

- Libya: Death sentences on medics commuted

Contributed by Bernard
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Today's announcement that the Libyan authorities have commuted the death sentences on six foreign medics is a very welcome, but overdue and insufficient step, Amnesty International said. The six -- a Palestinian doctor and five Bulgarian nurses -- have been in prison since 1999 and under sentence of death since 2004 for allegedly infecting hundreds of children with HIV.

"We are relieved that the threat of execution that has hung over the health workers for so long has now come to an end, but we are disappointed that they remain in prison under life sentences," said Malcolm Smart, Director of Amnesty International's Middle East and North Africa Programme.

"This case has been a long and painful one for all concerned, the medics who were twice sentenced to death after unfair trials, but also the families of the children who contracted HIV in a Benghazi hospital. Amnesty International, which will now continue to call for the six medics' release, said that the case underlined the need for the Libyan authorities to accelerate their tentative steps towards judicial reform.

"Lessons need to be learnt to ensure that nothing like this can ever happen again in Libya, for the sake of victims legitimately seeking justice and those who are accused of committing crimes," Malcolm Smart said.

"The Libyan authorities must ensure that legal safeguards intended to protect suspects from prolonged detention without charge and torture are implemented and that all accused receive fair trials."

The organization commended the mediating role undertaken by the Gaddafi Development Foundation, headed by one of Libyan leader Mu'ammal-Gaddafi's sons, which was the only Libyan institution to repeatedly raise concerns about the medics' trials and treatment. The Foundation is said to have played a key role in helping the Libyan authorities, the families of the children affected and foreign governments to find a political compromise to the case.

Background

Palestinian doctor Ashraf Ahmad Al-Hajouj and Bulgarian nurses Valya Georgieva Cherveniyashka, Snezhana Ivanova Dimitrova, Nasya Stoycheva Nenova, Valentina Manolova Siropulo and Kristiana Venelinova Valcheva have been in detention since 1999. They were first sentenced to death by firing squad in May 2004 after being convicted of deliberately infecting 426 children with HIV in al-Fateh Children's Hospital, Benghazi -- a charge which they have all consistently denied.

The death sentences were overturned on 25 December 2005 by the Supreme Court, which ordered the health professionals to be retried after noting "irregularities" in their arrest and interrogation. The retrial began on 11 May 2006 at a criminal court in Benghazi, concluding with the death sentences of 19 December 2006. On 11 July 2007 Libya's Supreme Court confirmed the sentences. Today the case was examined by the Supreme Council of Judicial Authorities, which reportedly decided on the commutation of the death sentences. By law all death sentences in Libya have to undergo a final review by the Supreme Council of Judicial Bodies.

Since the medics have been in detention, some 56 of the 426 infected children have died of AIDS. While an apparently substantial international fund has been established to assist their families and those now forced to live with HIV/AIDS, all have been denied a process which could have established the truth about these tragic consequences.