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Egypt:

Al-Jazeera jail sentence is just the tip of the iceberg

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The trial and conviction of Australian journalist Peter Grete and two of his al-Jazeera colleagues has attracted worldwide media coverage as it highlights the extent to which due process violations have spread throughout Egypt's judicial system following the regime change almost a year ago.

An Egyptian court sentenced the journalists, who had been charged with aiding terrorists and endangering national security, to a sentence of seven years (in the case of one of them, [Baher Mohamed](#), 10 years) in a Cairo jail. Australian Minister for Foreign Affairs Julie Bishop MP has sharply [condemned](#) the outcome of the trial. Meanwhile the Australian Government has lodged a [formal diplomatic level request](#) with Egyptian President Abdel Fatah al-Sisi.

The Trial

In Egypt, Peter Grete and his colleagues Mohamed Fahmy and Baher Mohamed are depicted as terrorist sympathisers who manipulated their footage to support the overthrown and now prohibited Muslim Brotherhood. Many commentators have speculated that the trial represents a thinly veiled [attack on Qatar-owned news channel al-Jazeera](#), which the Egyptian government feels is biased towards former president Mohamed Morsi.

According to reports, the prosecution [failed to bring convincing evidence](#) against the journalists during the trial. The only three videos it provided turned out to have been filmed by networks other than al-Jazeera and included footage of a trotting horse, a press conference in Nairobi and a BBC documentary on Somalia. In addition the trial was allegedly perforated with procedural errors such as the misspelling of Dutch journalist [Rena Netjes](#)' name in the court documents. Along with two British journalists Netjes was tried and convicted in absentia.

Widespread Human Rights Violations

The verdict has been heavily criticised by Western leaders, rights campaigners and the [media](#) as 'a frightening assault' on what remains of free speech and freedom of the press in Egypt. It seems, however, that the trial of the al-Jazeera journalists is only the tip of the iceberg: the latest example of Egypt's resurgent security state and dysfunctional judicial system.

It is estimated that at least [16,000](#) political prisoners have been arrested since the regime change which took place almost a year ago with some commentators suggesting that the actual number could be as high as [41,000](#). According to [Human Rights Watch and Amnesty International](#) many of the trials taking place have been grossly unfair, violating both Egyptian law and international standards; lengthy prison sentences and even the death penalty have been imposed in [mass trials](#) sometimes involving hundreds of people, often despite a lack of credible prosecution evidence.

While many detainees reportedly spend months in civilian jails without charges being brought, the number of people who are thought to be detained in secret military jails such as Azouli, [according to the Guardian](#), is even more worrying. At least 400 people are currently said to be imprisoned in such facilities where they are held outside of Egypt's legal system without any judicial oversight. It would seem that disappearances have become commonplace in Egypt. Former detainees at Azouli have reported [routine mistreatment](#) including electrocutions, beatings and being suspended naked by their wrists for several hours in order to obtain information or get them to confess. It has been alleged that prisoners will later 're-appear' in civilian jails once they have sufficiently memorised their confessions.

Justifying Egypt's Resurgent Security State

The Egyptian government has claimed that these draconian measures are necessary in countering terrorism (especially following the wave of jihadist-led bombings which targeted the [Sinai peninsula](#)). While, according to reports, police and military initially mainly targeted Morsi supporters, the measures have been extended and [extensive restrictions](#) are now said to have been imposed on many political freedoms including freedom of expression, freedom of association and freedom of peaceful assembly. Reports have emerged that at least two liberal academics have been [banned from traveling overseas](#) while the number of [political prisoners](#) has risen sharply and is now thought to include many secular activists as well as at least [16 journalists](#).

Facing an Uncertain Future

Despite Australian diplomatic efforts President Sisi announced on Tuesday evening that he would [not 'interfere'](#) in the sentencing out of respect for the judicial process. According to Egyptian law, clemency or an official presidential pardon can only be granted once all legal proceedings (including appeals) have been concluded. So far, both Australian Prime Minister Tony Abbott and Foreign Affairs Minister Julie Bishop have rejected the possibility of imposing sanctions against Egypt saying, '[megaphone diplomacy](#) won't do Peter Greste or his two colleagues any good'. Instead an appeal has been made to Egypt's long-term interests of being regarded as a full and acknowledged member of the international community.

9th July 2014

Wiling to exhaust all avenues, Greste's family is consulting its lawyers about the possibility of appealing the verdict. A final decision has not yet been made but it seems likely that Greste will make an appeal. However, considering the current state of the Egyptian judicial system, commentators have noted that such an appeal could take [a long time](#) and a favourable outcome is anything but guaranteed meaning Greste's future in Egypt will remain uncertain.

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