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B6-0024/2007 }
B6-0025/2007 }
B6-0026/2007 }
B6-0027/2007 }
B6-0028/2007 }
B6-0029/2007 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Philip Dimitrov Dimitrov, Konstantin Dimitrov, Martin Dimitrov, Stefan Sofianski, Geoffrey Van Orden, Luisa Fernanda Rudi Ubeda, Simon Busuttil and Simon Coveney, on behalf of the PPE-DE Group
- Kristian Vigenin, Georgi Bliznashki, Evgeni Kirilov, Marusya Lyubcheva, Mladen Cherveniyakov, Atanas Paparizov, Jan Marinus Wiersma, Pasqualina Napoletano, Catherine Guy-Quint, Alexandra Dobolyi, Hannes Swoboda, Elena Valenciano and Pierre Schapira, on behalf of the PSE Group
- Filiz Hakaeva Husmenova, Graham Watson, Adrian Cioroianu, Stanimir Ilchev, Tchetin Kazak, Antonyia Parvanova, Nedzhmi Ali, Christina Christova, Lydia Shouleva, Frédérique Ries and Marios Matsakis, on behalf of the ALDE Group
- Brian Crowley, Cristiana Muscardini, Eoin Ryan, Roberta Angelilli and Ģirts Valdis Kristovskis, on behalf of the UEN Group
- Hélène Flautre, Raúl Romeva i Rueda, Kathalijne Maria Buitenweg, Cem Özdemir and Elly de Groen-Kouwenhoven, on behalf of the Verts/ALE Group
- Vittorio Agnoletto, André Brie and Willy Meyer Pleite, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- GUE/NGL (B6-0024/2007)
- PSE (B6-0025/2007)

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PE 382.971v01-00}
PE 382.972v01-00}
PE 382.973v01-00}
PE 382.974v01-00}
PE 382.975v01-00}
PE 382.976v01-00} RC1

- ALDE (B6-0026/2007)
- UEN (B6-0027/2007)
- Verts/ALE (B6-0028/2007)
- PPE-DE (B6-0029/2007)

on the conviction and imprisonment by Libya of the five Bulgarian nurses and a Palestinian doctor

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PE 382.971v01-00}
PE 382.972v01-00}
PE 382.973v01-00}
PE 382.974v01-00}
PE 382.975v01-00}
PE 382.976v01-00} RC1

EN

European Parliament resolution on the conviction and imprisonment by Libya of the five Bulgarian nurses and a Palestinian doctor

The European Parliament,

- having regard to the European Union Annual Reports on Human Rights, in particular those for the years 2005 and 2006,
 - having regard to its resolutions on the accession of Bulgaria to the EU and in particular to those of 30 November 2006 (paragraph 25), 15 December 2005 (paragraph 32) and 13 April 2005 (paragraph 39),
 - having regard to the General Affairs and External Relations Council's conclusions of 11 October 2004 expressing grave concern over the plight of the medics, its decision to provide assistance to the Libyan health services, the EU Presidency Statement on the decision of the Criminal Court in Libya sentencing to death five Bulgarian nurses and a Palestinian doctor, Commissioner Ferrero-Waldner's statement on the Libyan Court verdict of 19 December 2006 on the Benghazi case, and the statements of the President of the European Parliament of 30 November 2006 and 20 December 2006,
 - having regard to the reports of the Presidency of the EU Council to the European Council on the implementation of the EU's strategic partnerships with the Mediterranean states of December 2005 and December 2006,
 - having regard to the EU guidelines on the death penalty,
 - having regard to rule 103(4) of the Rules of Procedure,
- A. whereas on 9 February 1999 the Libyan authorities detained a number of Bulgarian medics working at the 'Al-Fatih' hospital in Benghazi, and whereas on 7 February 2000 a trial against six Bulgarian nationals, one Palestinian and nine Libyans started at the Libyan People's Court on a charge of deliberately infecting several hundred children with the HIV virus,
- B. whereas on 6 May 2004 the court sentenced five Bulgarian nurses and a Palestinian doctor to death by firing squad; whereas on 25 December 2005 the Libyan Supreme Court delivered its decision on the appeal against the death sentence and ordered a new trial; whereas a new trial was held from 11 May 2006, which confirmed the death sentences on 19 December 2006,
- C. whereas there is strong evidence that torture has been used in prison against the defendants in order to extract false confessions; whereas numerous other flagrant violations of the defendants' rights have also been committed,
- D. whereas in 2003, following a demand by the Libyan authorities, renowned international experts on HIV/AIDS provided a report which categorically concluded that the spread of the

HIV virus was due to an in-hospital infection which had started before the arrival of the accused in Libya; whereas recent publications provide strong scientific evidence about the origin and timing of the Benghazi infection; whereas all this strong evidence of the innocence of the accused has been disregarded and not taken into account,

- E. whereas in November 2004 the EU launched an 'HIV Action Plan for Benghazi', which includes technical and medical assistance to the infected children and the affected families, as well as support for the Libyan authorities to combat the AIDS disease; whereas EUR 2.5 million from the Community budget have been provided to fund the plan; whereas the implementation of this Action Plan is well under way, with support from the Commission and from EU Member States; whereas a large number of the infected children have received treatment in hospitals in Member States,
 - F. whereas in January 2006 a Benghazi International Fund was established as a non-profit, non-governmental body created to help develop the local medical infrastructure in Benghazi, to improve the treatment of the patients and to provide assistance to the affected families,
1. Condemns the verdict of the Criminal Court in Libya on 19 December 2006, convicting, in a re-trial, and sentencing to death five Bulgarian nurses, Kristiana Vulcheva, Nasya Nenova, Valentina Siropulo, Valya Cherveniyashka and Snezhana Dimitrova, and one Palestinian doctor, Ashraf al-Haiui, who have already spent eight years in prison in connection with the 1999 HIV/AIDS case at the Benghazi hospital;
 2. Reiterates its radical opposition to the death penalty and recalls that the EU considers that the abolition of the death penalty contributes to the enhancement of human dignity and the progressive development of human rights; stresses, at the same time, that the EU has now moved beyond this commitment and now espouses abolition for itself and third countries;
 3. Reiterates its serious concern with regard to the basis on which the accused persons were prosecuted, their treatment while in custody and the lengthy delays in the process;
 4. Underlines that, as from January 2007, the Benghazi trial directly concerns five citizens of the European Union;
 5. Invites the Libyan authorities concerned to take the necessary measures to review and annul the death sentence, and open the way to an early resolution of the case on a humanitarian basis, thus meeting the necessary prerequisites for the continuation of the common policy of engagement with Libya;
 6. Calls on President Kaddafi to exercise his powers and bring about the release of the imprisoned medics as a matter of urgency;
 7. Calls on the Commission and the Council to take action with the Libyan Government to secure an early release of the imprisoned medics;

8. Expresses its full solidarity with the victims of the HIV/AIDS infection in Benghazi and notes the measures taken by the international community to provide assistance to the children;
9. Calls on the Commission, the Council and the Member States to continue to provide assistance for the implementation of the HIV Action Plan and to support the Benghazi International Fund, in order to alleviate the suffering of the infected children and their families and to help the Libyan authorities to prevent and fight the spread of the HIV infection in the country;
10. Underlines its resolve to follow closely this case and calls on the Commission and the Council to keep the European Parliament informed about any developments;
11. Calls on the Commission and the Council to consider, in the absence of a positive resolution of the case, a revision of the common policy of engagement with Libya in all relevant fields, as the Union deems appropriate;
12. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government and the Popular Assembly of Libya, the Parliamentary Assembly of the Council of Europe, the Secretary-General of the United Nations and the United Nations Human Rights Council.