

AMNESTY INTERNATIONAL PUBLIC STATEMENT

7 July 2011

AI Index: AMR 44/002/2011

PANAMA FAILS TO MAKE A KEY DECLARATION WHILE RATIFYING THE ENFORCED DISAPPEARANCE CONVENTION

Amnesty International welcomed Panama's ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Enforced Disappearance Convention). The Convention aims to establish the truth about enforced disappearances, bring perpetrators to justice and provide full reparations to victims and their families.

However, Panama did not make the fundamental declaration recognising the competence of the Committee on Enforced Disappearances to receive complaints from or on behalf of victims or states. Panama should not be afraid of a treaty body supervision of its compliance with a human rights treaty.

An enforced disappearance takes place when a person is arrested, detained or abducted by a state or agents acting for the state. The authorities then deny that the person is being held or conceal their whereabouts, thereby placing them outside the protection of the law.

Although this step is an important one in Panama in the fight against impunity, the lack of recognition of the Committee on Enforced Disappearances competence is a major step backward, moreover when Panama had already recognised years ago the much wider jurisdiction of the International Criminal Court to investigate and prosecute enforced disappearances that were part of a widespread or systematic attack on a civilian population.

Amnesty International urges Panama to promptly implement fully the Convention into national law – including bringing perpetrators of enforced disappearances committed in the past to Justice - and recognise the competence of the Committee on Enforced Disappearances.

Background information

In 2001 the Truth Commission of Panama reported 40 cases of enforced disappearance. In 2010, Panamanian human rights organizations providing information for the Human Rights Council's Universal Periodic Review of Panama criticized the State for not investigating these cases and ensuring reparation to the victims.

Twenty-eight states have ratified the Disappearances Convention so far: Albania, Argentina, Armenia, Belgium, Bolivia, Brazil, Burkina Faso, Chile, Cuba, Ecuador, France, Gabon, Germany, Honduras, Iraq, Japan, Kazakhstan, Mali, Mexico, Netherlands, Nigeria, Panama, Paraguay, Senegal, Serbia, Spain, Uruguay and Zambia.

See also: "Landmark enforced disappearances convention to enter into force", <http://www.amnesty.org/en/news-and-updates/landmark-enforced-disappearances-convention-enter-force-2010-11-25>