

December 7, 2006

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Honorable President,

I am writing to you as Director of Physicians for Human Rights (PHR), a U.S.-based organization that mobilizes health and forensic science professionals to investigate and prevent human rights violations and breaches of international humanitarian law. Our International Forensic Program supports Association Pro-Búsqueda in its effort to reunite families with their loved ones who disappeared during the war in El Salvador. Since 1992, PHR has been providing technical and scientific support in the reunification of children with their families.

This letter is in reference to the Inter-American Court of Human Rights' resolution of September 22, 2006, which addresses compliance issues in related to its decision passed on March 1, 2005, in the case of the Serrano Cruz sisters of El Salvador. In this most recent resolution regarding this case, the Court points out that "*the State has not adequately complied with the orders given.*"

According to the Inter-American Commission of Human Rights on June 2, 1982, the then 7 and 3 year old daughters of Maria Victoria Cruz Franco and Dioniso Serrano, Ernestina and Erlinda, were allegedly captured, kidnapped and forcibly disappeared by the Salvadoran military during its "Operacion Limpieza" (Operation Clean-Up). To date, this case remains unresolved, those responsible have not been identified, nor have the two daughters been located. This is a fate shared by many families in El Salvador, some of which are represented by the Association Pro-Busqueda.

We are concerned that despite the Inter-American Court decision of March 1, 2005, the State of El Salvador has not fully complied with the points of the decision as required by the Court. We are keen to see that the elements of the decision of the Inter-American Court of Human Rights in resolution of September 22, 2006 be resolved. These include:

- a) A comprehensive investigation of the facts and those responsible for the forced disappearance of Ernestina and Erlinda Serrano Cruz, which would lead to their location and the determination of direct responsibilities of these serious violations of multiple human rights.
- b) The creation of a genetic information system, allowing for comprehensive searching of disappeared children.
- c) The formation of a national commission tasked to search for the disappeared children during the armed conflict according to the parameters outlined by the Court.
- d) The publication of the Court decision in a national daily newspaper.
- e) The designation of a national day dedicated to the disappeared children of El Salvador.
- f) The creation of a web page that would include all the pertinent information in support of the Serrano Cruz case.

- g) Access to medical and psychological treatment for the families in the Serrano Cruz case.

We believe that the technical tools necessary to establish kinship relations in support of determining the whereabouts of the disappeared children in El Salvador are indispensable. The Inter-American Human Rights Court's resolution opens the possibility for the Salvadoran Government to address this issue scientifically and effectively. In this regard, we see the formation of a genetic database as a positive development. The database effort which we have supported is now being intensified with financing from the US State Department for the Association Pro-Búsqueda. Funds are enabling further development and extension of the use of genetic profiles in the reunification of families that suffered the separation from their loved ones during the conflict in El Salvador.

Therefore, we ask your Government to comply with the reparation measures listed in the Court's decision of September 22, 2006 in the interest of the victim's families. In this regard, I wish to express our support of the Court's resolution in the Serrano Cruz case, and look forward to your sharing with Pro-Búsqueda, PHR and others, the progress and plans for implementing the remaining components of the decision, as required by the Court.

Sincerely,

Leonard Rubenstein

CC:

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