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General Director, Basın İlan Kurumu (BIK)
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Toya Plaza Kat: 5 Zeytinburnu / İSTANBUL

June 4, 2020

Dear Mr. Duran,

On behalf of the 19 international and local press freedom organisations and signatories to this letter, we are writing to the Public Advertising Agency (BIK) in response to your letter on March 24.

First of all, we would like to thank you once again for keeping an open dialogue with the international press freedom groups who are party to this letter. And we highly appreciate BIK's role in providing Turkey's media and its workers with the financial support and advertising revenue to sustain the variety of print papers in the country.

However, we would like to kindly draw attention to several issues that were raised during our meeting on February 6 and in the following letters in order to repeat our concerns about BIK's criteria regarding the distribution of public advertisement and bans implemented on newspapers.

Firstly, you have mentioned in your letter that no media outlet or group has requested information on the annual revenue distribution to newspapers before, because all recipient newspapers of public ads can access this information at all times.

Our view is that due to the important role that BIK plays in distributing public money to 1,054 newspapers in Turkey, it is BIK that has the responsibility to proactively make this information public in the name of transparency. Access to such reports is crucial to proving that the distribution to newspapers by BIK is equal and fair.

We have called on BIK to ensure plurality and diversity in support to media, which is essential to ensuring all voices are supported and heard. Our call on BIK to lift the indefinite ban on Evrensel does not concern only one newspaper but rather reflects a call to support plurality and diversity across the whole media sector. Evrensel is a symbolic case that represents the critical press as a whole, which has been continuously targeted by judicial harassment and other state tools.

Evrensel has on several occasions answered the allegation against it of bulk buying. We have learned that the latest audit request by Evrensel to BIK has been understandably postponed due to COVID-19 pandemic. We feel confident that when public health circumstances allow it, BIK will conduct a fair audit in response to Evrensel's statement that any technical problems have been resolved.

We also understand that BIK conducts audits based on claims of a "violation of the regulation" by newspapers. We believe that it would be important to provide information

on how many such audits BIK has conducted over the past year and against which newspapers.

Another concern relates to bans based on “press ethics violations”. There is a growing trend of BIK imposing lengthy bans of this type for over 10 or 15 days. While we understand that all national and local newspapers must respect press ethics and conduct fact-based reporting, it would be of great importance to understand the fuller picture regarding BIK’s bans based on such press ethics violations and the full criteria and reasons for implementing them. Doing such would strengthen trust in BIK’s work.

At the moment, due to lack of publicly available information, international press freedom groups are only aware of bans that have been reported by the media. To give some examples, since your letter in March, the national newspaper Sözcü [reported](#) on April 30, 2020 that newspapers Sözcü and Korkusuz have been under immense pressure by ad bans over their news stories. The report stated that several ex officio investigations had been opened in the last eight months on news stories, eventually resulting in a 22-day ad ban on Sözcü and 19-day ban on Korkusuz. According to the news report, these bans correspond to a revenue loss of two million TL (approx. €267.000) for the Sözcü media group.

Another local newspaper in Sakarya, whose name is not revealed, was issued an 8-day ban on March 23, 2020, according to [local reports](#), over press ethics violations. The ban was reported to correspond to 8.000 TL revenue loss (€1,069).

Last but not least, Evrensel newspaper was [issued](#) with a 5-day ban on April 22, 2020 over an article published on February 24, for allegedly associating Turkey with terrorist groups based on a critical op-ed on Turkey’s foreign policy and military operations in Libya and Syria. A passage from the article has been cited in the BIK decision that article “crosses the lines of criticism” because of referring to some outlawed groups’ manipulation of religious values and expressing similarities in Turkey’s approach to religious concept of “martyrdom”.

Based on the information found on BIK’s website, during the first 11 General Assembly meetings between January 10, 2020 and June 1, a total of 39 national and local newspapers received advertising bans in a total amount of 316 days based on “Press Ethics Violations”. Although the names of newspapers and detailed information on these bans are not revealed, this is likely to mean considerable revenue loss of many newspapers, which might force them eventually to shut down their print editions.

The most recent example on this is the 35-day-ban on Cumhuriyet newspaper during the 10th General Assembly meeting on May 13. Cumhuriyet was fined for an article reported on unauthorized construction on rental land belonging to Communications Director Fahrettin Altun in Istanbul. Cumhuriyet said that this ban would mean a 500.000 TL loss (approx. €67,400) for the newspaper. Cumhuriyet reporters are under investigation for the same reporting. Altun is well known for filing consecutive lawsuits against journalists and newspapers for any criticism against him or the President Erdoğan. Court decisions to block

access to news reports on 273 newspapers online reporting the same issue is another sign of intolerance of fact-based critical reporting.

Yet another recent example in May is [a 7-day ban](#) on BirGün newspaper over two articles published in September 2019 on alleged corruption in country's largest humanitarian organization, Turkish Red Crescent (Kızılay). BirGün reported that although BIK has not disproved the claims, they issued the ban for "generating misperception" and publishing false information.

In comparison to the bans on 39 newspapers between January and May noted above, BIK issued only nine days ban on six newspapers under "Press Ethics Violations" in the first nine months of 2019 (between January and September). These figures show that the number of ad bans on newspapers is increasing, although there is no clear justification why.

As we have noted, because BIK does not publish information about which newspapers received ad bans, it is not possible for the public or for international press freedom organizations to receive the full picture about the criteria and fairness for these bans. Therefore, greater transparency would be in BIK's interest.

Additionally, BIK has requested a defence from 22 newspapers during 11 General Assembly meetings in 2020 based on allegations of press ethics violations, decisions which all have been taken ex officio. At the same time, 14 files against newspapers upon individual complaints have been rejected as no action or investigation was seen as necessary. Information about from which newspapers BIK requested a defence and which complaints were rejected on which grounds is crucial to understanding BIK's role and policy to provide support to 1,054 newspapers regardless of their editorial line.

One latest example was that a [defence was requested](#) from Evrensel over an article published on April 16 reporting CHP MP Özgür Özel's comments on the corruption allegations on the land rented by Presidential Communications Director Altun. As Evrensel reports that BIK did not specify which part in the news story violated the press ethics, BIK accused the newspaper of "publication against public ethics", "accusing someone without him/her proven guilty" after publishing an opposition politician's interview.

We do recognize and appreciate BIK's financial support to 3,411 press workers and to 150 minority newspapers, as well as the financial support to numerous journalists associations as it was reported in your letter. However, we believe that it remains important to provide maximum transparency when it comes to the distribution of the 467.041.082 TL annual budget in 2019. This transparency is necessary to ensure public trust in BIK's valuable work.

Finally, we would like to touch upon another issue you have brought in your response about the independence of BIK and its General Assembly. In 2018, BIK has been [tied](#) under direct control of the Presidential Communications Directorate by a presidential decree.

As you also specified in the letter, BIK General Assembly is composed of three 12-member groups and these three groups have been named respectively as "Press Group",

“Government Group”, and “Impartial Group”. As most of the General Assembly members were directly appointed by or selected under influence by the Presidential Office, this raises concerns about how the BIK General Assembly maintains its independence and impartiality.

To give an example, Serhat Albayrak, former chair of Çalık Holding together with his brother, Finance and Treasury Minister Berat Albayrak, is among those members of “Press Group” as the owner of Sabah newspaper, which has been criticized for publicly targeting those who have been critical of the AKP administration. Serhat Albayrak was also [reported](#) by German member of the parliament Ulla Jelpke in a parliamentary question to be financing the SETA Foundation which has [published](#) a report called “Extensions of international media in Turkey” profiling journalists working for respected international media outlets such as Deutsche Welle, BBC, Euronews, Voice of America.

Similarly, İsmail Çağlar, a member of the General Assembly under “Government Group”, is one of the three authors who prepared the abovementioned SETA [report](#). And finally, Ebubekir Şahin, the chair of Radio and Television High Council (RTÜK), is one of the members under the same group appointed by the presidential office. RTÜK has [been filing](#) broadcast bans and monetary fines to numerous critical tv channels for hosting opposition politicians or critical coverage of state policies while ignoring TV programmes in pro-government media which have used an open language of inciting public to violence and polarization until a public outcry broke out.

Unfortunately, these kind of examples damage the appearance of the impartiality of BIK. We truly believe that a first step toward overcoming this damage rests with transparent reporting on BIK’s decisions on bans and distribution of public ad revenue.

Thank you

Sincerely yours,

Signed by:

Articolo 21

Cartoonists Rights Network International (CRNI)

Committee to Protect Journalists (CPJ)

Danish PEN

English PEN

European Centre for Press and Media Freedom (ECPMF)

German PEN

Index on Censorship

International Press Institute (IPI)

Norwegian PEN

Osservatorio Balcani e Caucaso Transeuropa

PEN America

PEN Canada

PEN International

PEN Turkey

Reporters Without Borders (RSF)

South East Europe Media Organisation (SEEMO)

Swedish PEN

WAN-IFRA