



# International Convention for the Protection of All Persons from Enforced Disappearance

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## Committee on Enforced Disappearances

### Report on requests for urgent action submitted under article 30 of the Convention\*

#### A. Introduction

1. Pursuant to rules 57 and 58 of the Committee's rules of procedure, all requests for urgent action submitted for its consideration under article 30 of the Convention should be brought to the attention of the Committee. The present report contains a summary of the main issues that have arisen in relation to the requests for urgent action received by the Committee and in the context of the follow-up to registered urgent actions, for the period between 1 October 2023 and 27 February 2024.

2. Since 1 October 2023, the responsibility for urgent actions of the Committee on Enforced Disappearances was transferred from the Petitions Section of the Human Rights Treaties Branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to the Civil, Political, Economic, Social and Cultural Rights Section of the secretariat of the Committee on Enforced Disappearances. The transfer has required some adjustments in the servicing of the procedure, the implementation of which is under way. A new email address was created to which all new requests for urgent actions and correspondence related to registered urgent actions must now be sent: [ohchr-ced-ua@un.org](mailto:ohchr-ced-ua@un.org). The Committee remains seized of the matter and calls for an impact assessment of the transfer to be included in the agenda of its twenty-seventh session.

#### B. Requests for urgent action received and registered

3. In its previous report on requests for urgent action,<sup>1</sup> the Committee provided information on the trends observed among the requests concerning disappeared persons that had been registered up to 1 October 2023. Between that date and 27 February 2024, the Committee received 97 new requests for urgent action. Of those new requests for urgent action, the Committee decided to register 88 requests, concerning 102 disappeared persons. Of the remaining nine requests, three did not include sufficient information to establish the facts and six were submitted concerning an event that had occurred in a State that is not a party to the Convention. In accordance with established practice, additional information was requested from the authors of the incomplete requests, and those related to States that are not parties to the Convention were forwarded to the Working Group on Enforced or Involuntary Disappearances. The 88 newly registered requests concerned disappearances in Argentina, Burkina Faso, Colombia, Croatia, Ecuador, Gabon, Honduras, Iraq, Mexico and the Sudan. Of those urgent actions, 44 were registered for two or more States parties, as it was considered necessary to inform them on the basis of the obligation under the Convention of those parties to promote international legal assistance (see paras. 56–58 below).

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\* Adopted by the Committee at its twenty-sixth session (19 February–1 March 2024).

<sup>1</sup> [CED/C/25/2](#).



4. As at 27 February 2024, the Committee had registered 1,770 requests for urgent action, of which 1,722 were original requests and the remainder were parallel registrations, as shown in the tables below.

Table 1  
Urgent action requests registered, as at 27 February 2024, by State party and by year

State party	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 <sup>a</sup>	Total
Argentina	–	–	–	–	–	2	–	–	1	–	–	–	1	4
Armenia	–	–	–	–	–	1	–	–	–	–	–	–	–	1
Bolivia (Plurinational State of)	–	–	–	–	–	–	–	1	–	–	–	–	–	1
Brazil	–	–	1	–	–	–	–	–	–	–	–	–	–	1
Burkina Faso	–	–	–	–	–	–	–	–	1	–	–	1	1	3
Cambodia	–	–	1	–	–	–	–	2	1	–	–	–	–	4
Colombia	–	1	1	3	4	3	9	3	2	153	–	4	38 <sup>b</sup>	221
Croatia	–	–	–	–	–	–	–	–	–	–	–	1	–	1
Cuba	–	–	–	–	–	–	1	3	–	188	–	–	–	192
Ecuador	–	–	–	–	–	–	–	–	–	–	–	–	1	1
Gabon	–	–	–	–	–	–	–	–	–	–	–	8	–	8
Honduras	–	–	–	–	–	–	14	–	9	2	–	7	1	33
Iraq	–	–	5	42	22	43	55	226	103	41	42	8	4	591
Japan	–	–	–	–	–	–	–	–	–	–	–	1 <sup>b</sup>	–	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	71 <sup>b</sup>	9	608
Morocco	–	–	–	–	1	2	–	–	–	2	2 <sup>b</sup>	–	–	7
Niger	–	–	–	–	–	–	–	–	1	–	–	–	–	1
Oman	–	–	–	–	–	–	–	–	–	1 <sup>b</sup>	–	–	–	1
Paraguay	–	–	–	–	–	–	–	–	–	1	–	–	–	1
Peru	–	–	–	–	–	–	–	–	14	–	1	–	–	15
Sri Lanka	–	–	–	–	–	1	–	–	–	–	–	–	–	1
Slovakia	–	–	–	–	–	–	–	–	1	–	–	–	–	1
Sudan	–	–	–	–	–	–	–	–	–	–	1	1	–	2
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>123</b>	<b>248</b>	<b>192</b>	<b>459</b>	<b>101</b>	<b>101</b>	<b>55</b>	<b>1 722</b>

<sup>a</sup> As at 27 February 2024.

<sup>b</sup> Urgent actions subject to parallel registration on the basis of the principle of international legal assistance.

Table 2

**Parallel registrations on the basis of the principle of international legal assistance (arts. 14 and 15 of the Convention), by State party and by year**

<i>State party</i>	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 <sup>a</sup>	<i>Total</i>
Costa Rica	–	–	–	–	–	–	–	–	–	–	–	–	38	38
Ecuador	–	–	–	–	–	–	–	–	–	–	–	–	3	3
France	–	–	–	–	–	–	–	–	–	–	–	1	–	1
Peru	–	–	–	–	–	–	–	–	–	–	–	–	2	2
Spain	–	–	–	–	–	–	–	–	–	–	2	–	1	3
Sri Lanka	–	–	–	–	–	–	–	–	–	1	–	–	–	1
<b>Total</b>	–	–	–	–	–	–	–	–	–	<b>1</b>	<b>2</b>	<b>1</b>	<b>44</b>	<b>48</b>

<sup>a</sup> As at 27 February 2024.

Table 3

**Urgent action requests registered and parallel registrations, as at 27 February 2024, by year**

<i>Request type</i>	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 <sup>a</sup>	<i>Total</i>
Urgent action	5	5	51	211	85	86	123	248	192	459	101	101	55	1 722
Parallel registration	–	–	–	–	–	–	–	–	–	1	2	1	44	48
<b>Total</b>	<b>5</b>	<b>5</b>	<b>51</b>	<b>211</b>	<b>85</b>	<b>86</b>	<b>123</b>	<b>248</b>	<b>192</b>	<b>460</b>	<b>103</b>	<b>102</b>	<b>99</b>	<b>1 770</b>

<sup>a</sup> As at 27 February 2024.

5. Between 1 October 2023 and 27 February 2024, the Committee sent 45 notes relating to registered requests for urgent action to follow up on the implementation of its recommendations and to make new recommendations to States parties concerned on the basis of available information. As at 27 February 2024, the Committee had a backlog of 362 urgent actions for which follow-up notes needed to be prepared and sent to the State party and authors.

### C. Requests for urgent action that have been discontinued, closed or suspended

6. In accordance with the criteria adopted by the Committee at its eighth, twentieth, twenty-third and twenty-fourth sessions:

(a) An urgent action request is discontinued when the disappeared person has been located but is still detained. This step is taken because the person in question is particularly vulnerable to being subjected to a further enforced disappearance and placed outside the protection of the law;

(b) An urgent action request is closed when the disappeared person has been found at liberty, found and released or found dead, provided that his or her family members and/or the authors do not contest those facts;

(c) An urgent action request, and the Committee's follow-up to it, is suspended when the author of the request does not provide follow-up information, even after three reminders. A suspended urgent action request may be reopened whenever the author provides new information.

7. As at 27 February 2024, the Committee had closed urgent action cases concerning 484 persons, discontinued cases concerning 41 persons and suspended cases concerning 207 persons.

Table 4  
**Status of requests for urgent action that are no longer open, as at 27 February 2024**

	<i>Closed</i>	<i>Discontinued</i>	<i>Suspended*</i>	<i>Total</i>
Argentina	2	–	–	2
Bolivia (Plurinational State of)	1	–	–	1
Burkina Faso	1	–	–	1
Cambodia	2	–	–	2
Colombia	158	–	11	169
Cuba	167	25	–	192
Honduras	13	–	1	14
Iraq	29	11	5	45
Kazakhstan	2	–	–	2
Lithuania	2	–	–	2
Mauritania	–	1	–	1
Mexico	88	1	188	277
Morocco	1	3	–	4
Peru	14	–	–	14
Slovakia	–	–	1	1
Sri Lanka	1	–	–	1
Sudan	1	–	–	1
Togo	2	–	–	2
Ukraine	–	–	1	1
<b>Total</b>	<b>484</b>	<b>41</b>	<b>207</b>	<b>732</b>

\* *Suspended cases can be reactivated immediately upon the receipt of overdue information from the authors of the request for urgent action.*

8. The Committee welcomes the fact that 494 disappeared persons on whose behalf an urgent action was opened have been located to date, including 61 from 1 January 2023 to date. The Committee welcomes in particular the fact that 438 of those persons were located alive, including 37 from 1 January 2023 to date.

#### **D. Developments since the end of the twenty-fifth session**

9. As in previous periods, the Committee has maintained continual contact with States parties through their permanent missions and with the authors of requests for urgent action, and has worked in cooperation with various partners, including OHCHR and United Nations field presences, to clarify situations, verify some submitted information and seek additional data of relevance for the cases at stake.

10. While not intended to be an exhaustive analysis of all the information received under the urgent action procedure, the following paragraphs contain a description of general and specific issues, trends and developments related to the procedure during the reporting period.

11. The information received in the context of the urgent action procedure both confirms trends previously identified in the reports adopted by the Committee at its eleventh to twenty-fifth sessions<sup>2</sup> and illustrates new trends.

<sup>2</sup> CED/C/11/3, CED/C/12/2, CED/C/13/3, CED/C/14/2, CED/C/15/3, CED/C/16/2, CED/C/17/2, CED/C/19/2, CED/C/20/2, CED/C/21/2, CED/C/22/2, CED/C/23/2, CED/C/24/3 and CED/C/25/2.

## 1. Cooperation of authors of urgent actions with the Committee

12. The Committee notes that it is important that authors, when they submit a request for urgent action, provide as much detail as possible, ensuring that the full name and other information that facilitates the identification of the disappeared person and the circumstances of the disappearance are duly provided. In that regard, the Committee notes that, when the original name is not in the Latin alphabet, it should be provided both in the original language and in its transliterated form. Over the reporting period, it was necessary for the Committee to contact the authors to request clarifications and additional information in more than 15 cases, postponing the processing of the requests. Whenever necessary, the Committee also uses other confidential sources of information to verify the information provided.

13. The Committee further underscores the central role of the authors of urgent actions in ensuring the efficiency of the procedure. All the information they provide is duly analysed and taken into account by the Committee, with the aim of providing detailed recommendations to the State party. The Committee reminds all authors of urgent actions that they should not hesitate to share with the Committee all updates that they consider of relevance relating to the search and investigation process, the protection and processing of pieces of evidence, and the situation of the relatives and representatives of the disappeared persons on whose behalf an urgent action was registered.

14. If at some point the authors of the urgent action request are no longer in a position to reply, they should inform the Committee, so that the different available options can be considered as regards the follow-up of their case. Whenever the authors of the request fail to reply after three reminders, the urgent action is suspended (see paras. 5 and 6 above). Over the reporting period, three of the urgent actions that had been suspended for lack of reply from the authors were reactivated after they submitted information, and follow-up notes were sent to the States concerned.

## 2. Cooperation of States parties with the Committee

15. In compliance with article 30 (3) of the Convention, States parties have the obligation to inform the Committee, within a specified period of time, of measures taken to locate and protect the person on whose behalf an urgent action has been registered and, under article 26 (9), to cooperate with the Committee and assist its members. The Committee notes that over the reporting period most States parties have replied to its requests for urgent action but that it usually needs to send reminders before such replies are received, and that the quality and relevance of the information provided is highly variable.

16. Whenever the States parties concerned do not provide follow-up information by the deadlines set by the Committee, the Committee sends up to four reminders. Where a fourth and final reminder is necessary, the Committee will indicate that it may decide to make the lack of cooperation of the State party public in its subsequent report on requests for urgent action and in its subsequent annual report to the General Assembly.

17. The Committee welcomes the fact that, as at 15 February 2024, States parties had submitted replies regarding 170 of the urgent actions for which a final reminder had been sent. Nonetheless, the Committee was still awaiting a response from the States parties concerned regarding 218 requests for urgent action, including 198 related to Iraq.

Table 5

### Number of urgent actions for which the final reminder sent to the concerned States party has expired, as at 15 February 2024

<i>State party</i>	<i>Number</i>
Cambodia	1
Iraq	198
Mexico	18
Sudan	1
<b>Total</b>	<b>218</b>

18. In relation to the urgent actions to which States parties still have not submitted their replies, the Committee is particularly concerned when such practice relates to cases in which the State has not provided any information since the registration of the urgent action concerned. This significantly affects the efficiency of the procedure and constitutes a violation of States parties' obligations under article 30 of the Convention.

19. In that connection, the Committee notes with concern that, over the reporting period, the Sudan did not provide any reply to the urgent action request that was registered in the name of Mohamed Ali Abdalla Elgozuli (urgent action 1604/2023), who was allegedly taken from his house in May 2023 by members of the Rapid Support Forces. The authors of the request for urgent action noted that, in the light of the ongoing conflict, there were no functioning law enforcement institutions that could investigate cases of disappearance. In its fourth reminder to the State party, the Committee provided a final deadline of 19 February 2024, namely the first day of its twenty-sixth session. The Committee further informed the authors of the urgent action request of the situation and told them that, if no reply from the State party was received by the indicated deadline, they would be invited to provide updates to the Committee, on the basis of which the Committee would fulfil its mandate to work with the State party concerned for as long as the fate of the person sought remained unresolved (article 30 (4) of the Convention).

### **3. Lessons learned and established jurisprudence over the reporting period**

20. The analysis of the replies received from States parties over the reporting period reveals some trends that have been maintained through the years. The Committee wishes to bring its related lessons learned and recommendations to the attention of States parties, civil society actors and other stakeholders, with the aim of improving the efficiency, effectiveness and relevance of the urgent action procedure.

#### **(a) Need for detailed information from States parties as to actions taken**

21. In relation to the substance of the replies received from States parties, the Committee reminds authorities of the importance of providing detailed information on each of the points raised in the registration and follow-up notes. The Committee bases its concerns and recommendations on a wide range of confidential sources, with the aim of providing specific information to support the States parties concerned in their effort to search for disappeared persons, to investigate the alleged disappearance of such persons, and to facilitate the participation of the relatives, keeping them informed and protected from threats and reprisals.

22. Replies from States parties that do not provide information lead the Committee to question the willingness of the States parties to contribute to the procedure and to actually engage in the related search and investigation process.

23. In that regard, the Committee remains particularly concerned with the replies received from Iraq; all reproduce one or a combination of the following points, without providing information about the steps taken to search for the disappeared person and investigate the alleged disappearance:

(a) Request for clarification related to the name of the disappeared person, when, for example, only three of the five names indicated in the urgent action request appear on an identity document (for example, the name of the father or grandfather is not included);

(b) Request for an identity document "of better quality" than the one provided by the Committee;

(c) Indication that an arrest warrant has been issued against the disappeared person under the Anti-Terrorism Act, without the provision of any additional information;

(d) Statement that the disappeared person has been declared to be displaced;

(e) Assertion that the victim has not provided proof of having reported the disappearance to the competent national authorities.

24. In those cases, the Committee reminded the State party that its failure to take action and to provide specific information is not in compliance with articles 12 and 30 (2) and (3) of the Convention, under which States parties are required to examine the allegation promptly

and impartially; to undertake without delay a thorough and impartial investigation; to take the measures necessary to prevent and sanction acts that hindered the conduct of an investigation; and to provide information on the specific actions taken in that regard by the competent State authorities. The Committee further requested the State party to provide information on specific issues related to each of the registered urgent actions concerned. As regards the queries of the State party, the Committee took the following actions and informed the State party accordingly, depending on the circumstances of the case:

(a) Verification and confirmation that the urgent action was registered under the official or full name of the victim;

(b) Clarification of any difference in the identification document shared with the State, and confirmation of the name in Arabic whenever available;

(c) After carrying out all relevant verifications, confirmation whenever possible that the name contained in the identity document attached to the request for urgent action was sufficient to allow for the identification of the victim in Iraq, or clarification of that name.

25. Regarding the State party's request for clearer copies of official documents of disappeared persons, the Committee contacts their relatives or representatives to obtain a copy of such documents. In cases where a copy is available, it is transmitted to the State party. Whenever the family, relatives or representatives of the disappeared person do not have a copy available, the Committee reminds the State party that, frequently, victims of disappearances are disappeared in possession of their identity documents, which makes it impossible to share them, and that the State party has obligations under the Convention to search for the disappeared person and investigate the alleged disappearance without delay on the basis of the information available.

**(b) Need to adopt strategies suited to each case, and promotion of systematic coordination between institutions in charge of search and investigation**

26. In all notes on registration, the Committee invites the States parties concerned to establish without delay a comprehensive strategy that includes an action plan and a timeline for the immediate search for the disappeared persons and for the exhaustive and impartial investigation of their alleged disappearance. This strategy must take into account all the available information, including the context in which the disappearance took place, and must be established by the competent State authorities in full compliance with their obligations under the Convention (notably articles 11, 12 and 24), and in the light of the Guiding Principles for the Search for Disappeared Persons. The Committee then provides specific recommendations as to the characteristics of such strategies and action plans. Nonetheless, the Committee remains concerned about the failure by States parties to take action in this regard.

27. Such a trend is illustrated by two common characteristics of most of the replies of the States parties:

(a) The competent authorities usually report on isolated and uncoordinated action for search and investigation, without referring to any action to promote inter-institutional cooperation and sharing of information;

(b) The information available often reveals failures by the same authorities to share the information and evidence that they had obtained in fulfilling their respective mandates.

28. These practices lead in some instances to a duplication of activities and information gaps that result in the stagnation of the search and investigation processes or in unnecessary delays in the location of the disappeared persons and identification of perpetrators.

29. In such instances, the Committee consistently reminds the States concerned of their obligation to promote inter-institutional coordination as one of the components of their obligation to search for disappeared persons and investigate their disappearance, in compliance with articles 12 and 24 of the Convention, and in the light of the Guiding Principles for the Search for Disappeared Persons (in particular, principles 10–13).

30. The Committee also often has to reiterate its concern about the lack of search and investigation strategies. It has therefore requested the authorities of all States concerned by the urgent action procedure to establish and implement a comprehensive inter-institutional strategy that includes a plan of action and a timetable for the exhaustive search for the disappeared persons, in accordance with articles 3, 12 and 24 of the Convention. With regard to Mexico, the Committee also recalled the recommendations contained in the report of its visit to Mexico,<sup>3</sup> stating that the strategy established should include the effective implementation of the principles contained in the protocols approved at the national level for the search and investigation in terms of intrainstitutional and inter-institutional coordination. This requires establishing intrainstitutional and inter-institutional communication mechanisms and channels that allow for systematic, instantaneous and flexible exchanges of information depending on the needs of the case; making available and managing information appropriately; ensuring the involvement of all primary, transmitting, informing and disseminating institutions identified in the protocols.

31. The Committee does not expect to have access to the details of the search and investigation strategies but expects at least a confirmation that steps have been taken to establish and implement them, and clear information about the coordination mechanisms that have been set up in that regard between the authorities in charge of the search and investigation.

**(c) Need to take into account all hypotheses of investigation**

32. The Committee also raised concerns that some of the disappearances brought to its attention were not being investigated as possible enforced disappearances. For most of the urgent actions, the information provided does not demonstrate that all hypotheses have been taken into account in the development of the search and investigation strategy.

33. In that regard, whenever the Committee registers a new urgent action request, it clarifies the specific nature of a State's responsibilities, depending on the facts under review. Nonetheless, the nature of the crime usually means that hardly any information is available as to the perpetrators and their potential links with State agents. All the information provided must be taken into account by the authorities in charge of the search and investigation as hypothesis, and be thoroughly explored through specific investigative actions.

34. The Committee therefore expresses concern regarding allegations received that, in many instances, the hypothesis of enforced disappearance is discounted, even when the relatives of the victims request the prosecution of the crime as such, with authorities choosing to use another criminal offence. Another trend observed has been not to assign the case to the investigative authorities that are in charge of the investigation of disappearances, thereby limiting the capacity of the authorities to search and investigate in compliance with national and international standards.

35. Over the reporting period, such patterns have been observed in Colombia, Iraq, Japan and Mexico. In such cases, the Committee recommended that the State party concerned ensure that the established strategies and action plans take into account all the available information and hypotheses, including the alleged involvement of State agents identified in the context of the urgent action. In urgent action 1576/2023, registered with regard to the disappearance of Tiphaine Veron in Japan, the Committee took note of the State party's statement that the case did not constitute an enforced disappearance within the meaning of article 2 of the Convention. In that context, the Committee reiterated its recommendation to the State party that it consider the allegation of a possible enforced disappearance as a hypothesis of investigation, taking into account all the circumstances of the case, until such hypothesis had been discarded after a full, impartial and independent investigation into the victim's disappearance.

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<sup>3</sup> [CED/C/MEX/VR/1](#) (Recommendations).



**(d) Request to carry out specific actions for search and investigation, including the collection and analysis of genetic samples**

36. Whenever the Committee has received reliable information relevant for a search and investigation, it has shared it with the States parties concerned and invited them to ensure that the strategy and plan of action for the search and investigation include specific investigative steps in that regard, such as:

- (a) Visiting specific places of deprivation of liberty;
- (b) Protecting and analysing pieces of evidence;
- (c) Interviewing witnesses and potential perpetrators.

37. The replies of States parties hardly ever provide information related to the work carried out by forensic authorities. The Committee is aware that such authorities are not always consulted when the replies of States parties are being prepared and encourages their systematic integration in the process carried out to gather the information to reply to the Committee.

38. The Committee also frequently receives allegations from the author of an urgent action request that the competent national authorities did not proceed with the forensic analysis of available genetic samples and did not take the relevant DNA samples that could be of relevance to identify the disappeared person. In such cases, the Committee invites the States concerned to protect available genetic samples, collect related DNA and carry out cross-checks with relevant databases of national authorities, such as places of deprivation of liberty, hospitals and forensic services, including when the family of the disappeared person is located abroad. Such recommendations have been made to Argentina, Brazil, Cambodia, Colombia, Honduras, Japan, Mexico, Morocco and Peru.

39. This issue occurs particularly frequently for requests addressed to Mexico. In that connection, the Committee has reiterated its concern related to the ongoing forensic crisis in the country, reminding the State party of the recommendations contained in its visit report and in its latest concluding observations, which call on the State party to urgently strengthen the capacity of the forensic services for human identification and safeguarding, including that of the National Centre for Human Identification.<sup>4</sup>

**(e) Need to search and investigate, whatever the circumstances and profile of the victim**

40. As stated in article 1 of the Convention, no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance. Under this principle, the Committee has recalled the obligation of States parties to search for the disappeared person and investigate the disappearance, regardless of the person's ethnic, religious or national origin, the profile and national origin of the alleged perpetrators, and the location and circumstances of the disappearances.

41. In that connection, the Committee reminds States parties of their obligations as applied in relation to disappearances, including enforced disappearances, under articles 2, 3 and 30 of the Convention. While the Committee acknowledges the difficult situation faced by the authorities of countries currently in a state of war or internal conflict, such as Burkina Faso or Ukraine, it recalls the obligations of the States parties concerned to search for the disappeared individuals, to investigate their disappearance and to bring the perpetrators to justice.

42. The Committee is particularly concerned with various of the trends observed in urgent actions related to Iraq that seem to justify the non-development of search and investigation activities on the basis of the existence of an arrest warrant under the Anti-Terrorism Law; on the fact that the person is condemned to the death penalty; under the argument that the

<sup>4</sup> CED/C/MEX/VR/1 (Findings), paras. 28 and 29; CED/C/MEX/VR/1 (Recommendations), paras. 57–71; and CED/C/MEX/OAI/2, paras. 47 and 48.

relatives of the disappeared person have not reported the case to all the authorities of the State party; or that the identity document provided is not of sufficient quality.

43. In most of the cases where the State party has replied that an arrest warrant has been released for the disappeared person, the trend observed in previous reporting periods is maintained: the warrants are dated after the disappearance of the person and do not include specific charges. In such cases, the Committee has requested the State party:

- To specify the criminal charges and proceedings that have been brought against the disappeared person, and the results thereof, and to inform the Committee without delay of the legal situation of the disappeared person;
- In cases where the disappeared persons are deprived of their liberty and no specific criminal charges exist against them, to review their case immediately, and put them under the protection of the law;
- To confirm whether the victims would be or would have been at any point detained in any official or unofficial place of deprivation of liberty;
- To check on the potential detention through the immediate establishment of an independent task force in charge of cross-checking the registers of all places of deprivation of liberty (see para. 54 below);
- In cases where such detention is confirmed, to guarantee that the information is immediately brought to the attention of the families of the disappeared persons and that they are authorized to communicate with and be visited by their family, counsel or any other person of their choice, in compliance with article 17, paragraph 2 (d) of the Convention.

44. Similar recommendations have been made in cases where the State informed the Committee that the disappeared person had been condemned to death.

45. In all such cases, the Committee has further recalled that the Convention does not provide for any exception to a State's obligation to search for and investigate enforced disappearances, whatever the profile of the disappeared person, or the suspicions that may exist against him or her. In that regard, the Committee has underlined that judicial access and remedies must be available to all persons, including those affected by terrorism sanctions regimes.<sup>5</sup>

46. When the State questions the legitimacy of the urgent action request by asserting that the victims have not provided proof that they reported the disappearance to the competent national authorities, the Committee recalls that the Convention does not impose any specific requirements as to which authority a complaint alleging an enforced disappearance should be directed. On the contrary, under article 12 of the Convention the competent authorities of the State party, where there are reasonable grounds for believing that a person has been subjected to enforced disappearance, should undertake an investigation even if there has been no formal complaint. The Committee also notes that victims do not bear the burden of proof for any complaint submitted, much less should they be required to provide certified copies of such submissions, as such evidence is often solely in the hands of State authorities.

**(f) Need to promote a differential approach in all search and investigation processes and to take into account the work of human rights defenders and political activists when carrying out contextual analyses and designing search strategies**

47. In all cases involving women, children, persons with disabilities, members of Indigenous Peoples or other ethnic or cultural groups, and LGBTIQ+ persons, the Committee recalls the importance for States parties' authorities of adopting a differential approach whenever carrying out search and investigation activities and assisting victims, in accordance with principle 4 of the Guiding Principles for the Search of Disappeared Persons.

48. Over the reporting period, urgent actions have been registered on behalf of 35 women and 13 children or adolescents.

<sup>5</sup> [A/HRC/40/52](#), para. 75 (g).

49. An urgent action was registered on behalf of Cristina Portillo, born Jairo Portillo Castro, (Honduras, urgent action 1666/2023) who has been disappeared since 24 November 2023 following her detention by agents of the police force (anti-gang and organized crime police directorate). According to the information submitted to the Committee, it is alleged that the disappearance was linked to her activism as member of the LGBTIQ+ community and as a militant member of the National Party of Honduras. In this case, the Committee reminded the State party of the importance of taking into account those activities as a possible motive for the disappearance in order to strengthen the prosecutorial hypotheses and search activities.

50. The need to ensure a differential approach was also underscored in the case of Daouda Diallo of Burkina Faso (urgent action 1659/2023), founder and Executive Secretary of the Collectif contre l'Impunité et la Stigmatisation des Communautés, member of the Confédération générale du travail du Burkina, a trade union collective, and laureate of the Martin Ennals Award for Human Rights Defenders in 2022. Mr. Diallo was allegedly disappeared by members of the military on 1 December 2023. The Committee requested that the State party authorities in charge of the search and investigation consider his activities as a human rights defender when establishing their strategies of search and investigation, and that they provide information on the measures taken to locate Mr. Diallo by 20 December 2023. As no reply was received, a first reminder was sent to the State party, extending the deadline to 14 February 2024. During the dialogue with the State party on 20 and 21 February 2024, as part of the review of the State party's additional information under article 29 (4) of the Convention, the delegation of Burkina Faso informed the Committee that Mr. Diallo was due to be released on 7 March 2024. The Committee awaits official confirmation of the release.

51. The Committee also reminded States parties of the need to take into account the political activities of the disappeared person whenever of relevance. This was the case with the urgent actions registered by the Committee in relation to the disappearance of eight members of the Bongo family on 1 September 2023, in Gabon, committed in the context of the coup against the former President, Ali Bongo Ondimba.

52. 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 and activities were taken into account in the risk assessment and identification of appropriate protection measures.

**(g) Need to ensure an immediate visit to places of deprivation of liberty and check relevant databases**

53. The authors of urgent action requests frequently share allegations indicating that the disappeared person might be detained in specific places of deprivation of liberty. In such cases, the Committee shares all the available information with the State party, requesting that a State representative visit the indicated place of deprivation of liberty (see para. 35 above).

54. When no details are available regarding the name of the place of deprivation of liberty, the Committee recommends that the State check whether the disappeared person is in one of the places of deprivation of liberty where, depending on the circumstances of the case, he or she could be. Particular attention is paid in that regard for disappearances that have occurred in the context of migration. For example, in urgent action 1664/2023 registered on behalf of Adnan Nazir, a national of Pakistan who was disappeared on 23 October 2023 in Croatia, the Committee requested the State party:

(a) To provide information about all measures taken to verify whether Mr. Nazir had been detained in any places of deprivation of liberty, including temporary detention centres for migrants, police cells or prisons, or whether he had been treated in or admitted to a hospital or emergency room in its territory;

(b) To inform the Committee about steps taken by the national authorities to verify the national database for migrants, including the records of asylum-seekers and individuals crossing the national borders without necessary authorization, as well as Eurodac, the database of the European Union that stores fingerprints of international protection applicants or people who have crossed a border illegally;

(c) To clarify whether any steps had been taken by the State authorities to contact their counterparts, including the border police and migration offices, in neighbouring countries, from which Mr. Nazir might have departed or through which he might have transited before entering the State party;

(d) To take into account for further guidance the Committee's general comment No. 1 (2023) on enforced disappearance in the context of migration, notably chapter IV concerning the obligations to search and investigate alleged disappearances.

55. In cases related to Iraq, the Committee reiterated its recommendation contained in its visit report that the State party check on the potential detention through the immediate establishment of an independent task force in charge of cross-checking systematically the registers of all places of deprivation of liberty, regardless of the institution to which they belong, with the names of all detainees<sup>6</sup> and of disappeared people, including that of the disappeared person on whose behalf the urgent action has been registered.

**(h) Need to promote international mutual legal assistance**

56. The need to promote international mutual legal assistance between States concerned by a disappearance has been highlighted on various occasions by the Committee. In this regard, since 2012, 48 of the urgent actions have been registered for more than one State party whenever the Committee has considered that a State party to the Convention can be supported by relevant authorities in other States in the search and location of disappeared persons on whose behalf an urgent action has been registered, whether on the basis of the nationality of the disappeared person or the place where the alleged disappearance started, or because of the location of related pieces of evidence on the national territory of a State party.

57. A total of 44 such cases were registered over the reporting period. Two relate to the disappearance of nationals of Spain and Peru from Mexico. A total of 38 relate to the disappearance of nationals of Ecuador (3 cases), and the Bolivarian Republic of Venezuela (35 cases) who disappeared in 2022 and 2023 after having left Santa Marta, Colombia, on boats with the aim of reaching Nicaragua and the United States of America. The information received presented allegations of a direct link with various Colombian militaries in the network of smugglers, and made reference to pieces of evidence that were located on the national territory of Costa Rica, such as the passports and belongings of the victims. The Committee therefore registered the urgent actions for the countries concerned that are parties to the Convention (Colombia, Costa Rica and Ecuador), underlining the States' obligation to promote the implementation of all possible mechanisms of mutual legal assistance in compliance with articles 14 and 15 of the Convention, so that the authorities in charge of the search and investigation multiply the possibilities to clarify the fate and whereabouts of the disappeared persons. The same registration note was shared with all States parties concerned, making specific recommendations corresponding to each of the countries in line with their respective obligations under the Convention, depending on the specific circumstances of the cases, on the basis of the elements presented in the table below.

Table 6  
**Parallel registrations during the reporting period**

<i>Urgent action reference number(s)</i>	<i>State party concerned</i>	<i>Criteria for parallel registration</i>
1651/2023	Mexico	Place of occurrence of the disappearance
	Peru	Nationality of the disappeared
1692/2024	Mexico	Place of occurrence of the disappearance
	Spain	Nationality of the disappeared

<sup>6</sup> CED/C/IRQ/VR/1 (Recommendations), para. 67.

<i>Urgent action reference number(s)</i>	<i>State party concerned</i>	<i>Criteria for parallel registration</i>
1695–1699/2024	Colombia	Place of departure of the boat and allegations of involvement of network including militaries of Colombia
1701–1714/2024	Costa Rica	
1718–1732/2024	Colombia	Place of departure of the boat and allegations of involvement of network including militaries of Colombia
	Costa Rica	Location of some belongings of the disappeared, including passports
	Ecuador	Nationality of three of the disappeared persons

58. Where an urgent action request refers to various countries, including some that are not parties to the Convention, the Committee has invited the States parties concerned to consider the possibility of developing mechanisms of mutual assistance with those countries. In that regard, in the urgent actions related to the disappearance of 38 migrants, the Committee invited Colombia, Costa Rica and Ecuador to establish such mechanisms with Nicaragua and the Bolivarian Republic of Venezuela.

**(i) Participation of the relatives of disappeared persons and access to information**

59. In all notes of registration of urgent actions, the Committee requests the State party concerned:

(a) To establish and implement a clear and official mechanism to inform the relatives and representatives of disappeared persons about the actions taken to search for them and investigate their alleged disappearance, the progress made and the challenges faced;

(b) To allow the full participation of the relatives and representatives of disappeared persons in the search process and in the investigation of the alleged disappearance, and to provide them with direct access to the information available on the evolution and results of the ongoing investigation;

(c) To provide the Committee with up-to-date information as to the measures taken to implement each of the above-mentioned recommendations, and about the results of those actions.

60. When the relatives of the disappeared persons live in a country other than the one in which the disappearance allegedly occurred, the Committee has requested the State party concerned to ensure that such mechanisms are also accessible to those relatives.

**(j) Reprisals and interim measures**

61. The Committee is concerned at allegations received from the authors of requests for urgent action regarding reprisals, usually involving threats and retaliation against the relatives of disappeared persons or their representatives, aimed at dissuading them from participating in or promoting search and investigation processes. In cases currently open, concerning 268 disappeared persons and representing 27 per cent of all open cases, the Committee requested the States parties concerned to take protection measures to preserve the lives and integrity of the individuals concerned and allow them to pursue their search activities without being subjected to violence, intimidation or harassment, in conformity with

States parties' obligations under article 24 of the Convention and in the light of principle 14 of the Guiding Principles for the Search for Disappeared Persons. The Committee also requested the States parties concerned to ensure that such measures were taken in consultation with the persons requiring protection and were subject to review at their request. Protection measures were also requested for the protection of pieces of evidence.

62. Of the 268 disappeared persons concerned in requests for urgent action in which the Committee requested protection measures, 222 had disappeared in Mexico, 20 in Iraq, 13 in Honduras, 8 in Gabon, 6 in Colombia, 1 in Argentina, 1 in Armenia, 1 in Brazil, 1 in Burkina Faso, 1 in Cambodia, 1 in Croatia, 1 in Morocco, 1 in Paraguay and 1 in Spain.

**(k) Specific requests by States parties related to the closure of an urgent action**

63. Over the reporting period, the Committee has received a request from Mexico to close urgent action request UA 225/2015, as the case of Ivette Melissa Flores Román had also been examined by the Committee on the Elimination of Discrimination against Women.<sup>7</sup> The Committee reminded the State party that individual complaints and urgent actions were not procedures of international investigation or settlement of the same nature, and that the adoption of a decision by the Committee on the Elimination of Discrimination against Women was therefore not a criterion for closing or suspending an urgent action request. The Committee further recalled that, under article 30 (4) of the International Convention for the Protection of All Persons from Enforced Disappearance, the Committee should continue its efforts to work with the State party concerned for as long as the fate of the person sought remained unresolved.

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<sup>7</sup> CEDAW/C/83/D/153/2020.