

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **World: International treaty against "disappearances" - a light of hope for thousands**

The international community has repeatedly condemned "disappearances". Now it's in the hands of governments to take a stand and adopt effective preventative measures, said Martin Macpherson, Director of International Organizations at Amnesty International today on the eve of the meeting of a specially created UN working group.

The UN working group -- meeting in Geneva from 4 to 8 October -- has been charged with drafting an international treaty against enforced "disappearance".

" 'Disappearances' are more than just a 'Latin American problem'. Hundreds of thousands of people have 'disappeared' in Iraq, Sri Lanka, the former Yugoslavia and many other countries. This treaty will provide the relatives of the 'disappeared' with a concrete legal instrument in their search for truth and justice," said Mr Macpherson.

"A draft text circulated in June contains many innovative features. The danger is that some of these may be watered down because of opposition by states which oppose a treaty on disappearances," said Mr Macpherson.

Amongst other provisions, the draft states that:

No one shall be subjected to enforced disappearance, and that victims and their relatives have a right to the truth.

Each state party should incorporate a specific crime of enforced disappearance in its national law, to investigate complaints and reports of enforced disappearance and to bring those responsible to justice, including suspected perpetrators from other countries who are present in its territory.

States should establish preventive safeguards on arrest and in custody. The draft also provides for an urgent judicial remedy, which relatives can invoke to discover victims' whereabouts and ensure their well-being.

States should afford compensation and other forms of reparation to the victim, and take remedial measures regarding children of the "disappeared"

People must not be forcibly returned to a country where they are at risk of "disappearing".

An international expert "monitoring body" will have the power to search for the "disappeared" in states party to the treaty, and to hear complaints from individuals alleging that their rights under the treaty have been violated.

"Less than 50 years ago, people were not internationally protected from torture, but in 1984 the UN adopted an international Convention against Torture. The importance of this legal instrument in the fight against torture is now widely recognized. It is now time for governments to take concrete action against 'disappearances' by adopting a similar treaty against this egregious form of human rights violations," said Mr Macpherson.

### **Background Information**

After more than two decades of campaigning by relatives and human rights organizations, the UN Commission on Human Rights decided in 2001 to set up a working group of state representatives "to elaborate a draft legally binding normative instrument for the protection of all persons from enforced "disappearance". The working group held its first session in January 2003.

### Public Document

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