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News Flash

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Libya: Quash death sentences against foreign medical professionals

Six foreign medical professionals were sentenced to death by firing squad by the Benghazi Criminal Court in Libya today.

"We are shocked by the imposition of these death sentences and call for the Libyan authorities to immediately quash them," Amnesty International said in response to the sentences.

Those sentenced to death are: five Bulgarian health professionals -- Kristiana Malinova Valcheva, Nasya Stojcheva Nenova, Valentina Manolova Siropulo, Valya Georgieva Cherveniyashka and Snezhanka Ivanova Dimitrova -- and one Palestinian doctor -- Ashraf Ahmad Jum'a.

They are accused of deliberately infecting 426 children with the HIV virus, while working in al-Fateh Children's Hospital in Benghazi. Zdravko Marinov Georgiev, a sixth Bulgarian defendant, was sentenced to four years' imprisonment. Nine Libyan doctors in the same trial were all acquitted.

The foreign defendants told Amnesty International delegates, visiting Libya in February 2004, that they were tortured in order to extract confessions, which they later retracted on the basis that they had been forcibly coerced.

Methods of torture they reported included: extensive use of electric shocks; being suspended from a height by the arms; being blindfolded and threatened with being attacked by barking dogs; and beatings, including *falaqa* (beatings on the soles of the feet), and being beaten with electric cables. It is not yet clear whether they were convicted on the basis of these "confessions" or other evidence.

"Amnesty International reminds the Libyan authorities that evidence extracted under torture must not be invoked as evidence in any legal proceedings."

The men and women have the right to appeal against their sentences before the Supreme Court. If the death sentences are confirmed, they cannot be implemented without the consent of the country's highest judicial body, the Supreme Council of Judicial Bodies.

"Although the Libyan authorities have repeatedly stated their aim to abolish the death penalty, death sentences continue to be handed down and implemented. The Libyan authorities must begin to turn words into action and establish a moratorium on the death penalty."

On the basis of the allegations of torture, eight members of the security forces and two others (a doctor and a translator) in their employ were charged in connection with the torture. They faced trial alongside the foreign and Libyan health professionals before the same criminal court in Benghazi.

In today's hearing, the court pronounced that it was not competent to examine their cases. It is not clear whether they will be tried before another court or whether the charges against them will not be heard before a court of law.

"Those accused of having carried out acts of torture must stand trial, in proceedings which are internationally recognized as fair."

Amnesty International recognizes the pressing need to bring anyone responsible for the tragic consequences for these children and their families to justice. However, it is imperative that the rights of the accused are respected at all stages from the moment of their arrest.

It is only by means of a fair trial that follows due legal process that the truth will emerge about how these children became infected with the HIV virus and those responsible be held fully to account.

Public Document

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