



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

London, 24 June 2014

STATEMENT

Chilling implications of the verdicts in the “Al Jazeera trial” for the rule of law in Egypt

The Bar Human Rights Committee of England and Wales (“BHRC”) expresses grave concern at the verdicts, and accompanying sentences, handed down to foreign and national journalists in Egypt yesterday. Yesterday’s verdicts spread a chilling effect upon freedom of expression and undermine the rule of law in Egypt.

Australian journalist Peter Greste, Egyptian-Canadian bureau chief Mohamed Fahmy and Egyptian producer Baher Mohamed were accused of spreading false news, endangering national security and collaborating with the Muslim Brotherhood after the overthrow of President Morsi. Each vigorously denied these allegations. Yesterday, they were sentenced to seven years’ imprisonment, each with an additional three years’ imprisonment ordered for Baher Mohamed on a separate charge of possessing weapons. Other journalists, including two British and one Dutch journalist, were tried in absentia and received individual prison sentences of ten years.

The trial of the journalists fell far below fundamental fair trial standards. The journalists were accused of doctoring reports. However it is understood that the prosecution failed even to specify or identify which reports, footage or news productions were said to have been doctored.

Furthermore, although the BHRC was not present itself at the hearing, there are credible reports that the evidence presented by the prosecution against the journalists lacked any relevance or substance. The evidence appears to have included a BBC documentary on Somalia, images of Greste’s family holidays, a pop music video and other decontextualised and unrelated videos and images. There appeared to be no prima facie case of journalists’ links to terrorist organisations or to the propagation of false news.

The journalists have been detained since 29 December 2013. They have been subjected to severe and harsh treatment; often kept in solitary confinement. Mr. Greste described being “locked in my cell 24 hours a day, for the past 10 days, allowed out only for questioning”.

Mr. Fahmy complains of permanent disability following failure to provide adequate medical treatment for a dislocated shoulder which had been sustained shortly before arrest.

The implications, both for the journalists concerned, other journalists reporting on affairs in Egypt and some 16,000 reported political prisoners who have been arrested since the overthrow of President Morsi, are of immense concern. Whilst these verdicts were reached in the full public light and before independent trial monitors, undoubtedly other cases will not be so observed.

Yesterday's verdicts cast a chilling effect on the right to freedom of expression, upheld by a free, independent press. The convictions and sentences passed upon the journalists, without a fair trial and apparently on the basis of no credible evidence, leave the profession in fear of being jailed for their presence alone. Yesterday's verdicts destroy any semblance of a functioning rule of law in Egypt.

The BHRC calls upon the Egyptian courts to review the verdicts and to release immediately the journalists convicted and jailed yesterday. Further, it calls upon the Egyptian State to pronounce and affirm that Egypt, through its government and courts, will protect freedom of expression and the freedom of the press as one of the cornerstones of any transition to democracy. The BHRC calls upon the Egyptian State to take urgent steps to restore confidence in the impartiality, fairness and credibility of the Egyptian justice system.

END.

NOTES FOR EDITORS

1. The Bar Human Rights Committee of England and Wales ("BHRC") is the international human rights arm of the Bar of England and Wales. It is an independent body concerned with protecting the rights of advocates, judges and human rights defenders around the world. The Committee is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. The remit of BHRC extends to all countries of the world, apart from its own jurisdiction of England & Wales. This reflects the Committee's need to maintain its role as an independent but legally qualified observer, critic and advisor, with internationally accepted rule of law principles at the heart of its agenda.

BHRC website

<http://www.barhumanrights.org.uk/>