

Reporters Without Borders

<http://www.rsf.org/journalist-given-13-months-in-jail-23-05-2013,44662.html>

Europe/Ex-USSR - Turkey

Religious censorship

Journalist given 13 months in jail for insulting Mohammed

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Reporters Without Borders firmly condemns the sentence of 13 and a half months in prison that an Istanbul magistrate's court passed yesterday on Turkish-Armenian journalist **Sevan Nisanyan** for posting "insulting" comments about Mohammed in [his blog](#).

"Nisanyan's jail sentence is a grave violation of freedom of information and sends a threatening message to fellow journalists and bloggers that is unacceptable," Reporters Without Borders said. "It should be overturned on appeal. Suppression of comments critical of Islam has no place in a secular country such as Turkey."

"We have often hailed the gradual weakening of Turkey's Kemalist – secularist, nationalist and militarist – taboos but democracy will not benefit if they are replaced by a new religious censorship."

Reporters Without Borders added: "We urge legislators to repeal article 216-3 of the criminal code, a draconian provision that is the basis for a growing number of prosecutions."

Nisanyan was convicted under article 216 of "denigrating the religious beliefs held by a section of the society" in a blog entry posted on 29 September 2012 that prompted 15 different complaints.

The court said the sentence could not be suspended because Nisanyan had a previous conviction. If upheld on appeal and by the Court of Cassation, he will have to serve the sentence.

[Nisanyan's blog entry](#) said hate crimes must always be combatted whether they target Muslims or other groups but he argued that [the controversial anti-Islamic video "Innocence of Muslims"](#) did not constitute a hate crime.

"Making fun of an Arab leader who claimed he contacted Allah hundreds of years ago and received political, financial and sexual benefits is not hate speech," Nisanyan wrote. "It is an almost kindergarten-level test of what is called freedom of expression."

He added further down in the post: "You also have to wonder why these friends who used to be so quick to denounce hate crimes against minorities and other ethnic groups in our country no longer manage to be consistent when it comes to reacting to defend Islam and Muslims."

Article 216-3 of the criminal code, which prohibits "openly denigrating the religious beliefs held by a section of the society," was included in a legislative reform adopted in 2005. Any violation deemed "sufficient to endanger public peace" is punishable by six months to a year in prison.

It was under this article that [the pianist Fazil Say was given a suspended 10-month jail sentence](#) last month. It was later canceled.

Photo by: Haber7

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