

EXTERNAL

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EXTRA 25/96

Fear of gross impunity / Legal concern

15 February 1996

PANAMA

Amnesty Law to be debated in Legislative Assembly

Beginning on 2 March 1996, a third and crucial plenary session of the Panamanian Legislative Assembly will debate the draft of an Amnesty Law which, if passed, could lead to complete impunity for perpetrators of past human rights violations. Amnesty International fears that approval of this law would represent a gross setback for justice and the future of human rights in Panama by sending the message that human rights violations will go unpunished.

Many of those who would benefit from the Amnesty Law have been accused of grave violations of human rights, including torture, ill-treatment and illegal detentions. Furthermore, Article 9 of the Law would seek to terminate, one week after the passing of the law, all current judicial procedures against alleged perpetrators of human rights violations. Amnesty International considers that this would be an interference in the work of the judiciary in violation of the United Nations Basic Principles on the Independence of the Judiciary.

Panamanian non-governmental human rights organizations and members of the church oppose the Amnesty Law. They believe that its rejection is essential in order to tackle the levels of impunity currently enjoyed by members of the security forces.

BACKGROUND INFORMATION

For decades, but particularly around the time of the US invasion in 1989, there have been human rights violations in Panama, including extrajudicial executions, torture, ill-treatment, excessive use of force and arbitrary arrests.

Despite the fact that the new government of President Ernesto Pérez Balladares, which took office on 1 September 1994, has declared on numerous occasions its commitment to human rights, the Amnesty Law will be the third measure in two years to contribute towards the impunity of human rights violators. In September 1994 the President announced a pardon for 222 former officials and military supporters of General Noriega, declaring that they had been prosecuted for political reasons. On September 1995 another pardon was passed affecting 130 people.

Despite positive measures taken by the present government to reform penal codes, some criminal suspects in Panama are still denied basic due process rights, such as *habeas corpus*, with some held incommunicado, denied medical care, and ill-treated.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language:

- expressing concern that the approval of the Amnesty Law will be contrary to the government's commitment to human rights, by granting impunity to violators of those rights;
- urging the government to make public, before 2 March 1996, a complete list of all cases which will be affected by the Amnesty Law;
- calling for immediate steps to ensure that:
 - a) immediate, thorough and impartial investigations are carried out into past human rights abuses, in order to bring those responsible to justice;

b) compensation to victims and relatives of victims of human rights violations is granted;

- expressing concern that the Amnesty Law would interfere in the independence of the judiciary by halting all current proceedings against alleged perpetrators of human rights violations.

APPEALS TO:

1) President of the Republic
S.E. Ernesto Pérez Balladares
Presidente de la República
Palacio Presidencial
Valija 50, Panamá 1, REPUBLICA DE PANAMA
Telegrams:Presidente Balladares, Panamá
Telexes: 2770 PRESIPA PG
Faxes: + 507 2 27-0076
Salutation: Sr. Presidente/Dear President

2) Minister of Government and Justice
Sr. Raúl Montenegro
Ministro de Gobierno y Justicia
Ministerio de Gobierno y Justicia
Apartado 1628, Panamá 1, REPUBLICA DE PANAMA
Telegrams:Ministro de Gobierno y Justicia, Panamá
Telexes: 2746
Faxes: + 507 2 62-7877
Salutation:Señor Ministro/Dear Minister

3) President of the Legislative Assembly
Dr. Carlos R. Alvarado A.
Señor Presidente de la Asamblea Nacional de Legisladores
Apartado 3346, Panamá 4, REPUBLICA DE PANAMA
Telegrams:Presidente de la Asamblea Nacional de Legisladores, Panamá
Faxes: + 507 262-7304
Salutation: Señor President de la Asamblea Legislativa/Dear Presidente of the Legislative Assembly

4) Attorney General
Lic. José Antonio Sossa
Procuradoe General de la Nación
Procuraduria General de la Nación
Apartado 1080, Panamá1, PANAMA
Telegrams:Sr.Procurador General, Panamá
Faxes: + 507 227 5249
Salutation: Señor Procurados/Dear Attorney General

COPIES TO:

1) Human Rights Organization
Srs.
Centro de Investigación de los Derechos Humanos y Socorro Jurídico de Panamá
Apartado Postal 10215, Panamá 4, PANAMA
Faxes: +507 2 264 4549

2) Human Rights Organization
Sres.

Coordinadora Popular de Derechos Humanos en Panamá (COPODEHUPA)
Apartado 1151, Zona 1
Avenida Perú, calle 34, Panamá 1, PANAMA
Faxes: +507 2 255 6153

3) Newspaper

Sres.

La Prensa

Apartado 6-4586

El Dorado, Panamá, PANAMÁ

Faxes: +507 2 21 7328

and to diplomatic representatives of Panama accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 March 1996.