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NATURE NEWS BLOG

French physicist jailed for 5 years on dubious intent of terrorism charges

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By Declan Butler and Geoff Brumfiel

A French court today sentenced French-Algerian physicist, Adlène Hicheur sentenced to four years in prison, and a further one year suspended sentence, for allegedly plotting with AQIM, al-Qaeda's North African branch to carry out terror attacks on military and economic targets on French soil. The court also ordered the confiscation of €15,000 that Hicheur had transferred to Algeria for what he said was a property purchase, as well as his computer equipment. Hicheur's supporters, including many of his former scientific colleagues, say, however, that Hicheur's sentencing is a miscarriage of justice, and that he was a victim of excess and overreach by France's draconian anti-terrorist laws – see also “The case of Dr Hicheur.”

The verdict was read out briefly, with little further explanation, at the 14th Chamber of the Palais de Justice in Paris, near the Notre Dame cathedral. At Hicheur's two-day trial on 29-30 March, prosecutors had called for Hicheur to be sentenced to six years in prison – he could have faced a maximum sentence of ten years.

Hicheur was detained in 2009 when he was then a postdoc in high-energy physics at the Swiss Federal Institute of Technology in Lausanne and has been held in custody in Fresnes Prison near Paris ever since – see “Physicist languishes in French prison.” Given the time he has already spent in prison, combined with various term reductions available under the French judicial system, he is likely to be released almost immediately, possibly within weeks. His lawyers could yet appeal the verdict, but that could result in Hicheur ending up spending longer in prison.

Outside the courtroom, Jean-Pierre Lees, a physicist at the Laboratory of Particle Physics in Annecy-le-Vieux, France, who heads a campaign in support of Hicheur's freedom – see “Physicists protest colleague's terrorism, was visibly deeply dismayed and stunned by the verdict, and slammed what he alleged was a lack of independence of the judiciary from the political system. “I'm extremely disappointed,” says Lees, “One has the impression that we're in the Soviet Union and not in France.”

Lees says that online exchanges intercepted by police and presented at Hicheur's trial, held on 29-30 March, failed to provide any evidence that Hicheur had been involved in planning of any terror plot – see also “Particle physicist ‘falsely accused’, claims brother.” “He's been sentenced to five years when there was no tangible evidence of wrongdoing,” says Lees. Hicheur had resigned himself to the likelihood that he would not be acquitted, he adds, and has “lost his faith in the French justice system.”

Lees also complains that central element of the the prosecution case was that Hicheur had online exchanges with an alleged leader of AQIM, but that person, who French authorities say was interrogated by Algerian authorities, was not brought to testify at Hicheur's trial. “We never even saw his identity card in court, we dont even know if he really exists,” says Lees.

Hicheur's trial was held one week after the killing by the RAID, a crack French police squad, of Mohamed Merah, a 24-year-old French citizen of Algerian descent, suspected of killing seven people, including three soldiers in Toulouse and Montauban and four civilians — three of whom were young children — outside a Jewish school in

Toulouse. French authorities claimed that Merah had told them he was working with al-Qaeda. Hicheur's supporters say that this event, which became a key event impacting on the French presidential election campaign, did not help him get a fair trial – see French standoff raises fears for incarcerated physicist.” Moreover, Hicheur's case was very different — Merah had a criminal record and was heavily armed. He had also travelled to Afghanistan and Pakistan before the attacks, where he had actually been detained by American troops and returned to France.

The sentencing itself comes just two days away from the final round of France's presidential election between the incumbent conservative president, Nicolas Sarkozy, and his Socialist challenger François Hollande – polls point to a victory for the latter. Following the Merah killing, French President Nicolas Sarkozy called for a crackdown on those who visit extremist websites, pledging that: "From now on, any person who habitually consults Web sites that advocate terrorism or that call for hatred and violence will be criminally punished."

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