



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances Twentieth session

Summary record (partial)* of the 360th meeting

Held via videoconference on Friday, 7 May 2021, at 5 p.m. Central European Summer Time

Chair: Mr. Ayat

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* No summary record was prepared for the rest of the meeting.

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The discussion covered in the summary record began at 5 p.m.

Matters relating to the Committee's methods of work:

(e) Other matters

Report of the Committee on Enforced Disappearances on its nineteenth and twentieth sessions

1. **Mr. Teraya** (Rapporteur), presenting the annual report of the Committee to the General Assembly, said that chapter I of the report contained a full list of the documents and decisions adopted by the Committee at the nineteenth and twentieth sessions, which included five lists of issues, four sets of concluding observations, two reports on urgent actions and a new template for the submission of urgent action requests to the Committee. Chapter I also contained a list of the actions that the Committee would be carrying out during its twenty-first session.
2. Chapter II referred to the Committee's methods of work while chapter III contained information on interactions with stakeholders, including Member States, United Nations agencies, victims, non-governmental organizations (NGOs) and national human rights institutions.
3. Chapter IV referred to the dialogues held with Mongolia and Switzerland during the twentieth session and the concluding observations adopted for those States parties. Those dialogues, which had twice been postponed because of the coronavirus disease (COVID-19) pandemic, had been successfully conducted online thanks to the cooperation of the States parties and the national institutions and civil society actors involved.
4. Chapter V referred to the Committee's report on follow-up to the concluding observations adopted at the nineteenth session while chapter VI addressed the procedure by which States parties submitted additional information to the Committee under article 29 (4) of the Convention. During the reporting period, the Committee had received additional information from Belgium, Germany and the Netherlands. At the nineteenth session, the Committee had reviewed the additional information submitted by Iraq in what had been the first-ever online dialogue held between a treaty body and a State party. During the current session, the Committee had held an online dialogue with Colombia to review the additional information submitted by that State party.
5. Chapter VII dealt with the lists of issues adopted during the nineteenth and twentieth sessions in connection with the reports of Czechia, Greece and the Niger. The Committee had also adopted two lists of issues in the absence of a report for Mali and Zambia, although the former State party had since submitted its initial report to the Committee. Chapter VIII contained reflections on the reporting procedure and a reaffirmation of the Committee's decision to adopt lists of issues in the absence of a report for countries whose reports were long overdue. Chapter IX contained information on reprisals. During the reporting period, the Committee had received and addressed two allegations of reprisals against persons who had contributed to the work of the Committee. At the twentieth session, the Committee had adopted its guidelines to prevent and address intimidation and reprisals against individuals and groups cooperating with the Committee ([CED/C/8](#)), which were now available on the Committee's website.
6. Chapter X, which related to the urgent action procedure, contained the most recent data on urgent action requests and information on the trends observed in the reports on requests for urgent action adopted at the nineteenth and twentieth sessions. The figures on urgent actions would be updated shortly before the report was presented to the General Assembly. Chapter XI addressed the procedure for the submission of communications under article 31 and referred to the adoption, at the nineteenth session, of individual complaint No. 3/2019 and the Committee's follow-up progress report on individual communications ([CED/C/19/3](#)).
7. Chapter XII, which referred to visits to States parties under article 33 of the Convention, described the developments that had taken place in connection with the Committee's request to visit Mexico, which had been submitted in 2013. Although positive

signals had recently been received from the State party, the Committee had yet to receive official written confirmation of the Government's acceptance of its request. The Committee had also not received written confirmation of the acceptance of its request to visit Iraq. Chapter XIII contained information on the Committee's guiding principles for the search for disappeared persons (CED/C/7), to which the Committee had made frequent reference in its concluding observations and in connection with its urgent action procedure. The principles had been translated into Serbian and German.

8. **The Chair** said he took it that the Committee wished to adopt its annual report for consideration by the General Assembly at its seventy-sixth session.

9. *The report of the Committee on Enforced Disappearances on its nineteenth and twentieth sessions was adopted.*

Tribute to victims of enforced disappearance

10. *At the invitation of the Chair, Ms. Reyna Patricia Ambros Zapatero joined the meeting.*

11. **Ms. Ambros Zapatero** said that she was from the city of Nuevo Laredo in the State of Tamaulipas, Mexico, and was a survivor of enforced disappearance. Her horrible experience had begun in April 2018 after she had witnessed the arbitrary detention and subsequent enforced disappearance of Ángel Chigo Villegas, whose whereabouts were still unknown. On the day of his enforced disappearance, Ángel, who was at a ranch with his family, had gone to a shop to buy soft drinks. Some five minutes later, upon hearing gunshots, she and other members of his family had run out of the property to the road to find that members of the Mexican Navy had pulled up in vans and had started to attack Ángel. When the family had tried to ask why they were beating him, the naval officers had put him in the one of the vans and had driven away. Members of the family had then given chase in their own car but had been unable to reach them.

12. It was after those events that she had joined the search for Ángel, visiting installations of the Mexican Navy and various hospitals, and had participated in numerous demonstrations to demand that he should be sought and that his case should be investigated. However, the following month, she herself had been subjected to enforced disappearance by the Mexican Navy simply because she had witnessed the disappearance of Ángel. She had been abducted, held against her will for three days, beaten, tortured and told in no uncertain terms that she was to refrain from participating in any further demonstrations or in any searches that might be launched. Her captors had also warned her that, if she filed a criminal complaint, they would return and kill her and her whole family. She was very grateful to the Committee on Enforced Disappearances, whose intervention had likely helped to secure her release. Although three years had elapsed since her enforced disappearance, her case had still not been investigated and no one had been held responsible for the crime. She demanded justice, not only for herself, but also for all victims of enforced disappearance and the families who continued to search for them. She was fortunate in that she had survived her enforced disappearance and was able to share her experience with the Committee. She also wished to extend her thanks to the representatives of the Office of the United Nations High Commissioner for Human Rights in Mexico and to the National Human Rights Commission for their support.

13. **Mr. Ravenna** said that the horror of enforced disappearance was the impunity that often accompanied that crime. In the present day, some armies no longer engaged solely in traditional warfare but also used enforced disappearance against civilians as a means of imposing social discipline and instilling terror, all the while circumventing national and international law. Although it was often perpetrated by non-State actors and criminal organizations, in accordance with articles 2 and 3 of the Convention, the State was always responsible for the acts committed. Regrettably, the case of Ms. Ambros Zapatero had not yet been resolved: a thorough investigation must be carried out, those responsible for her enforced disappearance must be arrested and convicted, the truth must be known and guarantees of non-repetition must be obtained in accordance with article 24 of the Convention. The Committee would do whatever it could to ensure that the State fulfilled its legal obligations towards Ms. Ambros Zapatero as soon as possible.

14. The Committee had been moved by her testimony, which served as a reminder that international intervention could save lives, even if it did not always achieve the desired results. She had shown great bravery in the face of her ordeal and was an example to all. The Committee was grateful to have heard her testimony.

Closure of the session

15. **The Chair** said that the Committee had held its twentieth session entirely online between 12 April and 7 May 2021. During the first two weeks of meetings, it had reviewed the initial reports of Switzerland and Mongolia under article 29 (1) of the Convention and the additional information submitted by Colombia under article 29 (4). The third week of meetings, which had occurred after a week of preparatory work during which no meetings had taken place, had largely been devoted to the consideration and adoption of the Committee's concluding observations on the initial reports of Switzerland and Mongolia and of its observations on the additional information submitted by Colombia.

16. During the session, the Committee had continued to engage with civil society, whose input had, once again, proved invaluable and showed how important it was for the Committee, States and civil society to work together to combat enforced disappearance. In that connection, the Committee wished to express its concern over the acts of violence that had been carried out during the peaceful demonstrations that had taken place in Colombia in recent days and to recall that, in accordance with article 1 of the Convention, no exceptional circumstances whatsoever could be invoked as a justification for enforced disappearance.

17. The Committee had adopted a list of issues in respect of Zambia in the absence of a report. He wished to recall that it was not the first time that the Committee had adopted a list of issues under its in absentia procedure, which involved examining the situation with regard to enforced disappearance in any State party that had failed to submit its initial report five years after the two-year deadline set by article 29 (1) of the Convention. The aim of the procedure was to foster interaction between the Committee and those States parties and to encourage them to submit their initial report, even once the in absentia procedure had been initiated.

18. The Committee had likewise adopted guidelines to prevent and address intimidation and reprisals against individuals and groups cooperating with the Committee, which drew on the San José Guidelines ([HRI/MC/2015/6](#)) and the established practice of other treaty bodies. A Rapporteur on reprisals had already been appointed to address what was a crucial issue for victims of enforced disappearance. The Committee had also adopted its annual report to the General Assembly and its report on requests for urgent action, and had introduced a new, more user-friendly, format for the submission of requests for urgent action. Regrettably, the number of urgent action requests received by the Committee continued to rise. Some 90 new requests had been received over the previous month alone, bringing the total number of requests registered to over 1,100. It was, of course, not just a question of statistics – behind every request for urgent action was a victim and a family that was suffering following the enforced disappearance of their loved one. He wished to insist on the need for the Committee to be provided with the material and human resources necessary to deal with the constantly growing number of requests that it was receiving under its urgent action procedure.

19. The Committee had also had a positive exchange with the Chief of the Human Rights Treaties Branch of the Office of the United Nations High Commissioner for Human Rights, who had updated members on the latest developments in the treaty body reform process. The Committee had also taken part in a joint meeting with the Working Group on Enforced or Involuntary Disappearances and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on the subject of enforced disappearance in the context of migration. Members had also had the opportunity to discuss the involvement of non-State actors in enforced disappearance or related acts.

20. Once again, the Committee had successfully carried out its work despite the restrictions and trying conditions imposed by the pandemic. It was to be hoped that members would soon be able to meet in person again, since direct interaction with States parties, and with each other, was essential for the proper conduct of the Committee's activities.

21. Lastly, he wished to extend a special thanks to Mr. Teraya and Mr. Baati, whose respective terms would soon be coming to an end and who would be leaving the Committee, for their invaluable contribution to the life and work of the Committee, their diligence in performing their duties and their deep commitment to preventing and combating enforced disappearance.

22. After the customary exchange of courtesies, he declared the twentieth session of the Committee on Enforced Disappearances closed.

The meeting rose at 5.50 p.m.