



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances

Concluding observations on the additional information submitted by Mexico under article 29 (4) of the Convention*, **

Introduction

1. The Committee welcomes the additional information provided in a timely manner by Mexico under article 29 (4) of the Convention, as requested by the Committee in its concluding observations on the report submitted by Mexico, which were adopted in the framework of the review under article 29 (1) of the Convention. The Committee also expresses its appreciation for the constructive dialogue held with the State party's high-level delegation on the measures taken to follow up on the concluding observations (CED/C/MEX/CO/1).

A. Positive aspects

2. The Committee welcomes the State party's participation in the follow-up dialogue on the recommendations and the additional information provided in this context. The Committee notes with satisfaction the legislative progress with respect to the implementation of the Convention, namely the adoption of the General Act on Enforced Disappearance of Persons, Disappearance Perpetrated by Individuals and the National Search System, adopted by the State party on 17 November 2017 and which entered into force on 16 January 2018. The Committee also notes the existence of a vibrant civil society, highlighting the role of victims, and an active national human rights institution. Lastly, the Committee notes with satisfaction that the State party recognizes the binding nature of requests for urgent actions and precautionary measures issued by the Committee under article 30 of the Convention, and the willingness to cooperate with the Committee in the future expressed by the State party.

B. Implementation of the recommendations of the Committee and new developments in the State party

3. The Committee deeply regrets that the phenomenon of disappearance continues to be widespread over much of the territory of the State party and that impunity and revictimization prevail. The Committee observes with concern patterns such as a lack of reliable data on cases of enforced disappearance, the very small number of convictions and the emergency situation created by the existence, throughout the State party's territory, of a large number of unidentified bodies and clandestine graves that have not been duly addressed. The Committee also notes that there are various obstacles to the effective participation of victims and victims'

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organizations, particularly in institutional search and investigation mechanisms, and that there are structural barriers that impede access to truth, justice and full reparation. Lastly, the Committee notes a lack of real progress in the full implementation of the recommendations contained in its concluding observations (CED/C/MEX/CO/1)

General information

Individual and inter-State communications

4. The Committee notes that the State party is still considering the possibility of recognizing the competence of the Committee under articles 31 and 32 of the Convention.

5. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 14) that the State party recognize the Committee's competence to receive and consider individual and inter-State communications under articles 31 and 32 of the Convention with a view to strengthening the framework for protection against enforced disappearance as laid down in the Convention.

Visit

6. The Committee regrets that its decision to conduct a visit to the State party under article 33, which was first communicated in 2013 and has been reiterated since then, remains under consideration by the State party.

7. The Committee urges the State party to agree to the Committee's visit, cooperate to define the modalities of the visit and provide the necessary facilities in accordance with article 33 (4) of the Convention.

Implementation of the General Act on Enforced Disappearance at all levels in the State party

8. The Committee notes with concern that the General Act remains largely unimplemented because related regulations have not been adopted and a coordinating body has not been established for the development of an implementation plan. The Committee also notes that the time frames and dates set out in the General Act have not been complied with and that obstacles to its full implementation have arisen from the distribution of areas of competence in the federal system. The Committee is also concerned at the lack of safeguards to ensure the independence of these institutions, the failure to allocate sufficient budgetary, material and human resources, and the lack of a specific training plan on enforced disappearance, the Convention and the General Act. Lastly, the Committee takes note of the existence of the National Citizens' Council, but remains concerned as to whether the effective participation of victims and victims' organizations in the implementation and monitoring of the General Act is guaranteed, and about the absence of similar bodies at the local level.

9. The Committee recommends that the State party:

(a) Develop and adopt, as soon as possible, a clear, complete and verifiable plan setting out a clear timeline for the implementation of the General Act, which should cover all areas that are subject to requirements under the Act at the federal, state and municipal levels and should contain deadlines and objective indicators of compliance, as well as a monitoring and evaluation plan that involves victims of disappearance and their families and the regular publication of reports on progress in the implementation and functioning of the institutional framework created by the General Act, with the allocation of qualified staff and the necessary material resources for its implementation;

(b) Develop, by means of an open and participatory process that includes victims and victims' organizations, regulations for the General Act and the other instruments provided for in the Act that have not yet been adopted or finalized;

(c) Conduct ongoing and transparent assessments, based on reliable indicators, to ascertain the degree to which the General Act is being implemented at both the national and state levels;

(d) **Establish a mechanism, led by the Ministry of the Interior, to coordinate the implementation of the General Act among all levels of Government.**

Definition and criminalization of enforced disappearance (arts. 1–7)

The offence of enforced disappearance

10. The Committee notes that the General Act includes a definition of the offence of enforced disappearance. However, the Committee is concerned about the fact that article 34 of the General Act does not adequately reflect article 3 of the Convention, as it includes, as an element of the offence of disappearance perpetrated by individuals, the stipulation that the deprivation of liberty must have been committed for the purpose of concealing the victim or his or her fate or whereabouts. The Committee is also concerned to note that the State party's legal system does not include a definition of the offence of enforced disappearance as a crime against humanity.

11. **The Committee recommends that the State party take the necessary legislative measures to ensure that disappearance perpetrated by individuals is defined in accordance with article 3 of the Convention and that enforced disappearance is also defined as a crime against humanity.**

Criminal responsibility of superiors

12. The Committee takes note of article 29 of the General Act. The Committee notes, however, that this article does not expressly reflect all of the criteria referred to in article 6 of the Convention. In addition, the Committee does not have any information indicating what criminal legislation may reflect these criteria or whether, in practice, they could be or have been effectively applied.

13. **The Committee recommends that the State party:**

(a) **Adopt the legislative measures necessary to make express provision for the criminal responsibility of superiors, in accordance with article 6 (1) (b) of the Convention;**

(b) **Ensure that all possible forms of perpetration and participation in offences of disappearance, including indirect perpetration, are effectively recognized and applied in the investigation, prosecution and sanction of cases of disappearance;**

(c) **Take the necessary measures to train personnel in charge of law enforcement and administration of justice with respect to all the forms of perpetration and participation provided for in the Convention.**

Criminal responsibility and judicial cooperation in cases of enforced disappearance (arts. 8–15)

Military jurisdiction

14. The Committee notes that article 26 of the General Act is in line with the Convention. The Committee notes with concern, however, that the Code of Military Justice has not been amended in a similar vein.

15. **The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 26) and urges the State party to ensure that in practice all acts of enforced disappearance are expressly excluded from military jurisdiction and may be investigated and tried only by the competent civilian authorities, including any acts committed by military personnel against other military personnel, in accordance with article 26 of the General Act.**

Search for missing persons and investigation of cases of disappearance*Register of persons subjected to disappearance*

16. The Committee takes note of the establishment of the new National Search Commission, the national register of disappeared and missing persons and the Working Group on a single information-technology system. However, the Committee is concerned about the delay in operationalizing the national search system, in particular the registers and the unified information system provided for in the General Act, the limited involvement and consultation of civil society organizations and victims, the lack of reliable and disaggregated data and the failure to consult the victims before such data are published, and the need for adequate financial resources and qualified staff.

17. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 18) and further urges the State party to promptly implement the registers and tools provided for in the General Act, including the national register of unidentified and unclaimed deceased persons, the national forensic data bank and the national register of graves, and also the unified information technology system, with the involvement of family members and civil society organizations in the implementation and follow-up of these instruments, in addition to strengthening coordination among the entities in charge of administering the registers and entering the data, and ensuring that existing data are duly transferred to the new registers. All registers should comply with security standards and guarantee the authenticity, confidentiality, integrity, availability, traceability and preservation of information. Moreover, the Committee recommends that the State party continue to advance in the collection and accessibility of data on disappearances in the State party, including:

(a) **Data disaggregated by, inter alia, the age, sex, socioeconomic situation and national and/or ethnic origin of the missing persons and the place where the disappearance occurred;**

(b) **Data on reports of disappearances and immediate search operations undertaken;**

(c) **Data on cases in which missing persons have been found and in which human remains have been found, identified and returned.**

Search for missing persons

18. The Committee notes with satisfaction the search mechanisms and tools provided for in the new General Act, in particular the National Search Commission and its branches in the states. The Committee is nevertheless concerned about shortcomings such as the delayed implementation of the national search system, the limited participation of civil society organizations and groups representing victims, the lack of reliable and disaggregated data, the need for financing, unjustified gaps and delays in immediate search operations and in identification, the lack of a gender perspective and the publication of information without prior consultation with the victims.

19. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 41) and urges the State party to:

(a) **Ensure the effective operationalization of the entire national search system, including all the registers and tools provided for in the General Act;**

(b) **Provide the National Search Commission with all necessary tools, qualified, adequately trained staff and an adequate budget to ensure its proper functioning;**

(c) **Produce and publish, as soon as possible, the national search programme and the national programme of exhumations and identification in accordance with the highest international standards;**

(d) **Bring local laws into line with the new General Act in order to ensure proper implementation, and establish all of the local search commissions provided for,**

equipping them with qualified staff and an adequate budget to ensure their proper functioning;

(e) Ensure the effective participation of victims and their representatives and of civil society organizations and other specialized entities in all aspects of the implementation of the new General Act, and ensure that processes for providing information to families are accessible, respectful and culturally acceptable and do not result in revictimization;

(f) Ensure that search operations give priority to efforts to find missing persons alive and secure their release;

(g) Prevent, investigate and punish any failure by State officials to carry out immediate search operations;

(h) Ensure that all the authorities that have information relevant to the search make it promptly and fully available to the search commissions.

Forensic emergency

20. The Committee takes note of the existence of the working group on human identification. However, it is extremely concerned about the fact that the State party's forensic services are ill-equipped to carry out search, investigation, exhumation and identification processes in order to respond adequately to the increasing number of missing person reports, the thousands of bodies and skeletal remains that have yet to be identified and the continual discovery of clandestine mass graves in different parts of the country.

21. The Committee urges the State party to:

(a) Ensure that the recovery, identification, reporting and return of the remains of deceased persons to their families is carried out in a scientifically rigorous, dignified and respectful manner, in conformity with the highest standards;

(b) Strengthen forensic and expert services by establishing an international forensic technical assistance mechanism in conjunction with victims, specialized organizations and other relevant entities in order to proceed urgently with the forensic processing of the thousands of bodies and skeletal remains that have yet to be identified;

(c) Reform the State party's forensic and expert institutions, including through the creation of an autonomous specialized national institution that has a professional career structure and is subject to an effective accountability framework that includes quality controls.

Disappearances of migrants

22. The Committee takes note of the measures adopted by the State party with regard to the Criminal Investigation Unit for Migrants, the creation of a legal mandate for the Mechanism for Mexican Support Abroad in Search and Investigation Activities, good practices regarding the Forensic Commission and some reparation measures undertaken in certain cases involving missing migrants. However, the Committee is concerned to note that migrants in the State party are in a situation of extreme vulnerability. The Committee is also concerned about the insufficiency of the actions taken to prevent such disappearances, to search for missing migrants and to ensure that victims and their families have access to truth, justice and reparation.

23. The Committee recommends that the State party, in cooperation with countries of origin and destination and with the participation of victims and civil society:

(a) Redouble efforts to ensure the expeditious exchange of all relevant information between the State party and the other countries involved, primarily those in Central America, including data for the registration of migrants who have disappeared in the State party and the interconnection of ante-mortem and post-mortem databases;

(b) **Ensure the continuity of the work of the Forensic Commission, broaden its mandate and reproduce its good practices in order to strengthen actions for the identification and restitution of mortal remains;**

(c) **Ensure that the implementation of the General Act, including the instruments derived from it, provides for a special and differentiated approach to cases of missing migrants;**

(d) **Adopt guidelines and allocate sufficient qualified personnel and material resources to ensure the effective functioning of the Criminal Investigation Unit for Migrants and the Mechanism for Mexican Support Abroad in Search and Investigation Activities, including the specific and permanent assignment of specialized personnel to the State party's diplomatic missions in the relevant countries;**

(e) **Ensure the participation and coordination, in the Mechanism for Mexican Support Abroad in Search and Investigation Activities, of all the institutions necessary for its proper functioning, including the Executive Commission for Victim Support, the National Human Rights Commission and the National Migration Institute;**

(f) **Ensure the adequate participation of victims and their representatives in search and investigation activities, including the expeditious issuance of humanitarian visas of optimal duration for that purpose.**

Investigations of cases of enforced disappearance

24. The Committee takes note of the establishment, in 2015, of the Office of the Special Prosecutor for the search for missing persons, which was replaced in February 2018 with the new Office of the Special Prosecutor for the investigation of crimes of enforced disappearance. The Committee also notes the adoption of the Protocol for the Investigation of Crimes of Enforced Disappearance. However, the Committee notes that there are serious shortcomings in the investigation of offences of enforced disappearance, including a failure to ensure the independence of such investigations, delays in carrying out basic procedures, the absence of field investigations, the lack of scientific evidence, the fragmentation of investigations in the absence of an overarching investigation strategy, the practice of following investigative hypotheses based on prejudices and stereotypes about missing persons, the automatic dismissal of cases of temporary enforced disappearance, and the lack of safeguards ensuring that suspects may not be tortured or mistreated in the process of gathering evidence. The Committee notes with deep concern that these shortcomings are helping to perpetuate impunity in the State party, which is illustrated by the very small number of charges brought and judgments handed down in relation to the large number of missing persons.

25. **The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 28) that the State party guarantee the rights to justice and truth by:**

(a) **Moving forward with the creation of an autonomous and independent Federal Prosecutor General's Office;**

(b) **Ensuring that prompt, thorough and impartial investigations are conducted;**

(c) **Ensuring that relatives of the disappeared person or their representatives can participate effectively in the investigations, albeit without imposing such participation as a procedural burden of any kind;**

(d) **Ensuring that law enforcement or security forces, whether civilian or military, whose members are suspected of having committed an offence of enforced disappearance, do not take part in the investigation and are not in a position to influence its progress;**

(e) **Continuing to strengthen the content of the protocol for the investigation of offences of enforced disappearance of persons committed by individuals, taking into consideration input from victims, human rights defenders, human rights bodies and all authorities involved both in the investigation and in search operations;**

(f) Ensuring that, where there are reasonable grounds to believe that a person has disappeared in connection with the commission of a crime, the hypothesis of enforced disappearance or disappearance committed by individuals is not ruled out, regardless of whether other crimes are also being investigated;

(g) Developing strategies for the full investigation of cases of disappearance in order to avoid the fragmentation of investigations and to ensure that the context is analysed, patterns are identified and all possible hypotheses and lines of investigation are generated and followed up, including the possible involvement of State agents;

(h) Investigating possible chains of command, indirect perpetrators and other forms of perpetration and participation, including all those referred to in article 6 of the Convention;

(i) Effectively investigating cases of enforced disappearance, regardless of their duration;

(j) Providing sufficient material resources and qualified personnel, in particular personnel with specific training in this field, to the Office of the Special Prosecutor for the investigation of crimes of enforced disappearance and to local special prosecutors' offices to ensure their proper functioning, and ensuring that regular, results-oriented evaluations are conducted and that a strategic approach to this criminal phenomenon is taken at the national and transnational levels, with a view to contributing to search operations and working in coordination with other relevant agencies, in particular the National Search Commission and local search commissions;

(k) Ensuring the collection and accessibility of data on ongoing and completed investigations and on the number of cases in which a final judgment has been issued, with an indication, for each case, of the nature of the offence and the status of the sanctioned individual, whether he or she is a State official, and the penalty imposed.

Protection of persons who report and/or take part in the investigation of enforced disappearance

26. While the General Act recognizes the right of victims to seek protection, the Committee notes with concern that acts of intimidation, stigmatization and aggression against victims and human rights defenders continue to be committed and that there is no guarantee that such acts will be investigated and punished.

27. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 31) and recommends that the State party:

(a) Ensure effective compliance with the obligation of protection during search operations, especially those in the field, through mechanisms specially designed for this purpose;

(b) Strengthen the mechanism for the protection of human rights defenders and journalists by ensuring that it has enough trained personnel to carry out its activities and that its budget and legal capacities are sufficient to ensure that its decisions are effectively implemented by all relevant authorities;

(c) Take appropriate measures, including awareness-raising campaigns, to prevent and punish actions that criminalize, intimidate or stigmatize disappeared persons, their families or the human rights defenders who support them;

(d) Investigate and punish perpetrators of aggression against survivors of disappearance, families of missing persons, witnesses, human rights defenders, journalists, experts or public service workers working in the field of disappearance.

Enforced disappearances during the period known as the "dirty war"

28. The Committee takes note that a certain number of individual measures have been taken by the State party with respect to redress for the victims of enforced disappearances during the period known as the "dirty war". However, it notes with concern the lack of

progress made in the investigation of these cases, the search for missing persons and the comprehensive reparation of all victims.

29. **The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 33) and recommends that the State party:**

(a) **Ensure prompt and effective searches for disappeared persons through the creation and implementation of a dedicated search mechanism with the effective participation of relatives of disappeared persons;**

(b) **Ensure that the comprehensive administrative reparation plans result from consultation with and the participation of victims, their representatives and human rights organizations, and are designed and implemented expeditiously in the light of the time that has passed and the advanced age of the relatives.**

Measures to prevent enforced disappearances (arts. 16–23)

Register of persons deprived of liberty

30. The Committee takes note of the State party's actions to centralize the information held by the federal criminal detention facilities. However, the Committee is concerned at the absence of information on the status of other detention registers, including local and administrative registers.

31. **The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 35) and urges the State party to:**

(a) **Ensure immediate access by any competent authority, and particularly search commissions, to all detention registers and registers of persons deprived of their liberty;**

(b) **Create a complete, reliable, up-to-date and confidential unified registry that includes all persons deprived of their liberty, with control and monitoring mechanisms for data verification;**

(c) **Establish effective controls on the registration of persons deprived of their liberty in private institutions such as hospitals, psychiatric residences, day centres, detoxification and rehabilitation centres for drug users, and assistance and alternative care institutions for children, adolescents and persons with disabilities. These controls should include a census of such institutions and the registration of persons resident there.**

Training on the Convention

32. The Committee takes note of the information provided by the State party on the training of State agents, including the military, on the content of the Convention. However, the Committee is concerned that the information provided concerns only some federal authorities.

33. **The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 37), namely that the State party take the necessary measures to ensure that, at the federal, state and municipal levels, all military and civilian law enforcement personnel, medical personnel, public officials and other persons who may be involved in the custody or treatment of persons deprived of their liberty, including judges, prosecutors and other officials responsible for the administration of justice, receive suitable training on a regular basis concerning the provisions of the Convention, in accordance with article 23 thereof. Such measures should be part of institutional reform processes and should be designed and implemented using appropriate methodologies. Moreover, they must be evaluated to determine their medium- and long-term impacts on the activities of the persons referred to in article 23 (1) of the Convention.**

Public security

34. The Committee notes with concern the role given to the armed forces in public security tasks in most parts of the State party's territory, the growing militarization of civilian

authorities responsible for law enforcement, and the impact that this trend might have on the increase in enforced disappearances and impunity.

35. The Committee urges the State party to strengthen the civilian law enforcement forces and establish an orderly and transparent plan to withdraw the military from public security tasks. Moreover, it recommends that the State party adopt a regulatory framework to govern the use of force by law enforcement officials that is compatible with international human rights law and international standards.

Measures to provide reparation to victims and to protect children against enforced disappearance (arts. 24 and 25)

Right to obtain reparation and prompt, fair and adequate compensation

36. The Committee takes note of the State party's efforts to implement the General Victims Act, including the operational rules for the various funds and the expression of concern through the elimination of proceedings that hinder effective redress. However, the Committee remains concerned about the full implementation of the General Act, mainly in the federal states. The Committee is also concerned about the lack of guarantees for the enjoyment of the rights to truth, justice and reparation, noting that the granting of full and appropriate reparation has not been guaranteed.

37. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 39) and recommends that the State party:

(a) **Continue to strengthen the Executive Commission For Victim Support, providing it with qualified staff and adequate material resources for its proper functioning;**

(b) **Redouble efforts to expedite access to the National Registry of Victims and to the various forms of emergency aid, including access for victims living abroad;**

(c) **Bring local laws into line with the General Victims Act to ensure that it is properly implemented, and establish all the state-level commissions for victim support, providing them with qualified staff and adequate material resources for their proper functioning;**

(d) **Guarantee real equality of access to rights in respect of reparation and support for victims of disappearance, irrespective of whether the entity responsible is a federal or state body, or whether a conviction exists or a final determination has been issued by a national, regional or international human rights body.**

Legal situation of disappeared persons whose fate has not been clarified, and of their relatives

38. The Committee observes the new legislative measures of the State party regarding declarations of absence of disappeared persons, both in the new General Act on Enforced Disappearance and in the special federal law on the matter. Nevertheless, the Committee notes with concern that these laws are not directly applicable in the federative entities and that the legislative harmonization required to make them so has not been undertaken.

39. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 43) to take the necessary measures throughout the State party to ensure appropriate regulation of the legal situation of disappeared persons whose fate has not been clarified, and of their relatives. In this regard, the Committee urges the State party to take the necessary steps to ensure that the General Act's provisions on declaration of absence are applied throughout the territory and are binding on all authorities, ensuring full and effective protection of the legal situation and assets of missing persons and their families.

Legislation concerning the removal of children

40. The Committee takes note of the recent General Act on Enforced Disappearance, which incorporates specific offences regarding the wrongful removal of children. However,

it notes with concern that this piece of legislation only provides for offences committed against children born during the period of concealment and does not cover the first two provisions of article 25 (1) (a) of the Convention, i.e. “the wrongful removal of children who are subjected to enforced disappearance, or children whose father, mother or legal guardian is subjected to enforced disappearance”.

41. The Committee reiterates its recommendation (CED/C/MEX/CO/1, para. 45) urging the State party to harmonize national legislation in accordance with article 25 (1) of the Convention.

Impact of disappearances on women, children and adolescents

42. The Committee notes with concern the impact that disappearances in the State party have on women, girls, boys and adolescents. The Committee is also concerned about the harmful impact, in terms of deadlock or abandonment of investigations, of gender stereotypes and discrimination against women on the part of the authorities.

43. The Committee recommends that the State party:

(a) **Guarantee immediate and effective searches for all children and adolescents whose whereabouts is unknown;**

(b) **Establish specific priority measures to support the children of families of missing persons, respecting the principle of the best interests of the child and providing adequate psychosocial care;**

(c) **Adopt special protection measures for children and adolescents and fully implement the relevant provisions of the General Act designed to combat the disappearance of children and adolescents;**

(d) **Ensure gender mainstreaming in the investigation of the disappearance of girls and women, with special emphasis on generating scenarios and lines of investigation that take into account motivations potentially related to gender.**

C. Urgent actions and protective measures

Urgent action procedure

44. The Committee notes the expression of interest by the State party in addressing the urgent actions and following up on the recommendations made in the context of the procedure provided for under article 30 of the Convention. However, the Committee has noted and is concerned at the lack of awareness of the procedure, and of the recommendations made in this context, on the part of State officials in charge of the search for and investigation of disappeared persons; the delay in the implementation of the urgent actions, the poor coordination among entities and authorities at the federal, state and municipal levels in addressing them; and the lack of an effective mechanism to ensure their implementation and evaluation, including by the competent local authorities.

45. The Committee recommends that the State party:

(a) **Establish a mechanism for the implementation, follow-up and evaluation of urgent actions that will ensure coordination among the authorities at the three levels of government, immediate response and search, and the participation of victims and victims’ organizations;**

(b) **Promptly establish a mechanism for ensuring that the Committee’s recommendations are communicated to the federal, state and municipal authorities in charge of the search and the investigation.**

D. Dissemination and follow-up

46. The Committee wishes to draw attention to the obligations undertaken by States when ratifying the Convention and, in this connection, urges the State party to ensure that all the

measures it adopts, irrespective of their nature or the authority from which they emanate, are in full accordance with the obligations it assumed when ratifying the Convention and other relevant international instruments. In particular, the Committee urges the State party to guarantee that effective investigations are conducted into all enforced disappearances and that the rights of victims as set forth in the Convention are fully upheld.

47. The Committee also wishes to emphasize the particularly cruel effect of enforced disappearances on the rights of women and children. Women who are subjected to enforced disappearance are particularly vulnerable to sexual and other forms of gender violence. Women who are relatives of a disappeared person are particularly likely to suffer serious social and economic disadvantages and to be subjected to violence, persecution and reprisal as a result of their efforts to locate their loved ones. Children who are victims of enforced disappearance, either because they themselves were subjected to disappearance or because they suffer the consequences of the disappearance of their relatives, are especially vulnerable to multiple human rights violations, including the loss of their identity. The Committee therefore places special emphasis on the need for the State party to take account of gender perspectives and adopt child-sensitive approaches when upholding the rights and fulfilling the obligations set out in the Convention.

48. The State party is encouraged to disseminate widely the Convention, the additional information submitted under article 29 (4) of the Convention and the present concluding observations, in order to raise awareness among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the State party and the general public. More generally, the Committee encourages the State party to establish a national mechanism for the monitoring and implementation of the recommendations of international human rights mechanisms, in which the broad participation of all stakeholders, particularly victims and victims' organizations, is ensured.

49. Under article 29 (4) of the Convention, the Committee also requests the State party to submit, no later than 16 November 2021, specific, up-to-date information on the implementation of these recommendations, together with any other new information on the fulfilment of the obligations contained in the Convention. The document containing this information should be prepared in accordance with paragraph 39 of the guidelines on the form and content of reports under article 29 to be submitted by States parties to the Convention (CED/C/2). The Committee encourages the State party to promote and facilitate the participation of civil society, in particular victims' organizations, in the preparation of this information.
