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**FOUR YEARS OF IMPUNITY
AMNESTY INTERNATIONAL DECLARATION
ON THE CASE OF KATYA MIRANDA
4 April 2003**

Amnesty International adds its voice to those commemorating the fourth anniversary of the rape and murder of Katya Miranda. At the same time, we express our concern at the failure of the El Salvador judicial system to clarify the facts of the case and bring those responsible for such a horrendous crime to justice.

The protection of human rights is a supreme obligation of the state; the protection of the human rights of children is an even greater obligation because of their vulnerability and the way in which their rights are systematically violated by those responsible for providing them with special protection. In the case of Katya, there was not only a failure to protect her and to guarantee her right to life, but also justice has not been done and those who ill-treated and killed her have not been punished.

The details of the crimes perpetrated against Katya are known to all, as are the incredible mistakes, if we can call them that, committed immediately after her death. The destruction of the scene of the crime and the consequent impossibility of collecting evidence there; the lack of information issued about the crime, which had had a major impact on the public; and the flawed and delayed investigations and irregular procedures. These all contributed to the impunity in this case and raise questions about the various institutions responsible for the investigative and judicial process.

In May 2002, on reading the Special Report of the Human Rights Procurator, we felt there was a good chance of making progress in this case and bringing those responsible for the rape and murder of Katya to justice. However, that is not how things have turned out. We agree with the conclusions of the Human Rights Procurator's report, which pointed out "the state's failure to comply with its duty to investigate and punish those responsible" and "the clearly established violation of the due process of law". Amnesty International welcomed the report's recognition that the public had the right to know the truth about the murder of Katya and its recommendation that the legal reasons for the events that allowed these aberrant crimes to go unpunished should be determined.

However, almost a year after the publication of the report, Amnesty International notes with consternation that no further progress has been made in this matter.

The case of Katya Miranda symbolizes an issue that we analysed during our stay in El Salvador – domestic violence against women and girls. For millions of women, the idea of the family home as a peaceful and secure “sanctuary” is a myth. It is a place of suffering, where they are ill-treated, tortured and even killed. The violation of the human rights of women and girls has been described as invisible, but this is doubly so in the case of domestic violence. Society has traditionally justified this situation by maintaining that the household is subject to male authority, and has covered the violations of women’s human rights by a mantle of silence, fear and impunity.

The El Salvador state has failed Katya, her family and her friends by not exercising its responsibility to act with due diligence in the investigation and prosecution of the crimes committed against her, shamefully allowing them to go unpunished.

We support the demand lodged in the courts requiring an investigation to identify the perpetrators and bring them to justice. We urge the Attorney General and the other competent authorities to implement the recommendations of the Human Rights Procurator’s Report of May 2002, and to heed the call made by the Legislative Assembly for the investigation to be continued until the guilty parties are found and punished.

Nobody can bring little Katya back to life. However, we can and must persevere so there is no repetition of such inadequate legal procedures in other cases and to make sure that justice is done.