

AMNESTY INTERNATIONAL

PRESS RELEASE

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Argentina: A new chapter in the search for truth and justice

Amnesty International welcomes today's decision by the Argentine Senate to declare the Full Stop and Due Obedience laws null and void. These laws, also known as the amnesty laws, have blocked the investigation of thousands of cases of human rights abuses committed during the time of the military governments of 1976-1983.

"After years of frustration, thousands of victims of human rights violations and their families can finally begin their search for truth and justice," Amnesty International said. "The vote to annul these laws also sends a powerful message that there is no legal hiding place for perpetrators of human rights violations in Argentina."

Following last week's vote by the Chamber of Deputies declaring the laws null and void, the Senate's approval was required for the annulment to enter into Argentine legislation. The decision opens the way for judicial proceedings in thousands of cases concerning victims of "disappearance", torture, and extrajudicial execution, committed under the period of military rule.

The constitutionality of the annulment is, however, likely to be challenged in the courts. The Argentine Supreme Court is due to make a final ruling on the constitutionality of the amnesty laws, following recent decisions by Argentine judges ruling them null, void and unconstitutional.

"The Argentine judiciary should follow the positive lead of the country's executive and legislative powers to now declare the amnesty laws unconstitutional, in full accordance with international law," Amnesty International said.

The organization also welcomed the senate's decision to grant constitutional statutes to the United Nations Conventions on the Non-Applicability of Statutes of Limitation of War Crimes and Crimes against Humanity.

Background

Approved by the Argentine Congress in 1986 and 1987 respectively, the Full Stop and Due Obedience laws have obstructed investigations into human rights violations committed under the Argentine military governments. Although the laws were repealed in March 1998, the repeal was interpreted as being without retroactive effect, meaning that human rights abuses committed during the military governments remained covered by them. Although the laws were repealed in March 1998, the repeal was interpreted as being without retroactive effect, meaning that human rights abuses committed during the military governments remained covered by them.

The United Nations Human Rights Committee, the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights of the Organization of American States have stated that amnesties and other measures allowing those responsible for human rights violations to go unpunished are incompatible with States' international obligations.

The National Commission on Disappeared People (CONADEP), created by the Argentine government in 1983, documented 8,960 cases of "disappearances" during the period of military rule and indicated that the true figure could be even higher.

Public Document

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