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Argentina: No Full Stop in the Quest for Justice

After almost a quarter of a century, the impunity protecting the human rights violations committed in the past has received a serious blow and the perseverance of the relatives of victims is being rewarded by an important step towards truth and justice. This statement was made today by Amnesty International in response to Judge Gabriel Cavallo's decision to declare unconstitutional and void the Due Obedience and Full Stop Laws which until now have obstructed the investigation of such violations in Argentina.

"Judge Cavallo's decision opens the way for judicial proceedings in thousands of cases concerning victims of "disappearance", torture, and extrajudicial execution, committed during the time of the military governments between 1976 and 1983, Amnesty International added.

"This decision gives the Argentine State the opportunity to fulfill its international obligations", the organization declared.

Amnesty International emphasized that Judge Cavallo's ruling reiterates the decisions and recommendations formulated by various international organizations including the United Nations Human Rights Committee and the Inter-American Commission on Human Rights of the Organization of American States. Amnesty International expects Judge Cavallo's ruling to be confirmed by the relevant judicial instances.

General Information

Judge Cavallo's ruling of 6 March, was in response to the criminal complaint presented in October 2000 by the Centre for Legal and Social Studies (CELS) on the "disappearance" case of José Liborio Poblete Roa, his wife Gertrudis Marta Hlaczik and their daughter Claudia Victoria, in 1978. Claudia Victoria Poblete has been found but her parents remain "disappeared". The legal decision can be appealed.

The Full Stop and Due Obedience laws, which were approved by the Argentine congress in 1986 and 1987 respectively, were repealed in March 1998. However, their repeal has been interpreted as not being effective retroactively, so that cases of human rights violations committed during the military governments continue to be covered by them. Judge Gabriel Cavallo's decision is the first to declare these laws void and to proceed to call those accused to submit statements.

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

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