



Reports on the 45th session of the UN Human Rights Council

Interactive Dialogue with the Working Group on Enforced Disappearances

21 September 2020

Background documentation:

- [A/HRC/45/13](#) Annual report of activities of the Working Group on Enforced Disappearances.
- [A/HRC/45/13/Add.1](#) Visit of the Working Group to Tajikistan.
- [A/HRC/45/13/Add.2](#) Visit of the Working Group to Kyrgyzstan.
- [A/HRC/45/13/Add.3](#) Report of the Working Group on standards and public policies for an effective investigation of enforced disappearances.

Mr Luciano A. Hazan - Chairman of the Working Group on Enforced Disappearances:

The Working Group is seriously concerned about the **repercussion created by Covid-19 on enforced disappearances**. In situations of mandatory quarantine, the work of **search and investigation** have been delayed or even **suspended** because of existing restrictions. This is worrying when it comes to most recent disappearances, where the immediate intervention of state authorities is required. In this regard, the Working Group issued **guidelines on Covid-19 and enforced disappearances** last week.

699 new cases of enforced disappearances in **26 states** have been registered this year. Among them, 105 were transmitted under the category of **urgent procedure**. The Working Group is concerned about the rise in the number of enforced disappearances perpetrated by **non-state actors**.

The Working Group continues to be concerned by the fact that several states continue to perpetrate **extraterritorial forced disappearances and forced returns**, using the pretext of the fight against terrorism and protection of national security.

The Working Group concludes that an effective investigation of enforced disappearances must include **information about the whereabouts and the fates of the disappeared persons**, the circumstances of their disappearance and the identity of the perpetrators.

Visit to Kyrgyzstan (25 to 30 June 2019):

Kyrgyzstan has made **significant legislative improvements** in the protection against enforced disappearance in recent years. However, substantive changes in practice are still lacking.

A concerted effort is needed to eradicate the problem of enforced disappearance of short duration following the **initial apprehension of suspects**. There continues to be **individuals missing** and of bodies pending identification in relation to the interethnic violence that broke out in Southern Provinces in 2010.

Visit to Tajikistan (1 to 5 July 2019):

Tajikistan has made **legislative improvements** in protection against enforced disappearances, particularly by **strengthening registration requirements** during arrest and detention. However, additional measures are needed, notably from the prevalent **problem of short-term enforced disappearances**.

There is an urgent need to engage in a process of investigation, exhumation and identification of the remains of **disappeared and missing persons linked to the civil war (1992-1997)**.

Comments from Tajikistan (country concerned):

The draft report is **not satisfactory** due to its **politicization**. Elements are not fact and contest decisions taken by judicial bodies of Tajikistan. The **Working Group should stick to its mandate** and avoid politicization. Despite all this, the government have been adopting a number of recommendations from the Working Group and is preparing the **implementation of these recommendations**.

Kyrgyzstan (country concerned):

Thanks to the government efforts, in collaboration with international institutions, **no cases of enforced disappearances have been registered** in Kyrgyzstan in recent years. Authorities constantly work to combat and avoid enforced disappearances. Information about rights of the persons are available in each pre-trial detention centres. **Legal aid** is also made available to victims of violations in Kyrgyzstan.

INTERACTIVE DIALOGUE

38 delegations took the floor during the interactive dialogue.

Most of the speakers shared the concerns issued by the Working Group about **the impact of Covid-19 on enforced disappearances**. The pandemic causes activities of search and investigation to stop, while enforced disappearances continue to be perpetrated since the beginning of the crisis.

States also agreed with the Working Group in highlighting the **importance of fighting impunity**, a central point in combatting enforced disappearances.

Many states presented their **domestic efforts** undertaken to combat enforced disappearances, including through laws, mechanisms, conventions or international treaties.

Several delegations called on remaining states to **urgently ratify the International Convention for the Protection of All Persons from Enforced Disappearance** (European Union, France on behalf of 25 states, Portugal, Costa Rica, ICRC).

While most of the states speaking expressed their **wide support for the Working Group**, some states called on the **mandate of the mechanism to be renewed** (France, Armenia, Morocco, Montenegro).

Delegations that took the floor during the interactive dialogue (38 delegations):

Human Rights Council members: Burkina Faso, Peru, Armenia, Libya, Venezuela, Nepal, Japan, Afghanistan, Mexico, Cameroon, Philippines, Bangladesh.

Observer states: European Union, Iceland (on behalf of Nordic and Baltic countries), France (on behalf of 25 states), Portugal, Pakistan, Belgium, Ecuador, Democratic People's Republic of North Korea, Maldives, Iraq, Ukraine, Morocco, China, Honduras, Botswana, Iran, Switzerland, Croatia, Montenegro, Albania, Egypt, Costa Rica, Turkey, Russian Federation, ICRC.

10 Non-Governmental Organizations (NGOs) took the floor during the interactive dialogue.

While statements from states focused on general themes linked to the topic of combatting enforced disappearances, statements issued by NGOs were mainly linked to specific **countries situations**:

Situations of enforced disappearances in the following countries/regions were mentioned by NGOs:

Western Sahara (Moroccan authorities); **Gaza; China** (human rights defenders, Uyghur in Xinjiang, Tibet); **Turkey** (impunity); **Tajikistan; Colombia** (human rights defenders); **Belarus; Iraq**.

Civil Society Organizations that took the floor during the Interactive Dialogue (3 NGOs):

Mouvement contre le racisme et pour l'amitié entre les peuples (Joint Statement), International Association of Jewish Lawyers and Jurists, Jubilee Campaign, British Humanist Association, Helsinki Foundation for Human Rights, International Service for Human Rights, International Commission of Jurists, Peace Brigades International Switzerland, International Bar Association, International-Lawyers.Org.

The full webcast of the interactive dialogue can be accessed here: [PART 1](#) ; [PART 2](#)