

## Press Release

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# Carter-Ruck

### **LEADING ARABIC NEWSPAPER WINS LIBEL CASE AGAINST KURDISH WEBSITE**

The London publisher of the pan-Arab newspaper Asharq Al Awsat and two of its senior editorial staff were today awarded libel damages totalling £85,000 against the editor of a website which falsely accused them of accepting secret payments of US\$ 4 million in return for publishing interviews with the former Iraqi president Jalal Talabani.

HH Saudi Research and Marketing (UK) Ltd, which is based in Holborn, was awarded £20,000 in libel damages whilst the editor in chief of Asharq Al Awsat, Mr Tariq Al-Homayed, received an award of £30,000 and the senior journalist Maad Fayad, £35,000.

Master Roberts, a Judge of London's High Court, also ordered the Defendant Alan Merdini a Swedish citizen, to pay the Claimants £40,000 in costs.

The ruling took place after the Claimants issued proceedings for libel and malicious falsehood against Mr Merdini, the editor of kurdistanpost.com, which on 26 August 2009 published an on-line article with the headline: *"In order to publish his diaries Jalal Talabani has given 4 million dollars to Asharq Al Awsat newspaper"*.

The article falsely alleged that Mr Fayad had accepted US\$ 1 million for conducting and publishing interviews with Mr Talabani in 2009 and that Mr Al-Homayed had accepted the same sum to publish the interviews. It also alleged that the newspaper had accepted a further payment of \$ 2 million.

The Claimants' barrister Jacob Dean told the court that the false allegations had caused "very grave upset" to Mr Al-Homayed, who was "absolutely horrified" by them, and to Mr Fayad, who was pictured on the website and for whom Mr Dean said the claims continued to be a source of embarrassment.

Mr Dean told the Judge that the Defendant was clearly an opponent of Mr Talabani who was motivated to publish false allegations about him and the Claimants for his own political motives.

Giving his judgment Master Roberts described the allegations as "extremely serious" and said that they struck both at the core of the company's reputation and at the core of the attributes of professional journalists.

He accepted evidence placed before the court of the falsity of Mr Merdini's claims that the Claimants had compromised fundamental journalistic principles of independence and integrity.

The court noted that Mr Merdini had not even tried to defend the claim, had not apologised or retracted the allegations and had also aggravated the distress caused to the Claimants following publication by accusing them of playing a "political game".

Master Roberts also took into account that the allegations were likely to have been seen by many people and had been picked up and repeated on a number of other websites, causing further distress to the Claimants.

Speaking after the Judgment the Claimants' representative Adel Ellithy said: *"Such was the absolute falsity of these allegations that we had no hesitation in bringing these proceedings to protect the good name of our company and our journalists. We prize our reputation extremely highly and are very glad that the Judge has made awards which properly reflect the damage and distress caused to the Claimants by the wholly fictional claims posted on this website."*

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