

Press Release

Date: 11 September 2019

Carter-Ruck

Mohammed Dahlan faces £500,000 bill after failed libel claim against Middle East Eye

Mohammed Dahlan, the Palestinian politician, former head of the secret police in Gaza and currently a “fixer” for Crown Prince Mohammed Bin Zayed of Abu Dhabi (where Mr Dahlan lives in exile), has abandoned his libel claim in the High Court in London against Middle East Eye (“MEE”) and its editor-in-chief, David Hearst.

Having lost the case, Mr Dahlan will now have to pay MEE’s costs, as well as his own legal fees, which together are estimated to be well in excess of £500,000.

Mr Dahlan’s claim related to an article entitled “*EXCLUSIVE: UAE funnelled money to Turkish coup plotters*”, which was published by MEE on 29 July 2016 in the wake of the failed coup against President Erdogan of Turkey.

The article, which MEE has continued to publish throughout and which is still being published online, reported allegations - obtained by Mr Hearst from sources both within Turkish intelligence and with close links to the UAE - to the effect that the UAE government had been behind the failed coup in Turkey and that Mr Dahlan had acted as the go-between with the coup plotters.

The article went on to report, again based on sources and social media publications, that after the coup had failed, the UAE government had quickly launched an operation to distance itself from Mr Dahlan.

The article also referred to longstanding evidence linking Mr Dahlan with the civil war in Libya.

After a delay of 10 months following publication and shortly before the limitation period for defamation had expired, Mr Dahlan sued MEE and Mr Hearst personally, claiming damages of up to £250,000 as well as an injunction and legal costs.¹

MEE and Mr Hearst stood by their journalism, believing that publication was, and remains, in the public interest. Thus, as well as refusing to take the article down or apologise for it, MEE submitted a detailed Defence² in which they vigorously defended publication of

Carter-Ruck Solicitors

6 St Andrew Street
London EC4A 3AE

T +44 (0) 20 7353 5005
F +44 (0) 20 7353 5553
DX 333 Chancery Lane
www.carter-ruck.com

Partners

Alasdair Pepper
Guy Martin
Nigel Tait
Cameron Doley
Claire Gill
Adam Tudor
Matthew Wescott
Antonia Foster
Miranda Rushton
Rebecca Toman

Partnership Secretary

Alison Phillips

Authorised and regulated
by the Solicitors Regulation
Authority

SRA No. 44769

¹ https://www.carter-ruck.com/images/uploads/documents/MEE-CF_and_APoC.pdf

² <https://www.carter-ruck.com/images/uploads/documents/MEE-Amended Defence %28incl Summary and Appendices%29-100919.pdf>

the article as being in the public interest and based on trusted and credible sources. The Defence also set out, in great detail, material concerning Mr Dahlan's wider activities which MEE's legal team were confident would satisfy the Court that publication had been and remained in the public interest. The Defence also sought to demonstrate that, such was Mr Dahlan's general notoriety and bad reputation both in England and in the Middle East and Gulf region, that the entire libel action – and any claim for damages – was untenable. Mr Dahlan completely failed to engage with these matters³, instead seeking to prevaricate and delay the matter from coming to trial.

Eventually, at MEE's urging, the Court set a strict timetable, which was due to culminate in a full 9-day trial of the issues in London's High Court on 18 November 2019 and at which – finally – Mr Dahlan would have had to give evidence and be cross-examined on the matters contained in the Defence.

However, faced with the prospect of giving evidence and having his claim and reputation put under scrutiny, and a matter of hours before the expiry of a Court Order requiring him to disclose documents relevant to his case, Mr Dahlan's solicitors served a Notice of Discontinuance, abandoning the claim and accepting full liability for MEE's and Mr Hearst's legal costs.

Speaking after the result, David Hearst said, *“Our journalism has been fully vindicated. The article we published in 2016 is still on our site, un-amended, in its original form.*

“This action was designed to intimidate and silence us. When Dahlan saw that we were fully prepared to defend what we wrote in the High Court on the grounds that it was of the highest public interest, he blinked, and will now have to pay our legal costs, which are substantial.

“It is telling that when offered the opportunity, he was not prepared to defend his reputation before a British High Court.”

MEE and Mr Hearst were represented by Adam Tudor and Aidan Shipman of Carter-Ruck, and by barristers Adrienne Page QC and Jacob Dean of 5RB.

For further information, please contact Adam Tudor (adam.tudor@carter-ruck.com) or Aidan Shipman (aidan.shipman@carter-ruck.com)

³ https://www.carter-ruck.com/images/uploads/documents/MEE-Amended_Reply-210619.PDF
PCRI-3372827.1