the Press and Information Office (PIO) and an acknowledgement receipt is provided. In the event of a change in ownership structure, the new owner of the newspaper or the magazine must submit another sworn declaration to the PIO to get a new document.

A non-EU organization needs a document delivered by the Ministry of the Interior in collaboration with the Ministry of Foreign Affairs to be able to publish a newspaper or magazine in Cyprus.

Broadcasting Landscape

The public service television in Cyprus was established in 1957 under the supervision and guidance of the BBC. The public channel RIK (CyBC) dominated the country’s broadcasting sector based on a dual financing model (state funds and advertisement revenue) for 35 years and private television channels were allowed to operate only in 1992. Even though the Cypriot House of Representatives started a public debate in 2014 about whether or not CyBC would continue to receive advertisement

revenue, the dual financing model of the organization remained unchanged until 2018. Despite the steady decline in the organization's advertisement revenue compared to previous years, there has been an increase in the funding allocated to it by the government.

Commercial broadcasting continues to depend primarily upon advertisement revenue as a result of the general climate of changing European media policies due to the pressure from social powers and local authorities.

Even though CyBC's existence as a government institution ended in 1959, the state continues to hold the organizations' financial and administrative control to this day.

CyBC's budget comes from the national budget of the country and its annual allocation is approved by Parliament. The organization's management is appointed directly by the government and the majority of its journalists and other employees, with the exception of a number of employees on long-term contracts, enjoy civil servant status.

Even though public media and private media serve different purposes, there is no competition between the two especially in terms of access to information. In general terms, CyBC does not cause unfair competition in the television market. When it comes to employment status, there are employees with different statuses and payroll conditions etc. within CyBC. Although employment at a public institution provides job security, CyBC is not in a position where it "poaches" journalists from the private sector.

The future of the private broadcasting sector in the country appears quite uncertain in the aftermath of the 2013 crisis where a portion of bank deposits were seized by the state and financial measures were tak-

en. Greek Cypriot television channels have a long road ahead of them in terms of reaching the level of their European counterparts and joining the digital broadcasting age.

Financial aspects

The 2013 banking crisis had a severe impact on all segments of the society including the private sector and the national economy. The media suffered significant losses with the dramatic decline in advertisement revenue, which constituted its primary source of income. This negative trend still continues today. The COVID-19 pandemic crisis had a deeper impact on the media industry which had already been negatively affected by the previous economic crisis.

According to a study published in 2018, the level of private consumption (money spent by individuals for their needs) in 2016, only three years after the banking crisis, had gone back to the levels of 2010. The traditional media sector had to face the rapid growth of digital media and the steep decline in advertisement revenue in the same period. Total nominal advertisement revenue dropped slightly below 200 million euros (197.31 million €), that is 16% lower than in 2010 (235 million €). The traditional media's advertisement market is showing signs of recovery even though this does not apply to all enterprises within the media industry. TV advertisement revenue regressed to its 2010 levels (100 million euros). Radio advertisement revenue, on the other hand, grew by slightly more than 6%. However, we see that print media has lost 48.3% of its nominal revenue. It has now become inevitable for current media organizations to make structural changes in their economic models to keep up with the digitalising industry in order to save themselves from these difficult market conditions.

ANNEXES

ANNEX 1: Daily newspapers

Newspaper	Digital/ web site	Executive Editor	Owner
Avrupa	https://www.afrikagazetesi.net	Şener Levent	Afrika Publishing Ltd. (Şener Levent)
Detay	www.detaykibris.com	Erkut Yılmabaşar	İnce Detay Kıbrıs Grafik Print and Broadcasting Ltd.
Diyalog	www.diyaloggazetesi.com	Reşat Akar	Kıbrıs Diyalog Printing Ltd. (Besim Tibuk)
Haber Güneş	https://habergunes.com	Erol Öney	Güneş Printing Press Ltd. (National Unity Party)
Haberatör	http://www.haberatorkibris.com	Mehmet Eş	Haberatör Kıbrıs Print and Broadcasting Ltd.
Hakikat	www.kibrishakikat.com	Güven Arıklı	Kuzeyin Sesi Media Ltd. Güven Arıklı
Halkın Sesi	www.halkinsesikibris.com	Mehmet Küçük	HSG Generation Digital Journalism Ltd. (Mehmet Küçük)
Havadis	www.havadiskibris.com	Başaran Düzgün	Poli Investment Ltd.
Kıbrıs	www.kibrisgazetesi.com	-	A-N Graphics (KIBRIS) Ltd. Asil Nadir
Kıbrıs Manşet	www.kibrismanset.com	Ziya Emir	Ziya Emir
Star Kıbrıs	www.starkibris.net	Cemile Yalçındağ (Genel Koordinatör)	Star Kıbrıs Group (Ali Özmen Safa)
Vatan	www.vatangazetesi.com	Mehmet Kasımoğlu	Yorum Publishing Erten Kasımoğlu
Volkan	www.volkangazetesikkct.com	Hüseyin Macit Yusuf	Akdeniz Medya Group- Akdeniz Radio Television (Hüseyin Macit Yusuf)
Yenibakış	www.yenibakisgazetesi.com	Yusuf Kısa	(Yusuf Kısa President of the Board of Directors)
Yenidüzen	www.yeniduzen.com	Cenk Mutluyakalı	Yenidüzen Ltd

ANNEX 2: Weekly newspapers

Newspaper	Digital	Print	Editor in Chief	Owner
Cyprus Scene	http://www.cyprusscene.com	x	Chris Elliot (Editor)	Chris Elliott and Margaret Sheard
Cyprus Today	https://www.cyprustodayonline.com	√	Kerem Hasan	A-N Graphics (KIBRIS) Ltd. Asil Nadir

ANNEX 3: Online news sites

Site/portal	URL (web address)	Executive Editor	Owner/Founder
Ada Basını	http://www.adabasini.com	Münir Özdiren	-
Ada Haber	https://www.kibrisadahaber.com	Şermin Sarro	Şermin Sarro
Artı 392	http://www.arti392.com/	Mehmet Kasımoğlu	On behalf of Yorum Yayıncılık LTD Owner: Erten KASIMOĞLU
Ajans Cyprus	https://ajanscyprus.com	Hüseyin Turan	Ajans Mira Turan Cyprus Media & Production
Bi Manşet	http://www.bimanset.com	Esra Dağlar	Bidergi Design Agency
Bugün Kıbrıs	https://bugunkibris.com/	Ayşemden Akın	OMN Cyprus Media and Publishing
Bülten Kıbrıs	https://www.bultenkibris.com/	-	Media House Cyprus
Detay Kıbrıs	http://www.detaykibris.com	Erkut Yılmabaşar	De-Hab Media Publishing Ltd.
DT Kıbrıs Haber	https://www.dtkibrishaber.com/	-	Kıbrıs Daily Time News Agency
Ekonomi Kıbrıs	https://www.ekonomikibris.com	Atıl Ayaz	Ayaz Media Group
Evrensel Gazete	https://evrenselhaberonline.com	Rana Sarro	Rana Sarro
Flaş Kıbrıs	https://flaskibris.com/	Pınar Gözek	Telescope Media Production Organization
Gadara Medya	http://www.gadaramedya.com/	Turgut Ergel	Turgut Ergel

Gazedda Kıbrıs	https://gazeddakibris.com	Çağdaş Öğüç ve Nuri Silay (editörler)	Kolektif
Gazetda	https://www.gazetda.com	Elif Avşar	-
Gıynık Gazetesi	https://www.giynikgazetesi.com/	Bilbay Eminoğlu	Gıynık Gazetesi LTD.
Güncel Kıbrıs	https://www.guncelkibris.com	Eser Tan	Kıbrıs Güncel Olay Publishing
Gündem Kıbrıs*	www.gundemkibris.com	Mehmet Uzunca	-
Haber Kıbrıs ⁷⁵	www.haberkibris.com	Hüseyin Ekmekçi	Digi Haber Portal Services Ltd. (Mete Tümerkan)
Haberal Kıbrıslı	http://www.haberalkibrisli.net	Kartal Harman	Northern Network Media Centres LTD.
Haberatör Kıbrıs	http://www.haberatorkibris.com	Mehmet Eş	Haberatör Kıbrıs Media and Printing LTD.
Habire Haber	https://www.habirehaber.com/	Mehmet İrşad Esen	Son Haber Media Printing
Kıbrıs 7/24*	www.kibris724.com	-	Todeza Trade Ltd.
Kıbrıs Dakik	www.kibrisdakik.com	Türk Bayraksever	Türk Vatansever ⁷⁶
Kıbrıs Gerçek	https://kibrisgercek.com	İzzet Kılıç	Çağlar Yüksel
Kıbrıs Haber	https://www.kibrishaber.com/	Serhat İncirli	-
Kıbrıs Haber Sitesi	http://www.kibrishabersitesi.com	Tayfun Aydınllı	KNK Global Media Ltd.
Kıbrıs Hakikat	https://www.kibrishakikat.com/	Güven Arıklı	Kuzeyin Sesi Medya LTD.
Kıbrıs Manşet	https://www.kibrismanset.com/	Levent Özadam	Levent Özadam
KKTC Medya*	www.kkctcmedya.com	Levent Güven	Doğru Ajans Advertising and Internet Services
Kıbrıs Net Haber	https://www.kibrisnethaber.com	Emin Akkor	Anahtar Ajans LTD. (Emin Akkor)

⁷⁵ "Bu haber Sitesi, Gazetecilik Meslek İlkelerine Uygun Davranır." Bak:

https://haberkibris.com/e.php?e=13_kunye;

<https://haberkibris.com/gunde-100-bin-kisi-gelismeleri-haber-kibristan-takip-ediyor-1107-2020-06-18.html>

⁷⁶ Künyesinde yer alan isimlerin gelişigüzel yazıldığı düşünülmektedir.

* When this site was accessed during the drafting of this report, it was observed that it was not being updated, i.e. that it was not active.

Kıbrıs OnAir	https://www.kibrisonair.com/	Engin Bulut	OnAir Network
Kıbrıs Postası	www.kibrispostasi.com	Canan Onurer	Citypress Publishing Ltd. Polat Alper
Kıbrıs Son Dakika*	www.kibrissondakika.com	Mert Kızgın	Sezer Kızgın on behalf of CYPRUS INVENTUM GLOBAL
Kıbrıs Time*	www.kibristime.com	Levent Özadam	-
Kıbrıs Today	https://kibristoday.com	-	Okyay Sadıkoğlu
Kıbrıs Web Haber	https://kibriswebhaber.com	Selami Yıldırım Serpil Güneri	Mediazet Advertising Agency
Kıbrıs Yeni	http://www.kibrisyeni.com/	İbrahim Daloğlu	-
Kıbrıs Yenigün Haber*	https://www.kibrisyenigun.com	Özlem Çimendal	3 K Management
Mağusa Haber Ajansı	https://www.mhahaber.com	Metin Ziya Güngör	-
Memleket Kıbrıs	https://www.memleketkibris.com/	Ahmet Aslım	Aslım Publishing LTD.
Meydan Kıbrıs	http://meydankibris.com/	Dilek Kırıcı	Meydan Kıbrıs
Ne Haber Kıbrıs	http://www.nehaberkibris.com/	Tayfun Aydınli	Tayfun Aydınli
News Kıbrıs	https://newskibris.com/	Erhan Ata	ESTA Media Group
Online Gazete	https://www.onlinegazete.com/	Canan Kara	Tolga Ferhat Çelebi
Özgür Gazete	https://www.ozgurgazetekibris.com	Pınar Barut	Özgür Kıbrıs Media Ltd.
Söz Kıbrıs	http://sozkibris.com	-	-
Standart Kıbrıs	https://standardkibris.com	Artun Çağa	Public Modus Smart Communications Company
Ses Kıbrıs	https://www.seskibris.com/	Aytuğ Türkkkan	E-NABİZ MEDIA LTD

* When this site was accessed during the drafting of this report, it was observed that it was not being updated, i.e. that it was not active.

Voice of the Island ⁷⁷	https://www.voiceoftheisland.com	Emine Davut Yitmen	Metehan Ferit Azizoğlu on behalf of Umut & Rüzgar Media and News Agency Ltd.
Zirve Kıbrıs	http://www.zirvekibris.com	-	-

ANNEX 4: Televisions licensed by YKK

Channel	Site	Internet broadcast	Satellite broadcast	DVB-T ⁷⁸	Executive Editor	Owner
Ada TV	www.adatv.tv	https://canlitv.com	√	√	Erkem Günaydın	Star Kıbrıs Television Broadcasting Ltd. (Star Media Group)
BRT 1, BRT 2	http://www.brtk.net/tv	https://canlitv.com	√	√	Meryem Özkurt	'Public'
TV 2020	https://www.diyaloggazetesi.com/	https://canlitv.com	√	√	Reşat Akar	Diyalog Media Group
Genç TV	www.kibrisgenctv.com	https://canlitv.com	√	√	Nazar Erişkin	Ertan Birinci
Kanal T	http://kanalt.com	https://canlitv.com	√	√	Onur Çelik	Kanal T Television Publishing and Advertisement Ltd (Ersin Tatar)
Kıbrıs TV	www.kibristv.com	www.kibristv.com	√	√	Nihan Yücel	A-N Graphics (KIBRIS) Ltd. Asil Nadir
Sim TV ⁷⁹	www.kanalsim.com	https://canlitv.com	√	√	Sami Özuslu	Simen Publishing Ltd. / United Medya

⁷⁷ The vision of Voice of the Island, which contains two separate broadcasts in Turkish and Greek respectively: "Meeting the citizen's right and needs to access information by providing them with objective and reliable news as well as placing peace journalism and pluralism at the heart of broadcasts."

⁷⁸ Terrestrial digital broadcast

⁷⁹ Sami Özuslu: "societal existence" -- <https://www.brtk.net/televizyonlarin-uydu-frekanslari-10-temmuzdan-iti-baren-degisiyor/>

ANNEX 5: Televisions with only web broadcasts

Channel	Link	Affiliated organization/ Owner
Gazedda Web TV	https://www.facebook.com/gazeddakibris/videos/?ref=page_internal https://www.youtube.com/channel/UCg1YI355y45ZvQG56UYSATg/about?disable_polymer=1	Gazedda Kıbrıs
Gıynık Gazetesi	https://www.youtube.com/channel/UCjm_oFMN8lgEIA7CngE2jbQ	Gıynık Gazetesi
Özgür Gazete	https://www.youtube.com/results?search_query=%C3%B6zg%C3%BCr+gazete	Özgür Gazete
Güneş TV – K.K.T.C	http://tvgunes.com	Güneş newspaper/ UBP
Hakikat TV	http://www.kibrishakikat.com/mobil.php?islem=videolar	Hakikat newspaper / Güven Arıklı
Havadis Web TV	https://www.facebook.com/HavadisGazetesi/posts/2428909890456944/	Havadis Gazetesi
Mayıs TV	http://www.mayistv.com	Bilir Communication Ltd./Cyprus Turkish Teachers' Trade Union?
Ses Kıbrıs	https://www.youtube.com/channel/UC0BeRifDeL96cS19drQa0Qg/featured	https://www.youtube.com/channel/UC0BeRifDeL96cS19drQa0Qg/featured
Yeni Bakış Web TV	https://www.facebook.com/watch/live/?v=2402662886417372&ref=watch_permalink	Yeni Bakış Gazetesi

ANNEX 6: Radio channels with news programmes

Channel	Site/Internet broadcast	Frequency FM MHZ	Owner
Ada FM	http://kibrisadafm.com/	93.8/ 96.2	Star Kibris Television Broadcasting Ltd.
Bayrak Radyo Haber	https://www.brtk.net/radio-template/	100.1	'Public'
Bayrak Radyo 1	https://www.brtk.net/radio-template/	90.6/ 102	'Public'
Bayrak International	https://www.brtk.net/radio-template/	87.8/ 105	'Public'
Diyalog Radyo	https://www.canli-radyo.biz/2019/08/radyo-diyalog.html	91.3	Kıbrıs Diyalog Printing Ltd.
Kıbrıs FM	http://kibrisfm.com	100.2/ 103.4	Kıbrıs Broadcasting Ltd.
Radyo Güven ⁸⁰	www.radyoguyen.com	89.2/ 90.4 / 90.8	TCc Security Forces 'command'
Radyo Havadis	www.radyohavadis.com	107.8	Adis Broadcasting Ltd.
Radyo Mayıs	www.radyomayis.com	96/ 101.3	Bilir Communication Ltd. Cyprus Turkish Teachers' Trade Union?
Radyo T	-	96.6	Kanal T Television Publishing and Advertisement Ltd.
Radyo Vatan	http://radyovatankktc.com	87.5	'Public': TCc Civil Defence Organization
Sim FM	www.simradyo.com https://www.canliradyodinle.fm/sim-radyo-kibris-dinle.html	98.6/ 89.5	Maki Broadcasting Ltd.

⁸⁰ <http://www.radyoguyen.com/hakkimizda/>: "Continuing its broadcasting journey with the Voice of Turkish Cypriots motto, Radyo Güven started broadcasting on 1 August 2002 under the 'Security Forces Command'... Radyo Güven exceeds the boundaries of the TCc to reach neighbouring countries with its 5 Kw output power and reaches the entire world through www.radyoguyen.com website to make the Voice of Turkish Cypriots heard and meet Turkish Cypriots living outside the TCc.

Operating on the principle of broadcasting with formats that ensure unity and solidarity of the people domestically and span tradition to guide towards the future, Radyo Güven, the Voice of Turkish Cypriots, also closely monitors developments in the TCc and across the world, presents serious and impartial news and keeps the community informed about the 'national' agenda, economy and sports with on-the-hour news bulletins...

It also supports search and rescue activities by rendering warning systems more effective during potential emergencies and natural disasters."



The Long Term Sector Strategy for the Turkish Cypriot Media has been prepared by the Center for Economic and Social Policies (ECOSO).

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