

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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TÜRKİYE: RELEASE IMPRISONED SATIRICAL MAGAZINE STAFF

Amnesty International calls for the immediate and unconditional release of LeMan magazine cartoonist Doğan Pehlevan, accountant Ali Yavuz, editor-in-chief Zafer Aknar, graphic designer Cebail Okçu and editor-in-chief Aslan Özdemir.¹ They were remanded in pre-trial detention for allegedly ‘inciting the public to hatred or hostility’ under Article 216 of the Turkish Penal Code for a cartoon published in the magazine on 26 June. Doğan Pehlevan was also charged with and remanded for insulting the President (Article 299 of the Penal Code) for two social media messages on Twitter (now X) in 2019 and 2024. An arrest warrant is still pending for LeMan publisher Tuncay Akgün.

On 1 July, Istanbul Judgeship of Peace No. 5 issued an order to block access to the magazine’s website and social media account on X on grounds of national security and protection of public order in the context of the criminal investigation against the magazine’s staff.² In addition, the Istanbul Chief Public Prosecutor’s office issued an order to remove the issue of the magazine from circulation.

Amnesty International also calls on the authorities to lift the arrest warrant on Tuncay Akgün and not to prosecute anyone for exercising their right to freedom of expression or simply for working in LeMan magazine where the cartoon allegedly depicting the prophet Mohammed was published on 26 June. Access restrictions imposed on the magazine’s social media accounts and website must also be lifted.

LEMAN MAGAZINE TARGETED - ITS STAFF UNLAWFULLY DETAINED

The issue of the satirical magazine dated 26 June contained a cartoon by LeMan cartoonist Doğan Pehlevan of two men with wings, greeting each other in the sky above a city scape under bombardment. The two introduce themselves to each other with the names Mohammed and Moses.

On 30 June, four days after the magazine was published, two accounts on social media shared a blurred version of the cartoon³, calling it an insult to Islam and urging people to gather outside the magazine’s offices on Istiklal Avenue in Beyoglu district in Istanbul at 10pm.⁴ Protesters claimed that the cartoon depicted the prophet Muhammed, but a statement by the magazine clarified that “the cartoonist wanted to portray the righteousness of the oppressed Muslim people by depicting a Muslim killed by Israel, and he never intended to insult religious values. We do not accept the stain that is cast on us because there is no depiction of our Prophet. You have to be very malicious to interpret the cartoon in this way.”⁵

Videos shared on social media and reviewed by Amnesty International show several hundred people gathered outside the magazine, with some individuals throwing stones at the building where the magazine’s office is located breaking its windows and forcibly entering it.⁶ The authorities have not disclosed whether any protesters were detained, although there are some images of police officers restraining individuals and taking them away from the magazine’s building.⁷ The president of the Istanbul branch of the Great East Raiders organization was filmed making a speech outside offices of the magazine, stating ‘Nobody should forget this: either we will leave, or they will. Either they will die, or we will. The messenger of Allah [the prophet] is more precious than our lives. We are prepared to sacrifice our lives as well as take

¹ Doğan Pehlevan, Ali Yavuz, Zafer Aknar and Cebail Okçu were detained and remanded in prison detention on 2 July in highly publicised raids. Aslan Özdemir who was subject to an arrest warrant was detained and also remanded in prison on his return to Istanbul from France on 12 July.

² <https://ifade.org.tr/engelliweb/leman-dergisi-erisime-engellendi/>

³ Daily Islamist <https://x.com/dailyislamist/status/1939722439963086884>; Great East Raiders Youth Organization <https://x.com/bdagenclik/status/1939726564310098118>

⁴ <https://x.com/dailyislamist/status/1939744323290943684>

⁵ <https://x.com/lemandergisi/status/1939774797623566642>

⁶ <https://www.dailymotion.com/video/x9m4ny0>; <https://www.dailymotion.com/video/x9m4u0w>

⁷ <https://www.dailymotion.com/video/x9m4nis>

lives with that divine light.⁸ Crowds eventually dispersed in the early hours of 1 July, with a call for another gathering after the midday prayers outside a mosque in Taksim.

Another physical attack was reported on a café with the same franchise name LeMan café in the Bakırköy district, breaking its windows on the same evening.⁹

As the protest was taking place, news and footage of the police detention of Doğan Pehlevan¹⁰, Zafer Aknar,¹¹ Ali Yavuz¹² and Cebirail Okçu¹³ were being shared by the Minister of Interior who also condemned the cartoon as an insult to Islam and said they would account for “this ignominy in front of justice and be punished”. The photographs and videos of the detention of the four staff showed them being reverse handcuffed and dragged on the floor, including being taken away barefoot in the case of one of them, a treatment which may amount to torture or other ill-treatment. The fact that the Minister of Interior shared these images raises concerns regarding condoning an alleged excessive use of force that may amount to torture or other-ill treatment.

Minister of Justice Yılmaz Tunç¹⁴ and Foreign Affairs Hakan Fidan¹⁵ also made statements on social media condemning the cartoon. Amnesty International believes the public interventions by high ranking officials in the government condemning the cartoon and the magazine calling for those associated to be punished were in breach of the state’s obligations to protect the exercise of the right to freedom of expression.

On 2 July, the four detained LeMan staff were referred to the Istanbul Judgeship of Peace No. 5 with a request to be remanded in pre-trial detention, claiming that the alleged depiction of the two prophets was ‘making Prophets Muhammed and Moses responsible for the bombing of the city’.¹⁶ The court ruled to remand them in pre-trial detention because of the ‘provocative content and images of the cartoon of a nature to incite enmity and hatred leading to discrimination’.¹⁷

In parallel with the criminal investigation, the Istanbul Chief Prosecutor also initiated a financial investigation into the activities of eight people including the six individuals subject to the criminal investigation to determine whether they received “any financial support from inside or outside of the country or any foreign organizations in realizing the heinous act”.¹⁸

AUTHORITIES’ UNEQUAL APPROACH TO THE RIGHT TO PROTEST

The location of the protest against the magazine, İstiklal Avenue in Beyoğlu district, is routinely cited by the authorities as an area where protests are not permitted. However, the protest on 30 June went ahead without restrictions. These discrepancies raise concerns regarding differences of treatment of protesters on grounds of religion or belief, political opinion or other grounds. Amnesty International has repeatedly called for arbitrary blanket bans and other restrictions on protests to be lifted and the right to peaceful assembly of all be respected without discrimination.¹⁹

Other elements raise similar concerns regarding differences of treatment that may amount to discrimination. On 1 July, protesters gathered again outside the main mosque in Taksim Square following a call from Islamic Solidarity Platform to protest the cartoon and the magazine.²⁰ A 24 hour ban by the Beyoğlu district governorate under Article 17 of the Law on Meetings and Demonstrations and Article 32/ç of the Law on Provincial Administration which provide governorates the

⁸ <https://x.com/bdagenclik/status/1939780532524478813>

⁹ <https://www.tele1.com.tr/leman-dergisinden-sonra-leman-kultur-kafeye-de-saldiri>

¹⁰ <https://x.com/AliYerlikaya/status/1939773771822366734/video/1>

¹¹ <https://x.com/AliYerlikaya/status/1939794624635125876/video/1>

¹² <https://x.com/AliYerlikaya/status/1939808470330425838>

¹³ <https://x.com/AliYerlikaya/status/1939792126767759454>

¹⁴ <https://x.com/yilmaztunc/status/1939747554822123933>

¹⁵ <https://x.com/HakanFidan/status/1939808888582250877>

¹⁶ <https://x.com/GizayDulkadir/status/1940401685232545940/photo/1>

¹⁷ Istanbul Judgeship of Peace remand decision, 2 July 2025. Ref. No. 2025/712 – on file.

¹⁸ <https://medyascope.tv/2025/07/02/leman-dergisi-hakkinda-mali-sorusturma-baslatildi/>

¹⁹ <https://www.amnesty.org/en/documents/eur44/9418/2025/en/>

²⁰ <https://x.com/Gazedayanisman/status/1939959974714593476>, <https://t24.com.tr/video/taksim-camii-nde-namaz-cikisi-le-man-dergisi-protestosu,64988>

power to ban protests on grounds of “national security, public order, prevention of crimes, protection of health and morals or the rights and freedoms of others” was in operation.²¹ This banning order was not enforced.

On 4 July, Aslı Aydemir, a bystander during the protests on 30 June was also detained from her home and later remanded in pre-trial detention, accused of ‘intentional wounding’ under Article 86 of the Penal Code for having allegedly thrown a glass at protesters. According to her statement to the police during her interrogation and video footage seen by Amnesty International, Aslı Aydemir had a verbal altercation with some of the protesters outside the venue she was at. She stated that the glass she was holding fell and broke when a group of protesters physically threatened her. It is alleged that this caused a police officer to sustain cuts to their hands.

Amnesty International calls on the authorities to release Aslı Aydemir pending prosecution and to carry out a comprehensive investigation into all of the allegations made in relation to this incident, including that Aslı Aydemir was physically threatened by protesters.

Amnesty International reviewed several videos of the protesters outside the LeMan magazine offices and targeting the LeMan café in Bakırköy.²² Police officers are seen to be present in both locations, and in the case of the café being targeted by people throwing stones, a number of riot police officers move in to prevent further damage. However, it is unclear whether the authorities have launched an effective, prompt, thorough, independent and impartial investigation into the alleged acts of violence by protesters.

Amnesty International has repeatedly called for the unlawful restrictions including the blanket bans imposed on protests on İstiklal Avenue and wider Taksim area to be lifted and for the authorities to ensure and protect the right to peaceful assembly without discrimination, in line with international human rights law. Amnesty International calls on the authorities to carry out effective, prompt, thorough, independent and impartial investigations into all alleged acts of violence that occurred in the context of the protests against LeMan.

UNLAWFUL RESTRICTIONS OF THE RIGHT TO FREEDOM OF EXPRESSION

The right to freedom of expression is protected under Article 19 of the International Covenant on Civil and Political Rights and General Comment No. 34 which provides guidance to States on how States must ensure their obligations under Article 19 are implemented. Further, Article 10 of the European Convention on Human Rights protects the right in the Council of Europe Member States, including Türkiye.

Amnesty International believes that the imprisonment pending prosecution of the five LeMan staff members is arbitrary, and an unlawful restriction of their right to freedom of expression. While the exercise of the right to freedom of expression is not absolute, any restrictions of the right must be prescribed by law, achieve a legitimate aim under international human rights law —i.e. respecting the rights of other or protecting national security, public order, public health or morals—and be both necessary and proportionate to achieve that aim.

BE PROVIDED BY LAW AND ACHIEVE A LEGITIMATE AIM

Article 216 of the penal code currently reads: “(1) A person who openly incites groups of the population to breed enmity or hatred towards one another based on social class, race, religion, sect or regional difference in a manner which might constitute a clear and imminent danger to public order shall be sentenced to imprisonment for a term of one to three years. (2) A person who openly denigrates a section of the population on grounds of social class, race, religion, sect, gender or regional differences shall be sentenced to imprisonment for a term of six months to one year. (3) A person who openly denigrates the religious values of a section of the population shall be sentenced to imprisonment for a term of six months to one year in case the act is likely to distort public peace.”

Amnesty International has long advocated for Article 216 to be brought in line with international human rights standards.²³

Article 216 of the Penal Code ‘Incitement to hatred or hostility’ is broadly defined. In practice, it has been used to prosecute peaceful dissenting opinions. It should be amended so that it is only used to address advocacy of hatred that constitutes incitement to discrimination, hostility or violence. As per article 20.2 of the ICCPR, international

²¹ <http://www.beyoglu.gov.tr/basin-aciklamasi---01072025>

²² <https://x.com/dailyislamist/status/1939802083487617308/video/1>;
<https://x.com/bdagenclik/status/1939780532524478813>

²³ Amnesty International Turkey: Decriminalize Dissent – Time to deliver on the right to freedom of expression
<https://www.amnesty.org/en/wp-content/uploads/2021/06/eur440012013en.pdf>

human rights law and standards impose on states the duty to prohibit, not necessarily criminalize, advocacy of hatred that constitutes incitement to discrimination, hostility and violence. Criminalization should be only used as a last resort and in the most serious cases, taking into account the context, speaker, intent, content, audience and likelihood of inciting actual action.

Amnesty International further calls for the repeal of paragraphs (2) and (3) of Article 216, which violate the right to freedom of expression. Rather than providing protection to minorities, these provisions have been used to prosecute criticism of dominant beliefs and power structures and should be repealed.

BE NECESSARY AND PROPORTIONATE

Amnesty International does not take a view on whether the cartoon is insulting to Islam as these considerations go beyond the remit of the organization. While the prosecutor's claim that "the cartoon depicts the prophets Mohammed and Moses as responsible for the bombing of a city", LeMan rejected allegations that the cartoon was a depiction of Prophet Mohammed.

The cartoon may appear offensive, insulting or even shocking. However, the right to freedom of expression protects forms of expression that may be perceived as offensive, insulting or shocking by others. The use of criminal law may be justified only if used as a last resort and in the most serious cases of advocacy of hatred that constitutes incitement to discrimination, hostility and violence, taking into account the context, speaker, intent, content, audience and likelihood of inciting actual action.

The criminal prosecution and deprivation of liberty of the five LeMan staff on the grounds that they have breached Article 216/3 of the penal code and the arrest warrants for one other are neither necessary nor proportionate to protect the rights of others or achieve any other legitimate aim under international human rights law and thus violate the right to freedom of expression. The arrests of the five staff constitute arbitrary detention, which violates their right to liberty.

CONCLUSION

Amnesty International calls on the immediate and unconditional release of the Doğan Pehlevan, Ali Yavuz, Zafer Aknar, Cebtrail Okçu and Aslan Özdemir. The authorities must drop all charges against them. Furthermore, authorities in Türkiye must lift the arrest warrant against Tuncay Akgün and reverse the decision to ban the issue of the magazine in which the cartoon was published.

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