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Turkey: Criminal probe into newspaper's coverage of Charlie Hebdo a chilling blow to freedom of expression

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A criminal investigation launched today against one of Turkey's largest daily newspapers for "insulting religious values" in its coverage of controversial cartoons published in France amounts to state censorship and will have a chilling effect on journalism and freedom of expression, Amnesty International said.

The investigation follows a police raid on Cumhuriyet daily's printing press in Istanbul on Wednesday after a prosecutor discovered the newspaper was publishing a selection of cartoons from the French satirical newspaper Charlie Hebdo.

Turkey's Prime Minister called the reproduction of the cartoons a "grave provocation" stating that "the freedom of expression does not mean the freedom to insult".

"Raiding a printing press or launching criminal investigations into journalists because of what a newspaper has published are a drastic limitation on freedom of expression and amount to state censorship," said Andrew Gardner, Amnesty International's Turkey researcher.

"Journalists cannot accurately report on the news without providing context, and should not be subject to criminal investigations or charges merely for doing their jobs. International human rights law does not permit restrictions of freedom of expression simply on the grounds it has the potential to offend or insult."

Under international law, the right to freedom of expression applies to information and ideas of all kinds including those that may be deeply offensive.

Cumhuriyet ran a four-page selection of the Charlie Hebdo images as a supplement to its daily print run on Wednesday.

The newspaper chose not to reprint as its cover image the lead cartoon from the French weekly - depicting a teary-eyed Prophet Muhammad holding a #JeSuisCharlie sign, under the slogan "All is Forgiven". But two Cumhuriyet columnists Hikmet Çetinkaya and Ceyda Karan did run the cartoon alongside their columns. According to Cumhuriyet, criminal investigations have been launched against both journalists. The images have since been removed from the Cumhuriyet's online edition.

Cumhuriyet staff have also been subjected to threats of violence for publishing the cartoons, and a group of protesters demonstrated outside their Istanbul offices.

No other print publication in Turkey ran the Charlie Hebdo images, which have led to international controversy.

A court in Diyarbakir, south-eastern Turkey, ordered blocking orders against several internet sites that posted pictures of the Charlie Hebdo cover.

There is a long history of Turkish courts treating criticism as "insult", resulting in criminal convictions which violate the right to freedom of expression. Criminal defamation laws are frequently used in this regard, but any complaints of defamation or insult against individuals should be resolved through civil, not criminal, litigation.

There is in particular a growing trend to prosecute expression which is deemed to insult Islam. In one case from 2013, pianist Fazil Say was convicted for "denigrating Islam" under a law prohibiting "incitement to hatred or hostility". Under international human rights law, protection of religious or other beliefs or the sensibilities of believers is not a permissible ground under international human rights law for restricting freedom of expression, and "denigration" of a religion does not amount to incitement to hatred.

In a further sign of the fragile state of freedom of expression in Turkey, today journalists at a second newspaper, Yeni Akit, were subjected to threats and the newspaper's Istanbul offices attacked by stone-throwing protesters after the newspaper carried images said to be insulting to Turkey's founding President Mustafa Kemal Ataturk.

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