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PRESS STATEMENT

Human Rights Committee convicts Libya for torture of detainees during Benghazi HIV-trial

Amsterdam, 2 May 2012 – The United Nations Human Rights Committee, during its 104th Session in March 2012, has convicted Libya for torture and violation of the right to liberty of the detainees during the so-called Benghazi HIV-trial. The Committee also found a violation of the right to a fair trial of the victims.

The case was brought by Mr. Ashraf El-Hogoug (a Palestinian doctor with Bulgarian nationality) and five Bulgarian nurses shortly after their release from Libyan prison in 2007. The victims were tortured during their illegal detention during the Benghazi HIV-trial from 1999 to 2007 in Libya.

The Human Rights Committee orders Libya to provide the victims with an effective remedy, including a thorough investigation into the unlawful treatment, initiation of criminal proceedings against those responsible, and compensation.

On 21 March 2012, a Dutch civil court awarded Mr. Ashraf El-Hogoug € 1.000.000,- for material and immaterial damages in the same matter, this time against 12 Libyan civil servants who took part in his torture and inhumane treatment.

Since both national and international judges have now condemned the torture of the victims, prof. Liesbeth Zegveld, the victims' lawyer, urges Libya to guarantee the payment of compensation without delay. She also calls upon the Netherlands and the European Union and its member states to assure that the compensation is paid forthwith. Zegveld: "The EU and several of its members states have repeatedly condemned the scapegoating of the Palestinian doctor and the Bulgarian nurses and have strongly pushed for their release in 2007. In view of these previous efforts, we count on their support to obtain compensation for the victims."

In 1999, Mr. Ashraf El-Hogoug, a medic and former resident of Libya, and five Bulgarian nurses employed in Libyan hospitals were wrongfully detained and convicted in the Benghazi HIV-trial. They were accused of murder or attempted murder of some 450 children, and – due to a grave judicial error – spent over 8 years incarcerated (1999-2007), many of those years under a sentence of death. They underwent severe torture, a fact that has been confirmed by al-Gaddafi's son, Seif al-Islam. In 2007 they were released due to quiet diplomacy of the EU, the US and Bulgaria. The President of Bulgaria immediately remitted their punishment and awarded El-Hogoug Bulgarian citizenship. Part of the solution was an agreement with the families of the 450 HIV children on compensation for their deceased or infected children, reportedly worth \$1 million per child.

Contact person: Prof. Liesbeth Zegveld - Böhler Advocaten - Keizersgracht 560-562, 1017 EM Amsterdam.

Tel.: +31 (0)20-344 62 00, e-mail: LZegveld@bohler.eu.