



24 July 2008

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El Salvador: Find the disappeared children

Ernestina and Erlinda Serrano Cruz were seven and three years old, respectively, when they disappeared on 2 June 1982. According to witnesses, the little sisters were captured by the Salvadorean army in the city of Chalatenango in the context of the internal armed conflict (1980-1992). The girls are among the more than 700 children who disappeared during the conflict. Around half of them had already been located in El Salvador and abroad.

In 1993, soon after the conflict ended, the girls' mother, María Victoria Cruz Franco, submitted a complaint to the Court of First Instance in Chalatenango relating to the disappearance of her children. However, the legal proceedings made no progress. The case was archived twice, in September 1993 and March 1998, and was reopened in 1999. At the time of writing, and more than 15 years after its original filing, the case is still in the process of preliminary investigation.

In February 2003 the Inter-American Commission on Human Rights (IACHR) issued recommendations to the Salvadorean state, urging it to undertake a thorough, impartial and effective investigation to establish the whereabouts of Ernestina and Erlinda Serrano Cruz and bring those responsible to justice. However, the state did not comply with any of these recommendations and in June 2003 the IACHR referred the case to the Inter-American Court of Human Rights.

On 1 March 2005, the Inter-American Court ordered the state to investigate the disappearance of the sisters and bring those responsible to justice. In addition, it demanded that the Salvadorean authorities create a national commission to search for the disappeared children and a DNA database to enable their identification. A search commission has been established but it does not fulfil the requirements of the ruling and no visible steps have been taken to create the DNA database.

Despite the lack of progress, there is still hope. On 25 June 2008, in what could be a break through in the Serrano Cruz case, former General Rafael Flores Lima was summoned to give testimony on their disappearance. It was the first time that a former or current high-ranking military officer was called to provide information on human rights violations committed during the internal armed conflict. On 5 October 2008, the mandate of the existing Inter-Institutional Commission for the Search of Disappeared Children (Comisión Interinstitucional de Búsqueda de Niños y Niñas Desaparecidos) will come to an end and the President of the Republic has a key opportunity to reform the Commission in order to make it comply with the standards set out in the Inter-American Court ruling.

Your action is more necessary than ever to keep up the pressure on the Salvadorean authorities!

Please write to the Attorney General:

- highlighting that 30 August is the international day of the disappeared, as established by the United Nations;
- reminding him of the international obligation of the Salvadorean state to fully and promptly comply with the 2005 Inter-American Court ruling on the Serrano Cruz sisters case;
- urging him as head of the Public Prosecutor's Office to swiftly and promptly investigate the disappearance of Ernestina and Erlinda Serrano Cruz, to establish their whereabouts and to bring those responsible for their disappearance to justice.

Additionally, please write to the President of the Republic:

- highlighting that 30 August is the international day of the disappeared, as established by the United Nations;
- reminding him of the international obligation of the Salvadorean state to fully and promptly comply with the 2005 Inter-American Court ruling on the Serrano Cruz sisters case;
- urging him to reform the existing Inter-institutional Commission of the Search of Disappeared Children, the mandate of which will expire on 5 October;
- calling on him to set up a DNA database to store genetic information of those who were separated from their families and those who are looking for their disappeared relatives;

APPEALS TO:

President of the Republic

S.E. Elías Antonio Saca

Presidente de la República

Casa Presidencial, Alameda Dr. Manuel E. Araujo No. 5500

San Salvador, El Salvador

Fax: +503 2243 9947

Salutation: Dear President/Estimado Sr. Presidente

Attorney General

Lic. Félix Garrid Safie

Fiscalía General de la República

Final Calle Oriente y 19 Avenida Sur, Residencial Primavera, Santa Tecla

La Libertad, El Salvador

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Salutation: Dear Attorney General/Estimado Sr. Fiscal General

COPIES TO:

Local human rights organization

Asociación Pro-Búsqueda

Urbanización Buenos Aires 1, 29 Avenida Norte # 1161

San Salvador, El Salvador

and to diplomatic representatives of El Salvador accredited to your country. Please send your appeals between 1 August and 30 September 2008.

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