

## Europe: Thousands of "disappeared" await justice

Europe is not immune from the scourge of enforced disappearances, Amnesty International said today as human rights defenders and relatives of the "disappeared" around the globe come together to reclaim their right to truth and justice.

The organization is calling on the governments concerned to take any necessary steps to clarify all cases of "disappearance" by conducting independent and impartial investigations, with the aim of bringing all those responsible to justice.

"Not only does 'disappearance' infringe virtually all the victims' personal rights, it subjects their families to agonizing suffering, which has been recognised as tantamount to torture," Amnesty International added, stressing that "disappearances" constitute a continuous or permanent offence as long as the fate and whereabouts of the victims have not been determined.

"The war in the former Yugoslavia brought to Europe human rights violations on a scale not seen since World War II -- including scores of 'disappearances'," Amnesty International said, recalling how at least 8,000 Bosniac men "disappeared" after the Bosnian Serb army captured the UN-protected enclave of Srebrenica in July 1995.

In **Bosnia-Herzegovina**, six years after the end of the war, 90 per cent of the 20,577 people registered with the International Committee of the Red Cross as "disappeared" or abducted remain unaccounted for. While a DNA-based identification program set up by the Missing Persons Institute should speed up the identification of more than 4,000 bodies exhumed to date, little progress has been made in investigating "disappearances" and bringing the perpetrators to justice. In **Croatia** a governmental commission for detained and missing persons of Croatia and the Federal Republic of Yugoslavia (FRY) acknowledged for the first time in November 2000 that over 1,000 Croatian Serbs remained unaccounted for.

In **Kosovo** more than 3,000 people remain unaccounted for. Most are ethnic Albanians believed to have "disappeared" after arrest by Serbian Police or paramilitaries between early 1998 and June 1999. In May and June 2001, mass graves -- thought to contain the bodies of ethnic Albanians transported out of Kosovo in 1999 in refrigerated trucks -- were discovered in Serbia. Family associations of Serbs and Roma from Kosovo believe that over 1,500 ethnic Serbs and Roma were abducted by the Kosovo Liberation Army (*UCK*, *KLA*), during and after June 1999. Abductions of minorities in Kosovo continue to be reported.

During the conflict in **Chechnya**, over a thousand people have simply "disappeared" in custody. The bodies of some of the people who "disappeared" after being detained by Russian forces were later sold to the relatives by the military or found in mass graves.

While the Office of the Special Representative of the President of the Russian Federation for Human Rights in the Chechen Republic has received 1,200 complaints concerning arbitrary arrest and "disappearances", during the first part of the year the procuracy -- the only agency in Russia authorized to investigate crimes committed by Russian federal forces in Chechnya -- has launched fewer than 150 investigations into "disappearances". During cleansing operations carried out in the last weeks, hundreds of Chechen men were detained and many "disappeared" in custody.

"However 'Disappearances' do not occur exclusively in conflict situations, and appear to be used to silence opposition figures and independent journalists," Amnesty International said, citing the situation in **Belarus**.

The organization recently expressed concern about the possible "disappearances" -- reportedly ordered by very senior appointees of President Alyaksandr Lukashenka -- of

members of the Belarussian opposition and of *Russian Public Television* cameraman, Dmitry Zavadsky, who apparently "disappeared" from Minsk in July 2000. It has been alleged that the Belarussian police elite unit, *Almaz*, have been responsible for several possible "disappearances" -- including those of Dmitry Zavadsky, of former Minister of the Interior Yury Zakharenko, and the Deputy Speaker of the dissolved Belarussian parliament Viktor Gonchar, and his companion, Anatoly Krasovsky.

In **Ukraine**, independent investigative journalist Georgiy Gongadze, failed to return home to his family on 16 September 2000 after he left a friend's house in the capital, Kyiv. Six weeks later, a decapitated body -- thought to be his -- was reportedly found in a shallow grave not far from Kyiv. In late November the Georgiy Gongadze affair escalated into a fully-blown political scandal when President Leonid Kuchma was accused of being implicated in the incident. Very little progress has been made in determining who was responsible for the "disappearance".

In **Turkey**, unacknowledged detentions carry a serious risk of "disappearance". This was recently the case with two representatives of the legal pro- Kurdish party HADEP, Serdar Tanis and Ebubekir Deniz, who have been missing since 25 January 2001 when they were called to a gendarmerie station.

In the former Soviet Republic of **Uzbekistan**, "disappearance" can be part of a pattern of harassment against members of religious groups, seen as a threat to the stability of the government.

In December 2000, Amnesty International received new information about the 1995 "disappearance" of Abduvali Mirzayev, the independent Imam of an Andijan mosque. The organization learnt that Abduvali Mirzayev was reportedly held in an underground cell of the Ministry of Internal Affairs immediately after his arrest by officers of the National Security Service (SNB) at Tashkent International Airport in August 1995. Abduvali Mirzayev is one of four religious figures -- including two of his assistants and the leader of the banned Islamic Renaissance Party -- to have "disappeared" between 1992 and 1997. The Uzbek authorities have consistently denied any official involvement.

"Thousands of families are being denied their basic right to know the truth about what happened to their loved ones," Amnesty International said, renewing its call for each and every case of "disappearance" to be investigated and for the impunity that covers those responsible to come to an end.

## **Background**

30 August is commonly commemorated as International Day of the Disappeared. This custom was started by the Latin American non-governmental organization FEDEFAM (Federación Latinoamericana de Asociaciones de Familiares de Detenidos-Desaparecidos) and is now marked all around the world.

"Disappearance" is a global scourge, with instances occurring in at least 30 countries throughout the world. The UN's Working Group on Enforced or Involuntary Disappearances, which has 45,998 outstanding cases of "disappearance" on its registers.

A "disappearance" occurs whenever there are reasonable grounds to believe that a person has been deprived of freedom by the authorities or their agents, with the authorization, support or acquiescence of the state, and the authorities deny that the victim is held in their custody, thus concealing the victim's whereabouts and fate, thereby placing the person outside the protection of the law.

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