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El Salvador: The government must comply with the ruling of the Inter-American Court of Human Rights in the case of the Serrano sisters

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Amnesty International has noted with satisfaction the decision of the Inter-American Court of Human Rights, published on 29 March last, which rules against El Salvador in the case of the "disappearance" of the Serrano sisters during the internal armed conflict.

In its ruling, the Inter-American Court concluded that the state of El Salvador had violated the human rights of Ernestina and Erlinda Serrano Cruz -- who "disappeared" in June 1982 during the course of a military operation in Chalatenango department at the ages of three and seven respectively -- and of their family by failing to carry out an effective and timely investigation into the girls' disappearance.

"The Court's decision gives new hope to all victims of the human rights violations committed during El Salvador's internal armed conflict. It is now the Salvadorean government's responsibility to comply with the recommendations and put an end to impunity," said Amnesty International.

The ruling establishes that the state of El Salvador has an obligation to determine the whereabouts of the girls, effectively investigating the events and, where appropriate, bringing those responsible to justice and punishing them. For this, the Court has ruled that the State should set up a National Search Commission to trace the disappeared children that includes civil society involvement, a website to help people trace relatives and a genetic information registry.

In reparation, the Court ordered the state of El Salvador to organise a public act of acknowledgement of its responsibility and apology to the family of Ernestina and Erlinda Serrano Cruz, to publish the ruling in the Official Newspaper and in another national-level newspaper and to designate a day of commemoration for the children who "disappeared" during the internal armed conflict. Lastly, the Court established the State's obligation to provide free medical and psychological treatment to the victims' relatives as necessary.

This is the first time that the Inter-American Court has heard a case brought against the government of El Salvador for human rights violations. The case was submitted to the Court in June 2003 following the Salvadorean government's failure to comply with the recommendations of the Inter-American

Commission on Human Rights, issued in February 2003.

Background information

The armed conflict in El Salvador, which lasted from 1980 to 1992, resulted in more than 75,000 people being subjected to human rights violations, including extrajudicial executions, torture and "disappearances". Hundreds of those who "disappeared" were children. Some were placed in orphanages, while others were put up for adoption in El Salvador and in other countries such as the United States, France, Germany and the United Kingdom.

In March 1993, the state of El Salvador decreed a "General Amnesty Law", preventing the possibility of bringing those responsible for the human rights violations committed during the internal armed conflict to justice and thus establishing a state of impunity.

On 5 October 2004, the Salvadorean government created the "Interinstitutional Search Commission for Girls and Boys who Disappeared as a Consequence of the Armed Conflict in El Salvador". Nonetheless, it established that this Commission would be made up only of state authorities.

Public Document

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