[TR] Media Report of the Human Rights Investigation Commission

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Eda Çataklar
Intellectual Property Research Center, Istanbul Bilgi University

The Grand National Assembly of Turkey, Human Rights Investigation Commission, issued a report concerning its investigations into the allegation that some news reports by Turkish Media are likely to infringe upon the presumption of innocence. In the report entitled “Report on the Investigation of Alleged Violations Committed by Turkish Media Related to the Presumption of Innocence” the Commission criticised the current appearance of the Turkish Media as well as its way of reporting news.

According to the report which begins with an analysis and evaluation chapter, the media’s efforts to be the first power rather than the fourth power became a concern which is commonly declared by Turkish society. As result of those efforts, some problems have occurred such as fabricated news, violation of the right to respect for private life and the infringement of the presumption of innocence. The report explains the concepts of the liberty of the press, freedom of opinion and expression and presumption of innocence in respect of the articles of the Constitution of the Republic of Turkey, Turkish Supreme Court decisions and judgments of the European Court of Human Rights, and sums up the Commission’s concerns as well as its suggestions for a solution to the identified problems. The Commission’s main determinations and suggestions are the following:

- The freedom of the press is essential but it is not unlimited. It is necessary to balance it with personal rights. Therefore, while reporting news the media has to consider personal rights and especially the presumption of innocence which is protected under the Constitution and the Turkish Penal Code.

- Media and public relations departments have to be established in the courts to constitute a healthy communications mechanism between judicial authorities and media organisations.

- The articles of the relevant legal regulations which prevent the members of the judicial authorities from sharing information with the media have to be revoked.

- Media organisations should consider establishing “Judicial News Editorship” to avoid mistakes while reporting news regarding judicial issues.

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- Educational programmes covering basic legal issues should be organised for the justice correspondents. Likewise, judges and prosecutors have to be educated about media and public relations during their internship period.

- Ethical principles regarding judicial news should be determined in co-operation with media organisations and the Ministry of Justice.

- The structure of the Radio and Television Supreme Council (RTÜK) should be revised to functionalize its control and organisational duty. It should be a joint control mechanism where media members, governmental authorities, political parties, NGOs and members of the public are represented.

- Legal regulations regarding Internet media have to be made immediately and it is necessary to remember that all the ethical rules related to traditional media are also valid for the Internet media.

In preparing the report, the Commission asked the opinion of a group of media members and academics. The representatives of leading media organisations such as NTV, CNN Turk, Cumhuriyet and Zaman newspapers attended the consultation meeting as well as members of the Press Council, RTÜK, RATEM (Radio and Television Broadcasters' Collecting Society), Association of TV Broadcasters, Gazi University, Selçuk University and Istanbul Bilgi University.

MEDYADA YER ALAN BAZI HABERLERİN, MASUMİYET KARİNESİNİ İHLAL ETTİĞİ İDDİALARININ ARAŞTIRILMASI İLE İLGİLİİNCELEME RAPORU

https://www.tbmm.gov.tr/komisyon/insanhaklari/belge/03_03_2010_medya_raporu.pdf

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