



**United Nations**

# **Report of the Committee on Enforced Disappearances**

**Twenty-third session  
(12–23 September 2022)**

**Twenty-fourth session  
(20–31 March 2023)**

**General Assembly**  
**Official Records**  
**Seventy-eighth Session**  
**Supplement No. 56**





**General Assembly**  
Official Records  
Seventy-eighth Session  
Supplement No. 56

# **Report of the Committee on Enforced Disappearances**

**Twenty-third session  
(12–23 September 2022)**

**Twenty-fourth session  
(20–31 March 2023)**



United Nations • New York, 2023

*Note*

Symbols of United Nations documents are composed of letters combined with figures.  
Mention of such a symbol indicates a reference to a United Nations document.

[13 July 2023]

## Contents

<i>Chapter</i>	<i>Page</i>
I. Organizational and other matters .....	1
II. Methods of work .....	4
III. Relations with stakeholders.....	5
IV. Consideration of reports submitted by States parties under article 29 (1) of the Convention .....	10
V. Consideration of additional information submitted by States parties under article 29 (4) of the Convention.....	11
VI. Adoption of the report on follow-up to concluding observations.....	12
VII. Adoption of lists of issues .....	13
VIII. Reporting under the Convention .....	14
IX. Reprisals.....	15
X. Urgent action procedure under article 30 of the Convention .....	16
XI. Communications procedure under article 31 of the Convention .....	24
XII. Visits under article 33 of the Convention.....	25
XIII. General comments.....	26
XIV. Other projects and activities undertaken by members of the Committee intersessionally .....	27
Annex	
States parties to the Convention as at 31 March 2023 and their reporting status .....	28



## Chapter I

### Organizational and other matters

#### A. States parties to the Convention

1. The International Convention for the Protection of All Persons from Enforced Disappearance entered into force on 23 December 2010, in accordance with its article 39 (1). As at 20 March 2023, the date of the opening of the twenty-fourth session of the Committee on Enforced Disappearances, there were 70 States parties and 98 signatory States to the Convention. Of the 70 States parties to the Convention, 28 had declared that they recognized the competence of the Committee to receive and consider individual communications (art. 31), and 27 its competence to receive and consider inter-State communications (art. 32).
2. The updated list of States parties to the Convention, as well as information on declarations made under articles 31 and 32 and reservations, is available on the website of the Office of Legal Affairs of the Secretariat.<sup>1</sup>

#### B. Meetings and sessions

3. The Committee held its twenty-third session in person from 12 to 23 September 2022. It held 20 plenary meetings, and 10 further meetings outside of official meeting hours. The agenda (CED/C/23/1) was adopted by the Committee at its 402nd meeting. The twenty-third session was opened by the Chief of the Civil, Political, Economic, Social and Cultural Rights Section of the Office of the United Nations High Commissioner for Human Rights (OHCHR).
4. In her opening statement, the Chief stated that enforced disappearance remain an unbearable reality worldwide. Since April 2022, the Committee had registered 46 new requests for urgent action, with a clear increase in the number of women victims of disappearance. A high number of reprisals against families and relatives of disappeared persons had also been recorded. Some States had responded immediately to the requests for urgent action, thereby helping to locate 428 disappeared persons, 406 of whom had been found alive. Progress had been achieved in several States parties on implementation of the Convention. Unfortunately, various factors still limited the Committee's actions, including the slow rate of ratification of the Convention and the lack of meeting time that the Committee still faced. Two two-week sessions per year was not enough to allow the Committee to fulfil its mandate. The secretariat witnessed and shared the intensified workload of the Committee and the increasing backlog of State party reports to be considered. If the meeting time and human resources of the Committee remained as currently, the agenda of its sessions would be full until 2032. That situation was unacceptable: enforced disappearance was an issue of life and death, which must be addressed without delay. The Committee had been particularly active over recent months to ensure the widest possible interaction with stakeholders, and such action must be encouraged.
5. In her opening statement, the Chair of the Committee stated that enforced disappearance continued to occur and had a serious impact on society. The cooperation and commitment of all actors was indispensable to prevent and eradicate enforced disappearance. The Committee was grateful for the more than 30 contributions received to date in response to its call for input following the publication of the concept note on a draft general comment on enforced disappearance in the context of migration, and for the support of OHCHR field presences to organize regional consultations. The Committee wanted to promote coordination with other human rights mechanisms and multiply the modalities of interaction with all actors involved in the fight against enforced disappearance. To that end, information-sharing was key, and the Chair noted that the publication entitled *The Work of the Committee on Enforced*

<sup>1</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-16&chapter=4&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&clang=_en).

*Disappearance: Achievements and Jurisprudence Ten Years after the Entry into Force of the Convention for the Protection of All Persons from Enforced Disappearance* and an electronic version of the leaflet summarizing the functions of the Committee and those of the Working Group on Enforced or Involuntary Disappearances were now available in Spanish.<sup>2</sup> The Committee and its secretariat were at the disposal of States to provide information and guidance on the Convention. The Chair reiterated the Committee's call for all States that had not yet ratified the Convention to do so.

6. The Committee held its twenty-fourth session from 20 to 31 March 2023. It held 20 plenary meetings, and 10 further meetings outside of official meeting hours. The agenda (CED/C/24/1) was adopted by the Committee at its 422nd meeting. The twenty-fourth session was opened by the Director of the OHCHR, Human Rights Council and Treaty Mechanisms Division.

7. In his opening statement, he stated that the Committee's commitment to assisting victims and supporting States in promoting implementation of the Convention was essential: every step of the Committee's work contributed to the construction of the international jurisprudence that all actors needed. The efforts of the Committee to promote cooperation and coordination with human rights mechanisms and to involve civil society actors, national human rights institutions and different sections of OHCHR in its projects were to be commended. He recalled the persistent prevalence of enforced disappearance, with the Committee having registered 41 new requests for urgent actions since its twenty-third session, bringing the total of registered requests to 1,578. While that figure was high, it represented only a small proportion of the cases of disappearance that occurred worldwide.

8. In her opening statement, the Chair of the Committee recalled the Committee's work and its permanent efforts towards cooperation and synergy with other human rights mechanisms and actors. The Committee's visit to Iraq, in November 2022, was a good example of close coordination with OHCHR and its field offices. On behalf of the Committee, the Chair thanked all the people whom the Committee's delegation had met for their willingness and cooperation. It was a crucial moment for the treaty bodies, in particular the Committee, which needed the continued strong support of OHCHR in order to be able to carry out its work effectively, efficiently and coherently. Cooperation with OHCHR was vital not only to ensure that the Committee had the necessary human and financial resources to do its work, but also to conduct a consistent campaign for ratification of the Convention.

### C. Membership and attendance

9. All the members attended the twenty-third session of the Committee, and one member was excused for the first half of the twenty-fourth session. A list of the current members, indicating the duration of their terms of office, is available at <https://www.ohchr.org/en/treaty-bodies/ced/membership>.

### D. Decisions of the Committee

10. At its twenty-third and twenty-fourth sessions, the Committee adopted the following documents:

- (a) Lists of issues regarding five States parties (chap. VII);
- (b) Concluding observations regarding seven States parties (chaps. IV and V);
- (c) Reports on follow-up to concluding observations (chap. VI);
- (d) Reports on requests for urgent action (chap. X);
- (e) Report on its visit to Iraq (chap. XII);
- (f) Statement on non-State actors in the context of the Convention (chap. XIV);

<sup>2</sup> See <https://www.ohchr.org/en/treaty-bodies/ced>.



(g) First draft of its general comment on enforced disappearance in the context of migration (chap. XIII).

11. At its twenty-fourth session, the Committee decided to invite the Working Group on Enforced or Involuntary Disappearances to join its project on the notion of short-term enforced disappearance” (see chap. XIV below), and to launch an updated version of the fact sheet on enforced disappearance that it had developed with the Working Group.<sup>3</sup>

12. The Committee decided that at its twenty-fifth session, it would consider the reports submitted by Cambodia and Mauritania under article 29 (1) and the additional information submitted by the Kingdom of the Netherlands under article 29 (4), and adopt lists of issues in relation to the report of Samoa and for the Central African Republic and Sri Lanka in the absence of its report; and consider additional information and follow-up to the report on its visit to Mexico.

## **E. Adoption of the annual report**

13. At the end of its twenty-fourth session, the Committee adopted its twelfth report to the General Assembly, on its twenty-third and twenty-fourth sessions, in compliance with article 36 (1) of the Convention.

<sup>3</sup> <https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-6-rev-4-enforced-disappearances>.

## **Chapter II**

### **Methods of work**

14. During its twenty-third and twenty-fourth sessions, the Committee used English, French and Spanish as working languages.

15. The Committee discussed the following issues related to its methods of work:

(a) Review of the Committee's rules of procedure, review of States parties' reports containing additional information under article 29 (4) of the Convention, and confirmation of its decision to merge the follow-up to concluding observations with the procedure of reports on additional information;

(b) Activities of Committee members between sessions;

(c) Project regarding a world congress to promote ratification of the Convention and related strategies;

(d) Resources allocated to the Committee;

(e) Strategy to adopt and promote a general comment on enforced disappearance in the context of migration;

(f) Coordination with the Working Group on Enforced or Involuntary Disappearances and other special procedures, other treaty bodies and regional mechanisms;

(g) Other matters.

## Chapter III

### Relations with stakeholders

#### A. Interaction with other human rights mechanisms

16. The Committee enjoyed ongoing cooperation with the Working Group on Enforced or Involuntary Disappearances. The two mechanisms held periodic meetings to enhance the coordination of their work, having held three meetings over the reporting period, and consulted each other on their respective projects. The Committee invited the Working Group to join its project on the notion of short-term enforced disappearance, and the two mechanisms issued a joint call for input on the issue.<sup>4</sup> On 30 August 2022, on the occasion of the International Day of the Victims of Enforced Disappearances, the Committee and the Working Group released a video to give the voice to victims of enforced disappearance and call to for the urgent ratification of the Convention by all States.<sup>5</sup> The Committee and the Working Group also issued a leaflet summarizing the functions of the Committee and those of the Working Group, and an updated version of the fact sheet on enforced disappearances. On 7 March 2023, the Committee, the Working Group and OHCHR offices in Latin America made a joint statement at a public hearing of the Inter-American Commission on Human Rights on access to information, including military and intelligence archives, in relation to enforced disappearance.<sup>6</sup>

17. Regarding interaction with regional human rights mechanisms, the Committee consulted the African Commission on Human and Peoples' Rights, the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights and the European Court of Human Rights on its draft general comment and statement on non-State actors in the context of the Convention, through the Committee's calls for written input and through online meetings.

18. On 30 August 2022, the Committee released a joint statement with the Inter-American Commission on Human Rights and the Working Group on Enforced or Involuntary Disappearances to call on States to prevent the adverse effects faced by relatives of disappeared persons and to respond from a gender perspective.<sup>7</sup>

19. On 24 February 2023, the Committee took part in a meeting organized by the Chair of the meeting of the Chairs of the human rights treaty bodies and the President of the Inter-American Court of Human Rights with the judges of the Inter-American Court, during which participants stressed that the jurisprudence developed by the Court and the Committee were key guiding tools.

20. On 24 March 2023, the Committee met with the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture to identify ways to raise awareness about their respective mandates and take joint action. The two mechanisms agreed to share information with their networks about their respective activities, and to issue a future joint statement on the occasion the International Day of the Victims of Enforced Disappearances.

#### B. Interaction with Member States

21. On 19 September 2022, the Committee held a public meeting with Member States, which was attended by 14 States: Argentina, Brazil, Croatia, Cyprus, Ecuador, Honduras, Iraq, Luxembourg, Mali, Mexico, Peru, Serbia, Switzerland and Turkmenistan.

22. In the course of the meeting, Honduras, Ecuador, Mexico, Peru, Serbia, Argentina and Croatia made statements. Honduras said that enforced disappearance had been a blight on

<sup>4</sup> <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-view-issuing-joint-statement-notion-short-term-enforced>.

<sup>5</sup> See <https://www.ohchr.org/en/treaty-bodies/ced/videos>.

<sup>6</sup> <https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/regional-mechanisms/Intervencion-conjunta-CED-20230307.pdf> (in Spanish).

<sup>7</sup> [https://www.oas.org/en/IACHR/jsForm/?File=/en/IACHR/media\\_center/preleases/2022/191.asp](https://www.oas.org/en/IACHR/jsForm/?File=/en/IACHR/media_center/preleases/2022/191.asp).

Honduran society for four decades, and had been classified as a criminal offence in the 1980s. Many Honduran nationals disappeared along migration routes. In 2007, Honduras had adopted a national policy to strengthen the protection services by its consular network. In 2013, it had passed legislation to protect the rights of Honduran migrants. A protocol to improve search procedures was being developed. The Public Prosecution Service had submitted a bill on the creation of a forensic laboratory to oversee DNA databases.

23. Ecuador expressed support for the concept note on the draft general comment on enforced disappearance in the context of migration, and called on Member States to ensure that their legislation included protection for the human rights of migrants and measures to prevent enforced disappearance. International cooperation should complement States parties' efforts to implement the Convention and entail the exchange of information and the promotion of inter-institutional collaboration. States should take measures to prevent acts of intimidation and reprisal, to protect persons investigating cases of enforced disappearance and to punish perpetrators. States should recognize the Committee's competence to receive and consider individual and inter-State communications, and the international community should actively support the Global Compact for Safe, Orderly and Regular Migration.

24. Mexico welcomed the concept note on the draft general comment and its focus on migration, and the Committee's proposed new methodology for considering additional information under article 29 (4) of the Convention. In August 2022, Mexico had submitted its observations in relation to the Committee's visit report ([CED/C/MEX/OVR/1](#)). The Committee might consider finding a way to incorporate post-visit observations submitted by States parties into its follow-up procedure. In its judgment in amparo appeal No. 1077/2019, the Supreme Court of Mexico had found that requests for urgent action were legally binding. The enforceability of requests for urgent action and the accompanying judicial and constitutional oversight thus formed an integral part of the right to an effective remedy in Mexico. As to the draft statement on non-State actors in the context of the Convention, the adoption of an interpretative statement was not provided for in the Convention. The proposal to adopt such a statement did, however, have merit, in that it would help to determine the scope of States parties' obligations under article 2. Mexico invited the Committee to consider reworking its draft statement into a general comment, in concert with States parties, international bodies and civil society.

25. Peru said that the Convention was particularly relevant for the country, owing to the period of violence that it had experienced between 1980 and 2000. In June 2021, a national plan to improve the procedures for locating disappeared persons had been adopted. Approximately 9,000 families of persons who had disappeared during the period of violence would receive support by 2030. Peru welcomed the concept note on the draft general comment on enforced disappearance in the context of migration, which shed light on the vulnerable situation of migrants, and on States' related obligations. A solid understanding of the Convention was necessary for national bodies involved in search activities and border management to effectively discharge their obligations.

26. Serbia reiterated its support for the Committee's initiative to develop a general comment on enforced disappearance in the context of migration. It would be necessary to disseminate the general comment widely to ensure its effective implementation.

27. Argentina stated that it had submitted comments and questions on the draft statement on non-State actors in the context of the Convention. The Convention had been drafted following consultations with a wide range of stakeholders, during which it had been decided not to include non-State actors as groups to which responsibility for acts of enforced disappearance could be attributed. Under the Convention, States parties bore responsibility for all acts of enforced disappearance that occurred in their territory, even if perpetrated by non-State actors. The Committee might explain why the scope of article 2 of the Convention needed to be broadened. That question needed to be the subject of an open debate and to be dealt with in a protocol to the Convention. Argentina was committed to engaging in open dialogue with the Committee on that issue.

28. Croatia said that accounting for disappeared persons was a priority for countries that were in the process of recovering from armed conflict and other traumatic events. In Croatia, the search continued for 1,832 people who had disappeared during the war. Their fate was

yet to be resolved. Croatia had repeatedly requested Serbia to provide access to military archives, to gather information from persons located in Serbian territory, to take a more proactive approach in investigating cases of mass and individual disappearance, and to ensure that graves could be located as part of war crimes investigations. Croatia would continue to insist on the need for Serbia to fulfil its obligations to assist in finding disappeared persons and to facilitate successful regional cooperation and reconciliation.

29. On 2 February 2023, the Committee participated in a meeting organized by Argentina and France to reactivate the campaign for ratification of the Convention. The meeting was attended by 27 States parties. The Committee presented its activities undertaken over the previous two years. Argentina and France reiterated their call for the ratification of the Convention and for recognition of the Committee's competence to examine individual and inter-State communications.

30. During the reporting period, Committee members participated in webinars to exchange with parliamentarians of Indonesia, the Lao People's Democratic Republic, Malaysia and Thailand to promote the ratification of the Convention.

### **C. Interaction with United Nations agencies**

31. The Committee continued its cooperation with United Nations agencies and field presences. Ahead of each session, the Committee's secretariat sent messages to OHCHR desk officers and relevant field presences providing information about its consideration of State party reports, about issues of interest regarding the Committee and about ways that they could contribute to the process. During both sessions, most relevant OHCHR field presences and other United Nations agencies submitted written contributions and briefed the Committee.

32. For the preparation of the first draft of its general comment on enforced disappearance in the context of migration, the Committee cooperated closely with OHCHR field presences and the OHCHR Migration Task Force, thus enabling the organization of fruitful regional online consultations in Africa, Asia and the Pacific, Europe and Latin America.

33. On 24 March 2023, the Committee held a private informal meeting with the United Nations High Commissioner for Human Rights to address the following issues:

- (a) The Committee's work on enforced disappearance in the context of migration;
- (b) The Committee's visits to Iraq and Mexico;
- (c) The Committee's requested visit to Colombia;
- (d) Treaty-body strengthening and the Committee's urgent need for additional meeting time.

### **D. Interaction with victims, non-governmental organizations and other civil society actors**

34. The Committee has further expanded its database of stakeholders – now comprising more than 1,400 persons – to which it sends its newsletter with information on upcoming events and adopted decisions.<sup>8</sup>

35. During the twenty-third session, under the agenda item to pay tribute to victims of enforced disappearance, the Committee heard the testimony of a victim of enforced disappearance from Sri Lanka, Sandya Ekneligoda, whose husband, a journalist, had disappeared in 2010.<sup>9</sup> During the twenty-fourth session, under the same agenda item, the Committee heard the testimony of a victim of enforced disappearance, Izabel Lopez

<sup>8</sup> See <https://www.ohchr.org/en/treaty-bodies/ced/newsletters>.

<sup>9</sup> [CED/C/SR.402](#), paras. 18–25. See also <https://www.ohchr.org/en/stories/2022/10/search-journalist-continues-12-years-after-his-disappearance>.

Raymundo, who had been abducted at the age of 18 months and subjected to illegal intercountry adoption.<sup>10</sup>

36. On 19 September 2022, the Committee held its annual private meeting with civil society representatives, which was attended by 18 organizations.

37. Through its calls for input, the Committee invited civil society actors to contribute to its projects.<sup>11</sup> The Committee received more than 230 written contributions during the reporting period. The Committee continued its practice of sending an information note to non-governmental organizations before each session, and informed stakeholders about how to contribute to the Committee's work through its newsletter. The Committee also requested OHCHR field presences and the OHCHR Field Operations and Technical Cooperation Division to share the information within their networks. For both sessions, the Committee received more than 25 written contributions from a wide range of civil society actors, and held private meetings in a hybrid format with representatives of organizations from nine countries.

38. During its visit to Iraq, the Committee held meetings with 171 victims and with civil society organizations from Anbar, Baghdad, Diyala, Erbil, Kirkuk, Ninawa and Salah al-Din Governorates, and received more than 98 written contributions from civil society actors.

39. The Committee also participated in two conferences organized by Iraqi and international civil society organizations to provide information about the Committee's visit report, webinars to promote the ratification of the Convention in Pakistan and four meetings related to the Committee's visit to Mexico. The Committee also contributed to a publication on the binding nature in Mexico of its requests for urgent action, coordinated by OHCHR in Mexico.<sup>12</sup> The Committee provided training to non-governmental organizations in Burkina Faso, Colombia and Mexico on how to contribute to its work and on how to use the urgent action procedure.

## **E. Interaction with national human rights institutions**

40. The Committee continued its practice of sending an information note to national human rights institutions before each session about the modalities and deadlines for providing input. The Global Alliance of National Human Rights Institutions and national human rights institutions were also among the recipients of the Committee's newsletter. Five national human rights institutions submitted written contributions and delivered oral briefings over the reporting period.

41. During its visit to Iraq, the Committee met with the High Commission for Human Rights in Baghdad and in all the governorates visited. In its visit report, the Committee recommended that the State party ensure that the High Commission for Human Rights could exercise its functions autonomously and independently, and that the State party strengthen the investigative capacity of the High Commission.<sup>13</sup>

42. In November 2022, the Committee's secretariat participated in a webinar for nine West African national human rights institutions on human rights monitoring in the context of migration, to provide information about the Committee's draft general comment on enforced disappearance in the context of migration. On 11 May 2023, the Committee and its secretariat provided online training for the national human rights institution of Burkina Faso on the activities of the Committee and on the urgent action procedure.

<sup>10</sup> CED/C/SR.422, paras. 15–21. See also <https://www.ohchr.org/en/stories/2023/03/disappearance-wound-never-heals>.

<sup>11</sup> See <https://www.ohchr.org/en/treaty-bodies/ced>.

<sup>12</sup> See <https://hchr.org.mx/publicaciones/el-caracter-vinculante-de-las-acciones-urgentes-del-comite-de-la-onu-contra-la-desaparicion-forzada-en-mexico/>.

<sup>13</sup> See CED/C/IRQ/VR/1 (Recommendations), paras. 34 and 45.

**F. Interaction with other stakeholders**

43. The Committee continued its interaction and coordination with the International Committee of the Red Cross. The two entities periodically shared information about their activities and projects and consulted on specific issues related to their respective mandates, at their headquarters, during country visits, in the context of calls for input and during private meetings.

44. The Committee interacted with the International Commission on Missing Persons during its visits to Mexico and Iraq, through its calls for input and during events related to their common agenda.

## **Chapter IV**

### **Consideration of reports submitted by States parties under article 29 (1) of the Convention**

45. At its twenty-third session, the Committee considered the reports of Czechia ([CED/C/CZE/1](#)) and Mali ([CED/C/MLI/1](#)), and adopted concluding observations thereon ([CED/C/CZE/CO/1](#) and [CED/C/MLI/CO/1](#)). Six hours of dialogues were held in person for each State party.

46. At its twenty-fourth session, the Committee considered the report of Costa Rica ([CED/C/CRI/1](#)) and the replies of Zambia ([CED/C/ZMB/RQAR/1](#)) to the list of issues in the absence of its report ([CED/C/ZMB/QAR/1](#)), and adopted concluding observations thereon ([CED/C/CRI/CO/1](#) and [CED/C/ZMB/COAR/1](#)). Six hours of dialogues were held in a hybrid format for each State party, with the participation of delegates by videoconference.

47. The Committee reiterates its great concern for the decision taken to limit to two hours any meeting in which the remote intervention of States, victims, civil society organizations and other stakeholders exceeds 30 minutes. While fully aware of the technical constraints imposed by online meetings, the Committee stresses that treaty bodies' entitlements to three-hour meetings with interpretation must be respected to allow them to conduct their work and better protect human rights for all, even when delegates or other participants have to take part remotely. The Committee calls on States parties to urgently adopt a General Assembly resolution providing the Secretariat with the mandate to fully service hybrid meetings.



## Chapter V

### Consideration of additional information submitted by States parties under article 29 (4) of the Convention

48. Over the reporting period, the Committee received additional information from Armenia ([CED/C/ARM/AI/1](#)), Burkina Faso ([CED/C/BFA/AI/1](#)), Ecuador ([CED/C/ECU/AI/1](#)) and Kazakhstan ([CED/C/KAZ/AI/1](#)).

49. At its twenty-third session, the Committee held an interactive dialogue for its consideration of the additional information submitted by Uruguay ([CED/C/URY/AI/1](#)). During a three-hour dialogue with the State party's delegation, the Committee focused on the following three themes: (a) harmonization of legislation with the Convention; (b) the search for disappeared persons and the investigation of enforced disappearance; and (c) full reparation for the victims of enforced disappearance. The Committee adopted concluding observations on the additional information ([CED/C/URY/OAI/1](#)), in which it requested Uruguay to submit, within three years, with a view to a review in 2026, specific and updated information on the adoption of a national policy on enforced disappearance that took into account the recommendations contained in its concluding observations.

50. At its twenty-fourth session, the Committee held interactive dialogues for its consideration of the additional information submitted by Argentina ([CED/C/ARG/AI/1](#)) and Germany ([CED/C/DEU/AI/1](#)). During three-hour dialogues with each State party's delegation, the Committee focused on three themes. For Argentina, the Committee focused on the following themes: (a) harmonization of legislation with the Convention; (b) the search for disappeared persons and the investigation of enforced disappearance; and (c) full reparation for victims of enforced disappearance. For Germany, the Committee focused on the following themes: (a) harmonization of national legislation with the Convention; (b) prosecution and cooperation in relation to enforced disappearance; and (c) prevention of enforced disappearance.

51. The Committee adopted concluding observations on the additional information ([CED/C/ARG/OAI/1](#) and [CED/C/DEU/OAI/1](#)), in which it requested the States parties to submit, within three years, with a view to reviews in 2027, specific and updated information on the implementation of recommendations contained in its concluding observations, and any other new information that the States parties considered relevant under the Convention.

## **Chapter VI**

### **Adoption of the report on follow-up to concluding observations**

52. At its twenty-third and twenty fourth sessions, the Committee adopted its reports on follow-up to concluding observations ([CED/C/23/3](#) and [CED/C/24/2](#)), which reflected the information received by the Committee between its twenty-first and twenty-fourth sessions concerning the status of implementation of the recommendations that the Committee had marked as priorities in its concluding observations on Brazil ([CED/C/BRA/FCO/1](#)), Mongolia ([CED/C/MNG/FCO/1](#)) and Switzerland ([CED/C/CHE/FCO/1](#)) under article 29 (1) of the Convention, and on Colombia ([CED/C/COL/FOAI/1](#)) under article 29 (4) of the Convention.

53. The Committee's follow-up reports contained its assessment of the measures taken by each of the States parties concerned to implement the priority recommendations. After each session, the Rapporteurs for follow-up to concluding observations sent letters to each of the States parties concerned, sharing the Committee's assessment and recommendations.

## **Chapter VII**

### **Adoption of lists of issues**

54. At its twenty-third session, the Committee adopted lists of issues on Morocco ([CED/C/MAR/Q/1](#)) and Ukraine ([CED/C/UKR/Q/1](#)).

55. At its twenty-fourth session, the Committee adopted lists of issues on Benin ([CED/C/BEN/Q/1](#)), Malta ([CED/C/MLT/Q/1](#)) and Norway ([CED/C/NOR/Q/1](#)).

## **Chapter VIII**

### **Reporting under the Convention**

56. Over the reporting period, a report was submitted under article 29 (1) of the Convention by Samoa ([CED/C/WSM/1](#)). A full list of the States parties and the status of their reports is included in the annex to the present report.

57. In February 2023, the Committee sent reminders to States parties whose reports were overdue, extending the deadlines for submission. A first reminder was sent to Oman, a second reminder was sent to Dominica and Fiji, a fourth reminder was sent to Malawi and Seychelles, a fifth reminder was sent to the Central African Republic and Sri Lanka, and a sixth reminder was sent to Belize.

58. At its twenty-fourth session, the Committee noted that, despite the reminders sent, the reports of Belize, the Central African Republic, Dominica, Fiji, Lesotho, Malawi, Seychelles, Sri Lanka and Togo under article 29 (1) of the Convention had still not been submitted. The Committee also noted that the additional information that it had requested from Bosnia and Herzegovina, Paraguay and Tunisia under article 29 (4) of the Convention was overdue. The Committee sent reminders to all State parties concerned.

## Chapter IX

### Reprisals

59. Over the reporting period, the Committee received allegations of reprisals in the context of the urgent action procedure, and in two further cases. In the first case, concerning the Gambia, the person affected had contributed to the work of the Committee in past sessions, and worked on a daily basis to combat enforced disappearance. During such activities, a parliamentarian had used threats and abusive language against her. While no direct link could be established between the reprisals and the person's interaction with the Committee, the rapporteur on reprisals met with the permanent mission of the State party to express the Committee's concern and request follow-up to the case, and sent a letter to the permanent mission requesting an update on the action taken to investigate and punish the alleged threats.

60. The second case occurred after the Committee's visit to Iraq. In view of the information received, the rapporteur on reprisals asked the alleged victim to provide further data. The information provided did not enable verification of the allegations.

61. In its visit report for Iraq, the Committee stressed that the State party must: (a) prevent all acts of intimidation and reprisal against all victims, human rights defenders, lawyers, civil society organizations, and other individuals actively participating in the search and investigation process; (b) investigate all related allegations; and (c) punish identified perpetrators. Future legislation to introduce enforced disappearance as an autonomous crime must include provisions for these purposes.<sup>14</sup>

---

<sup>14</sup> [CED/C/IRQ/VR/1 \(Recommendations\)](#), para. 97.

## Chapter X

### Urgent action procedure under article 30 of the Convention

#### A. Requests for urgent action received and registered since the establishment of the Committee

62. As at 31 March 2023, the Committee had registered requests for urgent action concerning 1,578 disappeared persons since 2012 (see table).

#### Disappeared persons concerned by requests for urgent action registered to 31 March 2023, by State party and by year

State party	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023 <sup>a</sup>	Total
Argentina	-	-	-	-	-	2	-	-	1	-	-	-	3
Armenia	-	-	-	-	-	1	-	-	-	-	-	-	1
Bolivia (Plurinational State of)	-	-	-	-	-	-	-	1	-	-	-	-	1
Brazil	-	-	1	-	-	-	-	-	-	-	-	-	1
Burkina Faso	-	-	-	-	-	-	-	-	1	-	-	-	1
Cambodia	-	-	1	-	-	-	-	2	1	-	-	-	4
Colombia	-	1	1	3	4	3	9	3	2	153	-	-	179
Cuba	-	-	-	-	-	-	1	3	-	188	-	-	192
Honduras	-	-	-	-	-	-	14	-	9	2	-	-	25
Iraq	-	-	5	42	22	43	50	226	103	41	42	1	575
Japan	-	-	-	-	-	-	-	-	-	-	-	1	1
Kazakhstan	-	-	-	-	-	2	-	-	-	-	-	-	2
Lithuania	-	-	-	-	-	-	-	2	-	-	-	-	2
Mali	-	-	-	-	-	-	-	-	1	11	-	-	12
Mauritania	-	-	-	-	-	1	-	-	-	-	-	-	1
Mexico	5	4	43	166	58	31	42	10	57	60	52	16	544
Morocco	-	-	-	-	1	2	-	-	-	2	2 <sup>b</sup>	-	7
Niger	-	-	-	-	-	-	-	-	1	-	-	-	1
Oman	-	-	-	-	-	-	-	-	-	1 <sup>c</sup>	-	-	1
Paraguay	-	-	-	-	-	-	-	-	-	1	-	-	1
Peru	-	-	-	-	-	-	-	-	14	-	-	-	14
Sri Lanka	-	-	-	-	-	1	-	-	-	-	-	-	1
Slovakia	-	-	-	-	-	-	-	-	1	-	-	-	1
Sudan	-	-	-	-	-	-	-	-	-	-	1	-	1
Togo	-	-	-	-	-	-	2	-	1	-	-	-	3
Tunisia	-	-	-	-	-	-	-	1	-	-	-	-	1
Ukraine	-	-	-	-	-	-	-	-	-	-	3	-	3
<b>Total</b>	<b>5</b>	<b>5</b>	<b>51</b>	<b>211</b>	<b>85</b>	<b>86</b>	<b>118</b>	<b>248</b>	<b>192</b>	<b>459</b>	<b>100</b>	<b>18</b>	<b>1 578</b>

<sup>a</sup> To 31 March 2023.

<sup>b</sup> One of these requests was also sent to Spain.

<sup>c</sup> This request was also sent to Sri Lanka.

63. In 2021, the Committee registered 69 new requests for urgent action, concerning 459 persons. In 2022, the Committee registered 71 new requests for urgent action concerning, 100 persons. Also in 2022, the Committee sent 72 notes, relating to registered requests for

urgent action, to follow up on the implementation of its recommendations regarding the search and investigations of disappearance.

## **B. Urgent actions that have been discontinued, closed or suspended for the protection of persons for whom interim measures have been taken**

64. At its eighth and twentieth, the Committee adopted criteria for discontinuing, closing or suspending urgent actions.<sup>15</sup> Accordingly, as at 31 March 2023, the Committee had closed urgent action cases concerning 430 persons, discontinued cases concerning 38 persons and suspended cases concerning 103 persons. Cases concerning 1,007 persons remained open.

65. The Committee welcomes the fact that 469 disappeared persons had been located as at 31 March 2023. It particularly welcomes the fact that 442 persons concerned had been located alive. In this regard, the Committee wishes to highlight the positive outcomes observed in requests for urgent action registered during the period under review with regard to cases in Mexico.

## **C. Process after registration of requests for urgent action: developments observed since the twenty-second session (to 31 March 2023)**

66. The Committee maintains constant contact with States parties and with the authors of requests for urgent action. The Committee also relies heavily on the cooperation of OHCHR and United Nations field presences.

67. The information received in the context of the urgent action procedure confirms the trends identified in the reports adopted by the Committee at its eleventh to twenty-second sessions ([CED/C/11/3](#), [CED/C/12/2](#), [CED/C/13/3](#), [CED/C/14/2](#), [CED/C/15/3](#), [CED/C/16/32](#), [CED/C/17/2](#), [CED/C/19/2](#), [CED/20/2](#), [CED/C/21/2](#) and [CED/C/22/2](#)). A non-exhaustive summary of the most recent information is given below. For further information, see the Committee's reports on requests for urgent action at its twenty-third and twenty-fourth sessions ([CED/C/23/2](#) and [CED/C/24/23](#)).

### **1. General trends**

#### **(a) Lack of cooperation with the Committee**

68. The Committee remains concerned at the lack of cooperation by States parties that fail to respond regarding requests for urgent action or to address the Committee's recommendations. The Committee recalls that States parties have the obligation, under article 30 (3) of the Convention, to inform the Committee, within a specified period of time, of measures taken to locate and protect the person concerned in accordance with the Convention and, under article 26 (9), to cooperate with the Committee and assist its members in the fulfilment of their mandate.

69. The Committee reiterates its concern about the continued failure of Iraq to reply to the majority of the registered requests for urgent action concerning cases of disappearance that occurred in its territory and to address the recommendations regarding search and investigation measures. The Committee has noted this lack of compliance by Iraq with its obligations under article 30 of the Convention in its past five reports submitted to the General Assembly.<sup>16</sup>

70. Whenever the States parties concerned do not provide follow-up information by the deadlines set by the Committee, the Committee will send up to four reminders. Where a fourth and final reminder is necessary, the Committee will indicate that it may decide to make the situation public in its report on requests for urgent action at its following session and in its following report to the General Assembly.

<sup>15</sup> The criteria are listed in [CED/C/24/3](#), paras. 4 and 5.

<sup>16</sup> [A/73/56](#), [A/74/56](#), [A/75/56](#), [A/76/56](#) and [A/77/56](#).

71. As at 31 March 2023, the Committee had sent final reminders and was still awaiting a response from the States parties concerned regarding 153 requests for urgent action concerning 379 disappeared persons: 141 requests concerning 360 persons in Iraq, 11 requests concerning 18 persons in Mexico and 1 request concerning 1 person in Mali.

72. The Committee is also concerned about the lack of response from some authors of requests for urgent action. In such cases, the Committee will send up to three reminders to the authors. If the authors fail to respond after the third and final reminder, the Committee is prevented from being able to follow up on its recommendations, and will suspend its follow-up on the request for urgent action.

73. As at 31 March 2023, the Committee had sent three reminders and received no response from the authors concerned regarding requests for urgent action concerning 104 disappeared persons: 80 in Mexico, 13 in Honduras, 9 in Colombia, 1 in Peru and 1 in Slovakia. The Committee recalls that authors should inform the Committee if they have lost contact with the disappeared person's relatives, in which case the Committee will suspend its follow-up on the case until new information is provided. Authors should also inform the Committee if they have nothing to add regarding the measures taken by the State party concerned, so that the Committee can proceed to follow up on the request for urgent action on the basis of the information provided by the State party.

**(b) Lack of a strategy suited to each case and lack of coordination between search and investigation procedures**

74. In the context of its follow-up to requests for urgent action, the Committee continued to raise concerns regarding the failure by States parties, despite the Committee's specific recommendations, to define and implement a comprehensive strategy for the search for the disappeared persons and the investigation of their disappearance (arts. 12 and 24 of the Convention and principle 8 of the Guiding Principles for the Search for Disappeared Persons).<sup>17</sup> In the majority of such cases, States parties continued to report on isolated and uncoordinated action that revealed the absence of any such strategy and prevented or hindered any meaningful progress in the location of the disappeared persons concerned.

**(c) Challenges to the effective participation of relatives in the search and investigation**

75. During the period under review, the Committee received reports of obstacles faced by the relatives of disappeared persons to effectively participate in the search and investigation, including lack of information on measures taken and the results achieved.

**(d) Lack of a differential approach**

76. The Committee remains concerned at the absence of information from the States parties concerned as to how they have implemented the Committee's recommendations that they adopt a differential approach in cases involving women, children or members of Indigenous communities (principle 4 of the Guiding Principles).

**(e) Disappearance of women**

77. During the reporting period, the Committee registered an increasing number of requests for urgent action concerning the alleged disappearance of women. In particular, the Committee received allegations of the disappearance of a woman victim of domestic violence in Mexico, with indications, based on the context information, that she may have been victim of a femicide. The Committee recalled that even if a violation was initially not directly attributable to the State party, its international responsibility could still be triggered because of its lack of due diligence in preventing the violation or in addressing it in accordance with international law, in particular the Convention.<sup>18</sup> That scenario could apply in cases of femicide, particularly given the high rates of impunity for such crimes in the country and the fact that the disappearance of women and girls has been used as a means of concealing

<sup>17</sup> CED/C/7, annex.

<sup>18</sup> CED/C/MEX/VR/1 (Findings), para. 40.



femicide and other crimes linked to violence against women, such as sexual violence and trafficking in persons.<sup>19</sup>

**(f) Human rights defenders**

78. In cases of requests for urgent action human rights defenders, the Committee requested the States parties concerned to take into account the work of the human rights defenders as a possible motive for the disappearance. When human rights defenders, their representatives or the victims' counsel requested protection measures in such cases, the Committee requested the States parties concerned to ensure that the beneficiaries' work relating to the search for truth, justice and reparation be taken into account in the risk assessment and identification of appropriate protection measures. Such cases included a request for urgent action concerning the disappearance of two Indigenous human rights defenders in Mexico, Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia, known for their work related to the rights of Indigenous peoples and for their opposition to the activities of extractive industries in the State of Michoacán.

**(g) Disappearance of migrants**

79. The Committee registered a request for urgent action concerning the alleged enforced disappearance of a national of Morocco on 24 June 2022, as he was trying to cross the border between Spain and Morocco at Melilla, as part of a group of some 2,000 migrants. According to witnesses, the Spanish and Moroccan security forces used force to prevent the crossing and, consequently, 23 migrants died, many others were detained, and others dispersed in Morocco. The Committee sent notes to both Morocco and Spain requesting that their authorities afford one another the greatest measure of mutual assistance in searching for and locating the disappeared person (art. 15 of the Convention).

**(h) Disappearance of members of Indigenous groups**

80. The Committee registered a request for urgent action concerning the alleged enforced disappearance of a member of the Tzeltal Maya Indigenous community in Mexico. A group of 300 neighbours in the community of Nueva Palestina in Ocosingo, Chiapas, accompanied by armed community, municipal and state police, allegedly entered the houses of several members of an Indigenous family, one of whom was later reported disappeared. The Committee requested that a differential approach be adopted in the search and investigation strategy and that, in all stages of the search, the particular needs of the victim as a member of an Indigenous community be fully respected and specific cultural patterns be considered and respected.

**(i) Reprisals**

81. The Committee is concerned at allegations received from the authors of requests for urgent action concerning reprisals, usually involving threats and retaliation against the relatives of disappeared persons. In cases currently open concerning 307 disappeared persons (257 of whom had disappeared in Mexico, 20 in Iraq, 13 in Colombia, 9 in Honduras, 2 in Argentina, 1 in Brazil, 1 in Burkina Faso, 1 in Cambodia, 1 in Morocco, 1 in Paraguay and 1 in Peru), representing some 30 per cent of open cases, the Committee requested the States parties concerned to take protection measures to preserve the lives and integrity of individuals concerned, and allow them to pursue their search activities without being subjected to violence, intimidation or harassment (art. 24 of the Convention and principle 14 of the Guiding Principles). The Committee further requested the States parties concerned to ensure that such measures were taken with the prior consent of the persons requiring protection and were subject to review at their request.

<sup>19</sup> Ibid., para. 14.

## 2. Developments relating to Mexico and Iraq

### (a) Iraq

82. As at 31 March 2023, the Committee had registered requests concerning a total of 575 disappeared persons related to events in Iraq, amounting to 36 per cent of the disappeared persons concerned in all registered requests for urgent action so far. The Committee is highly concerned that only 35 of these disappeared persons (6 per cent) have been located. The Committee expressed concern about the State party's failure to inform the Committee even when the disappeared persons had been released from detention, and reminded the State party of its obligation to cooperate in good faith with the Committee by providing prompt and detailed information on action taken to search for disappeared persons and, when determined, on their location.

83. Where the State party submitted replies to the Committee, the responses generally followed the trend observed in previous reports, whereby the State party did not provide any information on action taken to search for disappeared persons or to investigate their alleged enforced disappearance. The Committee reminded the State party of its obligation to examine the allegation promptly and impartially, to undertake without delay a thorough and impartial investigation and to take the necessary measures to prevent and sanction acts that hinder the conduct of an investigation (art. 12 of the Convention).

84. The State party continued to assert in some cases that the disappeared persons were affiliated with terrorist groups, without providing information or evidence about criminal charges brought, proceedings initiated or arrest warrants issued against them. The Committee reminded the State party that the Convention provided for no exceptions to its obligation to search for disappeared persons and to investigate their disappearance, irrespective of their profile and of any suspicions of involvement in terrorist activities. Similarly, the Committee emphasized that judicial access and remedies must be available to all persons, including those affected by terrorism sanctions regimes.<sup>20</sup>

85. The Committee requested the State party to provide copies of arrest warrants or any official documents that listed the disappeared persons as wanted by the Iraqi authorities and, if specific criminal charges and proceedings had been brought against them, to officially notify their relatives and representatives, and to place them immediately under the protection of the law. The Committee welcomes the State party's recent responses to such requests, whereby it provided copies of the relevant arrest warrants and information about the detention of the individuals concerned.

86. The Committee observes, however, that in some of these cases, the arrest warrants provided were issued after the date of the alleged disappearance, whereas they should predate the alleged detention of the persons concerned. The Committee has requested the State party to explain this discrepancy, and is still awaiting a response. In other cases, the arrest warrants did not contain any information as to the charges against the disappeared person in question.

87. In some cases, the State party responded that the disappeared persons' relatives had not filed complaints with the relevant authorities, although they had in fact done so. In one case, the State party requested certified copies of complaints or reports submitted to the Iraqi authorities. The Committee recalled article 12 of the Convention, and principle 6 of the Guiding Principles, according to which: the obligation to search for and locate a person is triggered as soon as the competent authorities become aware, by any means, or have indications that a person has been subjected to enforced disappearance; the competent authorities should begin the search immediately and expeditiously, on their own initiative, even when no formal complaint or request has been made; a lack of information from relatives or complainants cannot be invoked to justify a failure to immediately launch activities to search for and locate the disappeared person; and where doubts arise about the occurrence of an involuntary disappearance, the search should nevertheless begin immediately. The Committee further recalled that the Convention imposes no specific

<sup>20</sup> [A/HRC/40/52](#), para. 75 (g).

requirements as to which authority should receive complaints alleging enforced disappearance.

88. As previously, the Committee continued to receive a number of new requests for urgent action with regard to the disappearance of persons in 2017. It was reported that, when the Iraqi security forces were about to enter Hadar District, in Ninawa Governorate, approximately 50 Sunni families fled in their vehicles towards the village of Oleba. Militia affiliated with the Iraqi security forces reportedly arrested the men, who were blindfolded and handcuffed and taken to the Hadar crossroad.

89. The Committee also received new requests for urgent action with regard to the disappearance of persons in 2015 in the context of military operations by the Popular Mobilization Forces against Da'esh, as a result of which families had been displaced. According to the information before the Committee, the Popular Mobilization Forces arrested the men and never released them.<sup>21</sup>

**(b) Mexico**

90. As at 31 March 2023, the Committee had registered requests concerning a total of 544 disappeared persons related to events in Mexico, amounting to 34 per cent of the disappeared persons concerned in all requests for urgent action registered so far. Of these 544 persons, cases concerning 55 persons have been closed as the disappeared persons have been located alive, cases concerning 101 persons have been suspended as the authors of the requests can no longer provide follow-up information, and cases concerning 388 persons remain open.

91. The Committee welcomes the State party's cooperation in responding to the Committee's requests for information. However, the Committee continued to observe a general lack of coordination between the authorities in charge of search and investigation, including with respect to the definition of their respective roles and responsibilities and the sharing of information, which occasionally resulted in duplication of action. The Committee also observed unjustified delays in the adoption of formal measures, sometimes of up to a year after the search and investigation file had been opened.

92. Authors continued to report that State authorities were directly or indirectly involved in the disappearance and that search and investigation efforts had therefore come to a halt. In such cases, the Committee emphasized to the State party the importance of establishing mechanisms for ensuring the accountability of State officials in charge of search and investigation, and requested it to investigate such allegations (art. 12 of the Convention and principle 15 of the Guiding Principles). When the local investigation authorities were allegedly involved in the disappearance, the Committee recommended that the State party consider transferring the search and investigation to the federal authorities.

93. In several cases, the Committee received information that lack of resources and capacity in some local and federal institutions meant that the initiative to advance the search for the disappeared person and the investigation of the disappearance was left to the relatives. In these cases, the Committee recalled that the main responsibility for addressing the disappearance and implementing the Committee's recommendations lay with the State authorities (art. 30 of the Convention). The Committee reminded the State party that its Supreme Court had recognized the binding nature of the Committee's recommendations issued in the context of the urgent action procedure.<sup>22</sup>

94. During the reporting period, the Committee registered several requests for urgent action related to cases of alleged enforced disappearance in the Tierra Caliente region, also known as the "Bermuda Triangle". The cases were reportedly committed by persons belonging to organized criminal groups with the acquiescence and, at times, direct involvement of State authorities.

<sup>21</sup> See, in this regard, [CED/C/IRQ/VR/1 \(Findings\)](#), paras. 22 and 23.

<sup>22</sup> Supreme Court, Amparo Appeal No. 1077/2019, Judgment, 16 June 2021, para. 122. Available (in Spanish) at <https://www.idheas.org.mx/wp-content/uploads/2021/07/VERSION-PUBLICA.pdf>.

### 3. Developments relating to other States parties

#### (a) Cases of disappearance in the context of demonstrations in Cuba

95. In 2021, the Committee registered requests for urgent action concerning 187 disappeared persons related to the social protests that began in Cuba on 11 July 2021. The requests concerned demonstrators who had allegedly been detained by security forces, which had later denied the demonstrators' relatives information on their whereabouts. The Committee recalled that failure to register a detention, even for brief periods of time, followed by refusal to acknowledge the deprivation of liberty or to disclose information on the disappeared person's whereabouts placed the individual outside the protection of the law and constituted enforced disappearance under article 2 of the Convention.<sup>23</sup>

96. After receiving case-specific information from the State party, the Committee decided to close cases concerning 165 of the disappeared persons, either because they had already been released from detention or had been placed under house arrest, or because the authors were unable to dispute the information provided by the State party to suggest that the persons remained disappeared. The Committee also decided to discontinue the cases concerning the remaining 22 disappeared persons, because their locations had been confirmed, but they remained in detention. The Committee expressed concern at the repeated allegations of incommunicado detention of protesters, in some cases for up to several months, and recalled that such practice, which could be conducive to enforced disappearance, should be exceptional, in order to avoid harm to the detainee's life or integrity and to protect investigations.

#### (b) Disappearance of French national in Japan

97. The Committee registered a case of disappearance of a tourist, a French national, in Nikko, Japan, during a visit in July 2018. The Committee was informed of a context of murders in Nikko at the time of the disappearance. Following the opening of an investigation in France for kidnapping, the French authorities sent two international letters rogatory to the Japanese authorities in October 2018 and April 2021, along with a request to the Japanese police to collect and safeguard the disappeared person's mobile phone data, but have received no response to date. The Committee requested the State party to cooperate with and afford the greatest measure of assistance to France, with a view to assisting the disappeared person and her relatives, and in searching for, locating and releasing her (art. 15 of the Convention).

#### (c) Disappearance of a migrant domestic worker in Oman

98. The Committee continued to follow up on the disappearance of a Sri Lankan migrant worker in Oman. The victim had arrived in the United Arab Emirates with a visit visa and had been illegally transferred by an employment agency to Oman, where she had allegedly been mistreated by her sponsor and disappeared. While the Committee acknowledged the new reforms regarding migrant workers in Oman – and the abolition of the “no objection certificate” system, enabling a worker to move from one employer to another – it noted that the reforms had come into force after the disappearance had occurred, and that the victim had allegedly been held in police custody in Oman before her disappearance. The Committee recalled the importance of cooperation between all States involved in a disappearance – in this case, the territorial State and the State of nationality of the victim – to ensure the greatest measure of mutual assistance in the search for the disappeared person, and mutual legal assistance (arts. 14 and 15 of the Convention).

#### (d) Disappearance in Ukraine

99. The Committee registered a third request for urgent action concerning a case of disappearance in the Donetsk region of Ukraine. The victim was allegedly apprehended by unknown persons, who were armed with automatic weapons and dressed in military uniform,

<sup>23</sup> See the joint statement by the Committee and the Working Group on Enforced or Involuntary Disappearances, 26 August 2016. Available at [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20416&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20416&LangID=E).

and was reportedly transported to the city of Bakhmut, in the Donetsk region, in the territory still under the control of the Ukrainian military units. In view of the urgency and seriousness of the situation, the Committee requested the State party to take immediate action to search for, locate and protect the disappeared person. The Committee is awaiting the State party's response in this regard.

**D. Decisions by the Committee at its twenty-third and twenty-fourth sessions**

100. The Committee decided that, in all cases in which the disappeared person had been located, it would inform the authors of the request, in its note closing the case, that they could file an individual communication regarding the State party's obligation to investigate the disappearance, if the requirements of article 31 of the Convention were met. In cases in which protection measures had been requested and the alleged risk or threat to the beneficiaries continued, the Committee would inform the authors that, if that risk or threat was related to their cooperation with the Committee, they could refer the case to its rapporteur on reprisals. The Committee also decided that in cases of disappearance in Ukraine, it would continue to process and register cases allegedly attributable to Ukraine, and would refer to the Working Group on Enforced or Involuntary Disappearances cases allegedly attributable – directly or indirectly – to the Russian Federation. The Committee further decided that when an author failed to respond to its request for information after three reminders, the Committee would suspend its follow-up to the case.

## **Chapter XI**

### **Communications procedure under article 31 of the Convention**

101. Over the reporting period, the Committee registered no new individual communications.

102. At its twenty-fourth session, the Committee adopted its Views on *Berrospe Medina v. Mexico* ([CED/C/24/D/4/2021](#)). Yonathan Isaac Mendoza Berrospe disappeared after being taken from his home in 2013, when he was 17 years old, by armed men in police uniforms. The author, his mother, has been searching for him since then. The Committee found that the State had violated its obligation to exercise due diligence in searching for her son and investigating his disappearance, and to establish the truth and provide reparations to his family, in violation of articles 1, 2, 12 and 24 of the Convention.

## Chapter XII

### Visits under article 33 of the Convention

103. On 15 November 2021, Iraq communicated its official agreement to a visit by the Committee, which the Committee had requested in November 2015. The visit was conducted from 12 to 25 November 2022, by a delegation of three Committee members. The delegation visited Anbar, Baghdad, Erbil, Mosul and Sinjar. It held 24 meetings with more than 60 authorities, and meetings with four delegations of the High Commission for Human Rights in the visited governorates, and had meetings with 171 victims and with civil society organizations from Anbar, Baghdad, Diyala, Erbil, Kirkuk, Ninawa and Salah al-Din Governorates. It observed the two exhumations and visited a provisional centre for DNA identification in Sinjar, and also visited the Medico-Legal Directorate and four places of deprivation of liberty. It held consultative meetings with the United Nations presence in Iraq and representatives of member States, and international organizations involved in the fight against disappearances. At the end of the visit, the delegation presented preliminary findings to the State party and released a statement.

104. In its visit report, adopted at its twenty-fourth session ([CED/C/IRQ/VR/1 \(Findings\)](#) and [CED/C/IRQ/VR/1 \(Recommendations\)](#)), the Committee welcomed the cooperation and the facilities provided by the State party at the federal and regional levels, including in the Kurdistan Region of Iraq, and expressed appreciation for the readiness of all its interlocutors to engage in dialogue and provide valuable information. It expressed gratitude for the support of OHCHR and the United Nations Assistance Mission for Iraq, and especially thanked the relatives of disappeared persons for their testimonies, insights and proposals.

105. In the report, the Committee presented detailed recommendations following its thorough analysis of duly verified public and confidential information, with the aim of supporting State institutions and other stakeholders to eradicate and prevent enforced disappearance, fight impunity and ensure that all victims had access to truth, justice and full reparations, regardless of their ethnic, religious or national origin, the national origin of the alleged perpetrators, and the time, location and circumstances of the disappearance. The Committee stressed its willingness to strengthen a constructive and trustful interaction with the State party to this end.

## **Chapter XIII**

### **General comments**

106. After a wide-ranging consultation process and a dedicated retreat, financed by Switzerland, from 13 to 17 March 2023, the Committee, at its twenty-fourth session, adopted the first draft of its general comment on enforced disappearance in the context of migration.

107. On 23 March 2023, the Committee launched a process of consultation on the first draft, which remained open until 15 June 2023.<sup>24</sup> All contributions will be taken into account in preparing the final draft of the general comment.

---

<sup>24</sup> See <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-first-draft-enforced-disappearances-context-migration-ced-general>.



---

## **Chapter XIV**

### **Other projects and activities undertaken by members of the Committee intersessionally**

108. At its twenty-fourth session, the Committee adopted its statement on non-State actors in the context of the Convention, after three years of work in cooperation with a wide range of stakeholders.<sup>25</sup> The aim of the statement was to clarify the scope of applicability of the Convention with regard to acts committed by non-State actors, the obligations of States parties in that regard, and the implications thereof for the functions entrusted to the Committee.

109. The Committee and the Working Group on Enforced or Involuntary Disappearances issued a joint call for input on their project on the notion of short-term enforced disappearance.<sup>26</sup>

110. Between the twenty-second and twenty-fourth sessions, Committee members participated in a wide range of activities to promote the Convention and the Committee's work.<sup>27</sup>

---

<sup>25</sup> CED/C/10.

<sup>26</sup> <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-view-issuing-joint-statement-notion-short-term-enforced>.

<sup>27</sup> See <https://www.ohchr.org/en/treaty-bodies/ced/activities>.

## Annex

### States parties to the Convention as at 31 March 2023 and their reporting status

<i>State party (in order of ratification)</i>	<i>Ratification/accession</i>	<i>Entry into force</i>	<i>Deadline for reporting under art. 29 (1)</i>	<i>Report submitted</i>
Albania*	8 Nov. 2007	23 Dec. 2010	23 Dec. 2012	11 Nov. 2015
Argentina*	14 Dec. 2007	23 Dec. 2010	23 Dec. 2012	21 Dec. 2012
Mexico*	18 Mar. 2008	23 Dec. 2010	23 Dec. 2012	11 Mar. 2014
Honduras	1 Apr. 2008	23 Dec. 2010	23 Dec. 2012	4 Feb. 2016
France*	23 Sept. 2008	23 Dec. 2010	23 Dec. 2012	21 Dec. 2012
Senegal	11 Dec. 2008	23 Dec. 2010	23 Dec. 2012	28 Apr. 2015
Bolivia (Plurinational State of)	17 Dec. 2008	23 Dec. 2010	23 Dec. 2012	28 Sept. 2018
Cuba	2 Feb. 2009	23 Dec. 2010	23 Dec. 2012	24 Apr. 2015
Kazakhstan	27 Feb. 2009	23 Dec. 2010	23 Dec. 2012	3 June 2014
Uruguay*	4 Mar. 2009	23 Dec. 2010	23 Dec. 2012	4 Sept. 2012
Mali*	1 July 2009	23 Dec. 2010	23 Dec. 2012	5 Nov. 2020
Japan*	23 July 2009	23 Dec. 2010	23 Dec. 2012	22 July 2016
Nigeria	27 July 2009	23 Dec. 2010	23 Dec. 2012	26 Mar. 2021
Spain*	24 Sept. 2009	23 Dec. 2010	23 Dec. 2012	26 Dec. 2012
Germany*	24 Sept. 2009	23 Dec. 2010	23 Dec. 2012	25 Mar. 2013
Ecuador*	20 Oct. 2009	23 Dec. 2010	23 Dec. 2012	5 June 2015
Burkina Faso	3 Dec. 2009	23 Dec. 2010	23 Dec. 2012	7 Oct. 2014
Chile*	8 Dec. 2009	23 Dec. 2010	23 Dec. 2012	1 Dec. 2017
Paraguay	3 Aug. 2010	23 Dec. 2010	23 Dec. 2012	28 Aug. 2013
Iraq	23 Nov. 2010	23 Dec. 2010	23 Dec. 2012	26 June 2014
Brazil	29 Nov. 2010	29 Dec. 2010	29 Dec. 2012	30 June 2019
Gabon	19 Jan. 2011	18 Feb. 2011	18 Feb. 2013	10 June 2015
Armenia	24 Jan. 2011	23 Feb. 2011	23 Feb. 2013	14 Oct. 2013
Netherlands*	23 Mar. 2011	22 Apr. 2011	22 Apr. 2013	11 June 2013
Zambia	4 Apr. 2011	4 May 2011	4 May 2013	-
Serbia*	18 May 2011	17 June 2011	17 June 2013	30 Dec. 2013
Belgium*	2 June 2011	2 July 2011	2 July 2013	8 July 2013
Panama	24 June 2011	24 July 2011	24 July 2013	30 June 2019
Tunisia	29 June 2011	29 July 2011	29 July 2013	25 Sept. 2014
Montenegro*	20 Sept. 2011	20 Oct. 2011	20 Oct. 2013	30 Jan. 2014
Costa Rica	16 Feb. 2012	17 Mar. 2012	17 Mar. 2014	7 May 2020

<i>State party (in order of ratification)</i>	<i>Ratification/accession</i>	<i>Entry into force</i>	<i>Deadline for reporting under art. 29 (1)</i>	<i>Report submitted</i>
Bosnia and Herzegovina*	30 Mar. 2012	29 Apr. 2012	29 Apr. 2014	26 Jan. 2015
Austria*	7 June 2012	7 July 2012	7 July 2014	31 May 2016
Colombia*	11 July 2012	10 Aug. 2012	10 Aug. 2014	17 Dec. 2014
Peru*	26 Sept. 2012	26 Oct. 2012	26 Oct. 2014	8 Aug. 2016
Mauritania	3 Oct. 2012	2 Nov. 2012	2 Nov. 2014	29 Dec. 2020
Samoa	27 Nov. 2012	27 Dec. 2012	27 Dec. 2014	14 Mar. 2023
Morocco	14 May 2013	13 June 2013	13 June 2015	10 Sept. 2021
Cambodia	27 June 2013	27 July 2013	27 July 2015	15 July 2021
Lithuania*	14 Aug. 2013	13 Sept. 2013	13 Sept. 2015	6 Oct. 2015
Lesotho	6 Dec. 2013	5 Jan. 2014	5 Jan. 2016	-
Portugal*	27 Jan. 2014	26 Feb. 2014	26 Feb. 2016	22 June 2016
Togo	21 July 2014	20 Aug. 2014	20 Aug. 2016	-
Slovakia*	15 Dec. 2014	14 Jan. 2015	14 Jan. 2017	26 Apr. 2018
Mongolia	12 Feb. 2015	14 Mar. 2015	14 Mar. 2017	27 Dec. 2018
Malta	27 Mar. 2015	26 Apr. 2015	26 Apr. 2017	21 Mar. 2022
Greece	9 July 2015	8 Aug. 2015	8 Aug. 2017	1 Feb. 2019
Niger	24 July 2015	23 Aug. 2015	23 Aug. 2017	1 Aug. 2019
Belize	14 Aug. 2015	13 Sept. 2015	13 Sept. 2017	-
Ukraine*	14 Aug. 2015	13 Sept. 2015	13 Sept. 2017	3 Aug. 2021
Italy	8 Oct. 2015	7 Nov. 2015	7 Nov. 2017	22 Dec. 2017
Sri Lanka	25 May 2016	24 June 2016	24 June 2018	-
Central African Republic	11 Oct. 2016	10 Nov. 2016	10 Nov. 2018	-
Switzerland*	2 Dec. 2016	1 Jan. 2017	1 Jan. 2019	21 Dec. 2018
Seychelles	18 Jan. 2017	17 Feb. 2017	17 Feb. 2019	-
Czechia*	8 Feb. 2017	10 Mar. 2017	10 Mar. 2019	22 May 2019
Malawi*	14 July 2017	13 Aug. 2017	13 Aug. 2019	-
Benin	2 Nov. 2017	2 Dec. 2017	2 Dec. 2019	15 Sept. 2021
Gambia	28 Sept. 2018	28 Oct. 2018	28 Oct. 2020	15 Mar. 2021
Dominica	13 May 2019	12 June 2019	12 June 2021	-
Fiji	19 Aug. 2019	18 Sept. 2019	18 Sept. 2021	-
Norway	22 Aug. 2019	21 Aug. 2019	21 Aug. 2021	18 Nov. 2021
Oman	12 June 2020	12 July 2020	12 July 2022	-
Sudan	10 Aug. 2021	9 Sept. 2021	9 Sept. 2023	-
Slovenia*	15 Dec. 2021	14 Jan. 2022	14 Jan. 2024	-

<i>State party (in order of ratification)</i>	<i>Ratification/accession</i>	<i>Entry into force</i>	<i>Deadline for reporting under art. 29 (1)</i>	<i>Report submitted</i>
Denmark	13 Jan. 2022	12 Feb. 2022	12 Feb. 2024	-
Croatia*	31 Jan. 2022	2 Mar. 2022	2 Mar. 2024	-
Luxembourg*	1 Apr. 2022	1 May 2022	1 May 2024	-
Cabo Verde	20 Dec. 2022	19 Jan. 2023	19 Jan. 2025	-
Republic of Korea*	4 Jan. 2023	3 Feb. 2023	3 Feb. 2025	-

*Note:* States parties marked with an asterisk have made declarations recognizing the competence of the Committee under articles 31 and/or 32 of the Convention. The full text of declarations and reservations made by States parties is available at

[https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-16&chapter=4&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&clang=_en).