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Spain: Failure to address legacy of disappearances ‘shameful’

The Spanish authorities’ refusal to address the legacy of Franco era disappearances is a betrayal of justice, Amnesty International said ahead of a key UN meeting that will take up the issue.

Proposed reforms to Spain’s Criminal Code fall far short of what is required under international law on enforced disappearances.

“The Spanish government’s lack of action when it comes to disappearances is shameful,” said Ignacio Jovtis, Amnesty International’s Spain Researcher.

The Spanish authorities also continue to refuse to investigate the tens of thousands of killings and disappearances during the Spanish Civil War and under the rule of Francisco Franco (1936-1975).

“The government’s appalling failure to investigate Franco-era crimes is compounded by its failure to protect people from being victims of disappearances today.”

Enforced disappearances are a crime under international law. Spain has a duty to investigate all cases of enforced disappearances, whenever they were committed, and prosecute those responsible.

“The Spanish government must take immediate steps to meet all of its obligations when it comes to enforced disappearances,” said Jovtis.

In a [submission](#) to the UN Committee on Enforced Disappearances before it scrutinizes Spain’s record in Geneva on Tuesday, Amnesty International highlights how Spain has failed to bring the definition of enforced disappearances into line with international law.

Enforced disappearances are still not listed as a specific crime either under the Criminal Code or as part of the proposed reforms.

Among other recommendations, Amnesty International calls on the Spanish authorities to:

- Investigate and prosecute crimes or offences under international law, and to assist fully with any request for cooperation they receive from foreign courts that decide to investigate these crimes.
- Take necessary measures to ensure that enforced disappearances are recognised as a specific crime under Spanish law, in line with international law.

The UN committee is a body of independent experts who will review the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance in Spain for the first time during its fifth session in November 2013.

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Notes to editors

Amnesty International's briefing on Spain for the Committee on Enforced Disappearances is available [here](#)

Amnesty International's experts on Spain and enforced disappearances are available for interview. For further information or to arrange an interview please contact