

Press Release

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Statement by the Bureau of PACE on the re-trial of Bulgarian medical staff in Libya

Strasbourg, 06.09.2006 – The following statement was adopted today by the Bureau of the Parliamentary Assembly of the Council of Europe (PACE), meeting in Paris:

"The Bureau of the Parliamentary Assembly of the Council of Europe is dismayed by the Libyan Prosecutor's recent call for the death penalty at the retrial of the five Bulgarian nurses and the Palestinian doctor accused of deliberately contaminating some 426 children with the AIDS virus at the Al-Fateh hospital in Benghazi.

The Bureau recalls the position of the Parliamentary Assembly on this case in its [Recommendation 1726 \(2005\)](#), in particular its conclusion that the nurses and doctors should be regarded as completely innocent, as well as its grave concerns about the torture and ill-treatment to which they were subjected, the lack of evidence supporting the allegations and the flaws in the conduct of the investigations and trial.

The Libyan Supreme Court's decision in December 2005 cancelling the 2004 death sentence and ordering a fresh trial offered the authorities the opportunity to remedy the grave deficiencies surrounding the investigations and trial, and to carry out a thorough investigation into the allegations of torture and ill-treatment. The Bureau is therefore shocked that witnesses on behalf of the defence have not been heard and that the defence lawyers' request for international expertise has been rejected. Such a flagrant denial of defence rights can only cast serious doubts on the outcome of the retrial.

The Bureau once more reaffirms the complete opposition of the Parliamentary Assembly to capital punishment, which has no place in the penal systems of modern, civilised societies.

It calls on the Libyan authorities to release the five Bulgarian nurses and the Palestinian doctor, or failing that, to ensure that the new trial is conducted in conditions which guarantee a fair trial, including full respect for the rights of defence, and to accept that international expertise is called in to determine the causes of this human tragedy and the circumstances in which it occurred.

At the same time, the Bureau is equally seized with the plight of the victims of the AIDS virus and unconditionally reiterates the Assembly's compassion for the Libyan children and its sympathy with their families. The Bureau therefore welcomes the recent initiative of the European Union, the United States, the United Kingdom and Bulgaria to create an international fund to assist Libya in combating AIDS, to bring the hospital in Benghazi up to standard and to compensate victims or their families."

The Parliamentary Assembly brings together 315 members from the national parliaments of the 46 member states.

President: René van der Linden (Netherlands, EPP/CD); Secretary General of the Assembly: Mateo Sorinas.

Political Groups: SOC (Socialist Group); EPP/CD (Group of the European People's Party); ALDE (Alliance of Liberals and Democrats for Europe); EDG (European Democratic Group); UEL (Group of the Unified European Left).