



# 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 27 February 2024 and 9 September 2024.

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

2. 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 27 February 2024. Between that date and 9 September 2024, the Committee received 170 new requests for urgent action (compared with 97 in the previous reporting period). Of those new requests for urgent action, the Committee decided to register 118 requests (compared with 88 in the previous reporting period).

3. The remaining 52 requests were not registered for the following reasons:

- Additional information was requested from the authors of 33 requests but had not yet been provided by the date of the report.
- In six requests, the allegations submitted did not include the constitutive elements of a disappearance or enforced disappearance under articles 2 and 3 of the Convention.
- Two requests referred to disappearances that had already come to an end and where the fate and whereabouts of the disappeared persons had been clarified.
- Four requests referred to cases of so-called short-term enforced disappearance, where the disappeared persons were released and located before the Committee could register the urgent action (two related to Cuba, one to Benin and one to Togo (see paras. 38, 39 and 57 below)).
- In five requests, the facts referred to a disappearance that occurred in a State that is not a party to the Convention (one related to the United Kingdom of Great Britain and Northern Ireland, one to Haiti and three to Saudi Arabia).
- Two requests referred to disappearances that took place before the entry into force of the Convention (one related to Colombia and one to Mexico).

\* Adopted by the Committee at its twenty-seventh session (23 September–4 October 2024).

<sup>1</sup> [CED/C/26/2](#).



4. In compliance with the principle of complementarity of the mandates of the two mechanisms and as per the established practice, the requests relating to non-State parties and to disappearances that took place before the entry into force of the Convention were forwarded to the Working Group on Enforced or Involuntary Disappearances, for its consideration.

5. As at 9 September 2024, the Committee had registered 1,835 requests on the basis of the place of occurrence of the alleged disappearance. Fifty-seven of those requests gave rise to parallel registration where, according to the circumstances of the case, judicial assistance and cooperation mechanisms between various States parties were deemed necessary to strengthen the chances of gathering information relevant to the search for the disappeared person and investigate the alleged disappearance (for example: the place of the crime; the place where pieces of evidence have been located; the nationality of the alleged perpetrators; the country of nationality of the alleged perpetrators, or of the disappeared person and the other victims; the country of transit, and so on) (see [CED/C/26/2](#), paras. 56–58; and paras. 31, 34 and 35 below). Out of the 57 parallel registrations done as at 9 September 2024, three were transmitted to the other State party (or States parties) concerned for information (the practice until 2022), and 54 were registered under a specific registration number to facilitate the follow-up to the actions taken by each of the States concerned. This comes to a total of 1,892 registered requests for urgent action as at 9 September 2024.

Table 1

**Urgent action requests registered, as at 9 September 2024, by State party and by year (place of occurrence of the disappearance)**

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 <sup>b</sup>	2
Burkina Faso	–	–	–	–	–	–	–	–	1	–	–	1	1	3
Cambodia	–	–	1	–	–	–	–	2	1	–	–	–	–	4
Colombia	–	1	1	3	4	3	9	3	2	153	–	4	50 <sup>c</sup>	233
Croatia	–	–	–	–	–	–	–	–	–	–	–	1	–	1
Cuba	–	–	–	–	–	–	1	3	–	188	–	–	1	193
Ecuador	–	–	–	–	–	–	–	–	–	–	–	–	1	1
Gabon	–	–	–	–	–	–	–	–	–	–	–	8	–	8
Honduras	–	–	–	–	–	–	14	–	9	2	–	7	3	35
Iraq	–	–	5	42	22	43	55	226	103	41	42	10	19	608
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	86 <sup>b</sup>	67	681
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
Slovakia	–	–	–	–	–	–	–	–	1	–	–	–	–	1

<i>State party</i>	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 <sup>a</sup>	Total
Sri Lanka	–	–	–	–	–	1	–	–	–	–	–	–	1	2
Sudan	–	–	–	–	–	–	–	–	–	–	1	1	5	7
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>119</b>	<b>150</b>	<b>1 835</b>

<sup>a</sup> As at 9 September 2024.

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

<sup>c</sup> Including 46 subject to parallel registration on the basis of the principle of international legal assistance and cooperation.

Table 2

**Parallel registrations on the basis of the principle of international legal assistance and cooperation (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>	Total
Colombia	–	–	–	–	–	–	–	–	–	–	–	–	1	1
Costa Rica	–	–	–	–	–	–	–	–	–	–	–	–	46	46
Ecuador	–	–	–	–	–	–	–	–	–	–	–	–	3	3
France	–	–	–	–	–	–	–	–	–	–	–	1	–	1
Peru	–	–	–	–	–	–	–	–	–	–	–	–	2	2
Spain	–	–	–	–	–	–	–	–	–	–	2	–	1	3
Sri Lanka	–	–	–	–	–	–	–	–	–	1	–	–	–	1
<b>Total</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>53</b>	<b>57</b>

<sup>a</sup> As at 9 September 2024.

Table 3

**Total of registered urgent action requests and parallel registrations, as at 9 September 2024, by year**

<i>Request type</i>	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 <sup>a</sup>	Total
Urgent action	5	5	51	211	85	86	123	248	192	459	101	119	150	1 835
Parallel registration	–	–	–	–	–	–	–	–	–	1	2	1	53	57
<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>120</b>	<b>203</b>	<b>1 892</b>

<sup>a</sup> As at 9 September 2024.

6. Between 27 February 2024 and 9 September 2024, the Committee sent 71 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 (compared to 45 in the previous reporting period). As at 9 September 2024, the Committee had a backlog of 307 urgent actions for which follow-up notes needed to be prepared and sent to the State party and authors (compared to 362 as at 27 February 2024), including 254 in Spanish, 49 in English, three in Arabic and one in French.

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

7. In view of the need to clarify the criteria it applies following the decisions that it adopted at its eighth and twentieth sessions, the Committee decided to specify the meaning of the terminology it uses as relates to the status of cases that are discontinued or closed:

(a) An urgent action request is discontinued whenever the disappeared person is located but is still deprived of liberty. Should the individual concerned be disappeared again in the context of the same deprivation of liberty, the Committee could reactivate the urgent action under the same reference number, thereby facilitating the follow-up to the case;

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

8. As at 9 September 2024, 512 disappeared persons on whose behalf an urgent action was opened have been located, including 14 between 27 February 2024 and 9 September 2024. The Committee welcomes the fact that, out of these cases, 408 disappeared persons have been located alive since the beginning of the implementation of the procedure. Consequently, a total of 467 urgent actions have been closed, and 45 discontinued (for urgent actions relating to persons still in detention). The Committee notes that the big majority of cases in which the disappeared person was located alive correspond to disappearances that took place in the context of protests in Colombia and Cuba, where the persons were deprived of their liberty and their relatives were denied any information as to their fate and whereabouts for days or weeks, thereby potentially falling within the category of so-called short-term enforced disappearances (see paras. 3 and 57). The tables below show the number of urgent action cases discontinued or closed, by State party (table 4) or by year and State party (table 5).

Table 4

#### Requests for urgent action that are no longer open, by State party, as at 9 September 2024

	<i>Closed</i>	<i>Discontinued</i>	<i>Total</i>
Argentina	2	–	2
Bolivia (Plurinational State of)	1	–	1
Burkina Faso	1	–	1
Cambodia	2	–	2
Colombia	159	–	159
Cuba	168	25	192
Gabon	6	2	8
Honduras	1	–	1
Iraq	29	12	45
Kazakhstan	2	–	2
Lithuania	2	–	2
Mauritania	–	1	1
Mexico	74	1	75
Morocco	1	3	4
Peru	14	–	14
Sri Lanka	1	1	2
Sudan	1	–	1
Togo	2	–	2
<b>Total</b>	<b>467</b>	<b>45</b>	<b>512</b>

Table 5  
**Number of urgent action requests closed or discontinued, by year, as at 9 September 2024**

	<i>Number of requests closed or discontinued, by year and country</i>	<i>Total</i>
2015	Iraq: 3	3
2016	Iraq: 2	2
2017	Iraq: 3	
	Mexico: 24	
	Morocco: 2	29
2018	Argentina: 1	
	Iraq: 2	
	Mexico: 2	
	Sri Lanka: 1	6
2019	Cambodia: 1	
	Cuba: 1	
	Iraq: 5	
	Mauritania: 1	
	Mexico: 14	
	Morocco: 1	
	Togo: 1	24
2020	Bolivia (Plurinational State of): 1	
	Cambodia: 1	
	Cuba: 3	
	Iraq: 11	
	Kazakhstan: 2	
	Mexico: 4	
	Togo: 1	23
2021	Cuba: 1	
	Iraq: 4	
	Lithuania: 1	
	Peru: 13	19
2022	Colombia: 150	
	Cuba: 159	
	Iraq: 4	
	Mexico: 4	
	Sudan: 1	318
2023	Argentina: 1	
	Burkina Faso: 1	
	Colombia: 7	
	Cuba: 28	
	Honduras: 1	
	Iraq: 4	
	Lithuania: 1	
	Mexico: 25	
	Morocco: 1	
	Peru: 1	70

	<i>Number of requests closed or discontinued, by year and country</i>	<i>Total</i>
2024*	Colombia: 2 Cuba: 1 Gabon: 8 Iraq: 3 Mexico: 3 Sri Lanka: 1	18
<b>Total</b>		<b>512</b>

\* As at 9 September 2024.

#### **D. Suspension of urgent action cases, and the related rules**

9. At its twenty-third and twenty-fourth sessions, the Committee decided that an urgent action request and the Committee's follow-up to it should be suspended systematically under the following circumstances:

(a) Whenever the author of the request has not provided follow-up information, even after three reminders. In such a case, the urgent action request and the Committee's follow-up to it can be reactivated immediately upon the submission of new information by the author(s);

(b) Whenever the same case is submitted under the individual complaint procedure.

10. As at 9 September 2024, the Committee had suspended 280 urgent actions for lack of reply by the authors of the initial requests (as compared with 207 as at 27 February 2024), despite the reminders sent, and three urgent actions had been reactivated upon the receipt of new comments from the authors (see table 6 below).

11. The Committee considers it to be of paramount importance to respect the decision of authors who decide not to continue with the procedure anymore. However, in order to avoid such suspensions resulting in a lack of accountability of the States parties concerned, and in compliance with article 30 (4) of the Convention, the Committee considers it necessary to analyse this issue further and to find ways to maintain the follow-up as regards the situation of the disappeared person.

12. The Committee consulted further with some authors who had stopped replying to the Committee. According to the provided information, such situations arise for one or more of the following reasons:

(a) Reporting fatigue and despair about the lack of results from the actions taken;

(b) Misunderstanding about the kind of information that authors are supposed to provide;

(c) Misunderstanding that the lack of a reply would lead to suspension of the follow-up to the urgent action;

(d) Impossibility of replying for reasons beyond the author's control, such as denial of access to case files by some State authorities, or a request for payment to be made in order to obtain such access;

(e) Fear of reprisals.

13. The Committee is particularly concerned about situations where authors decide not to reply to the Committee for fear of reprisals, or because they have not had access to the relevant case files. In such circumstances, suspension of the urgent action procedure may contribute further to impunity in the cases concerned.

14. In order to clarify the procedure, the secretariat amended the wording of the letters sent to authors to request their comments, as well as the wording of the reminders. The new formats:

- (a) Highlight the importance of the authors' inputs and explain the content that is expected;
- (b) Clarify the steps in the procedure;
- (c) Explain that if authors prefer not to continue with the procedure, they should inform the Committee;
- (d) Emphasize that in case no reply is received after the reminders, the urgent action will be suspended until new inputs are received from the author.

15. With regard to the suspension of urgent actions following the registration of an individual complaint under article 31 of the Convention, the Committee considered it necessary to revisit the decision adopted at its twenty-second session in order to ensure that the purpose of the urgent action procedure was not affected. In view of the above, the Committee decided that urgent actions would remain open even after the registration of a related individual complaint.

16. The Committee also considered that, whenever it adopted a final decision in an individual complaint where the disappearance was also the subject of an urgent action, it would determine whether to suspend the urgent action procedure on a case-by-case basis. Such suspension will only be done when, taking into account the content of the recommendations contained in the decision adopted, the Committee considers that the follow-up to the urgent action can be transferred to the follow-up to the adopted Views.

17. The Committee further recalled that whenever an individual complaint was registered by another Committee or another human rights mechanism, such registration did not affect its competence to register an urgent action or to keep it open, as these were not procedures of international investigation or settlement of the same nature.

18. In view of the above, the Committee decided:

- (a) That it may suspend the follow-up to an urgent action case where the authors of the request have freely and unequivocally expressed their wish not to continue with the procedure, or where the source no longer exists or is unable to pursue the case, and steps taken by the Committee to contact other sources have not been successful;
- (b) That the follow-up to a suspended urgent action case will be immediately reactivated upon the receipt of new information from the authors or the State party;
- (c) That in order to avoid the suspension of an urgent action contributing to impunity in the case concerned, the Committee will send a note verbale to the States parties concerned on a yearly basis, with a list of all suspended urgent actions, requesting an update on the actions taken to search for the disappeared person and to investigate the disappearance. This note will be sent together with the list of cases in respect of which the State has received a final reminder (see para. 29 below). The replies received will be transmitted to the authors, and the Committee will consider the action to take depending on the outcome of this consultation process;
- (d) That when the same case is submitted under the Committee's individual complaint procedure, the urgent action will remain open until a final decision is adopted by the Committee;
- (e) That upon the adoption of a final decision, the Committee will determine whether to suspend the urgent action, on a case-by-case basis.

Table 6  
Suspended requests for urgent action, as at 9 September 2024

	<i>Suspended*</i>
Colombia	11
Honduras	13
Iraq	25
Mali	1
Mexico	225
Slovakia	1
Sudan	2
Ukraine	2
<b>Total</b>	<b>280</b>

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

## E. Developments since the end of the twenty-sixth session

19. The urgent action procedure depends thoroughly on the quality of the interaction of the Committee with the author(s) of the request and with the State party concerned. Through its recommendations, the Committee provides guidance on the development of the search and investigation process. It also often acts as a point of contact between authors and State authorities. The quality of the information provided is key in allowing the Committee to properly analyse the situation in question. Whenever doubts may arise, the secretariat of the Committee contacts the source of the information, and consults with partners, such as the Office of the United Nations High Commissioner for Human Rights (OHCHR) and United Nations field presences, to clarify situations, verify the information submitted, or seek additional data relevant to the case in question.

20. The information received during the reporting period both confirms trends previously identified in the reports adopted by the Committee at its eleventh to twenty-sixth sessions,<sup>2</sup> and illustrates new trends. The following paragraphs are not intended to be an exhaustive analysis of all the information received under the urgent action procedure, but refer to issues that the Committee considers to be of public interest.

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

21. The Committee reiterates the central role of the authors of urgent actions in ensuring the efficiency and effectiveness of the procedure. All the information they share with the Committee is duly analysed and taken into account, with the aim of providing detailed recommendations to the State party.

22. The Committee emphasizes that, during the reporting period, the authors of urgent action requests generally provided very detailed information. In some cases, this interaction allowed the Committee to transmit relevant pieces of information and evidence to State authorities. Even though the follow-up to individual cases usually takes much longer than expected, authors should never hesitate to bring new elements to the Committee's attention. If such issue is urgent (e.g. in cases of threats, reprisals, or the possible destruction of pieces of evidence, or regarding the availability of key information concerning situations where immediate action is necessary), the authors of the urgent action request should signal this in the subject line of their message, in order to facilitate a quick intervention.

<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](#), [CED/C/25/2](#) and [CED/C/26/2](#).



## 2. Cooperation and interaction of States parties with the Committee

23. 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) of the Convention, to cooperate with the Committee and assist its members in the fulfilment of their mandate. In the previous reporting periods, most States parties have replied to the Committee's requests for urgent action. The Committee welcomes the details of the replies provided by Colombia, Croatia, Honduras and Mexico. Nevertheless, the Committee regrets that many of its recommendations seem to have remained unheeded, and it reiterates the importance of States parties replying to each of the recommendations made in its follow-up notes (see paras. 59 and 60 below).

24. Overall, the Committee reminds States parties that whenever they are not in a position to provide information on the measures taken to implement a recommendation, they should say so, explaining the reason. Such explanations are important since they allow the Committee to analyse the challenges faced and to duly assess the situation at stake.

25. The Committee welcomes the direct interaction requested by some States parties to discuss the best way to proceed in order to follow up together on implementing the recommendations transmitted in some urgent action cases. Such exchanges are highly recommended for raising concerns, clarifying doubts, and inviting the Committee and the State party alike to reconsider some of their respective practices.

26. Whenever the States parties concerned do not provide follow-up information by the set deadlines, the Committee sends up to four reminders. Where a fourth and final reminder is necessary, the Committee indicates 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.

27. The Committee welcomes the fact that, as at 9 September 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 responses from States parties to final reminders in 193 requests for urgent action (compared to 218 as at 27 February 2024).

Table 7

**Number of urgent actions for which the final reminder sent to the State party concerned has expired, as at 9 September 2024**

<i>State party</i>	<i>As at 27 February 2024</i>	<i>As at 9 September 2024</i>
Cambodia	1	2
Iraq	198	171
Mexico	18	18
Sudan	1	3
<b>Total</b>	<b>218</b>	<b>193</b>

28. The Committee is particularly concerned about the cases where the State party has never replied. This significantly affects the efficiency and effectiveness of the procedure and constitutes a violation of States parties' obligations under articles 30 and 26 (9) of the Convention.

29. For example, the Committee notes with concern that, during the reporting period, the Sudan did not provide any reply to the urgent action requests registered in the names of Mohamed Ali Abdalla Elgozuli, Hosham Seedahmed and Lotfy Dahab. In its fourth reminder to the State party, the Committee provided final deadlines, but no replies have been received.

30. In view of the above, the Committee decided that for all cases where no reply has been received from the State party, whatever the stage of the procedure, it will send a yearly note verbale with a complete list of urgent actions in respect of which the State has received a final reminder, requesting it to reply within a specified deadline, in order to avoid such a situation resulting in a lack of accountability of the State party concerned. The yearly

reminder will be sent after the second session in the year, together with the list of suspended cases (see para. 17 above). This list will be referred to in the Committee's annual report to the General Assembly and will be made public, pursuant to rule 62 (7) of the Committee's rules of procedure.

### **3. Trends regarding the new urgent action requests received during the reporting period**

31. Out of the 118 requests registered during the reporting period, 90 per cent of the disappeared persons are men or boys, 10 per cent are women or girls, 7 per cent are minors, and 8 per cent belong to ethnic, religious or linguistic minorities.

32. Whenever it was relevant, the Committee highlighted, in the registration note, the obligation of the State party concerned to ensure a differential approach appropriate to the requirements of the victims, when establishing and implementing the search and investigation strategies and when taking measures to support and protect them.

33. Of the new urgent action requests received during the reporting period, 56 per cent relate to Mexico (66 urgent actions), 13 per cent to Iraq (15 urgent actions), 13 per cent to Colombia (15 urgent actions), 9 per cent to Costa Rica (11 urgent actions), 4 per cent to the Sudan (five urgent actions), 2 per cent to Honduras (two urgent actions), 1 per cent to Sri Lanka (one urgent action), 1 per cent to Argentina (one urgent action), 1 per cent to Brazil (one urgent action) and 1 per cent to Cuba (one urgent action) (see table 1 above). The Committee considers it of utmost importance to make the names of disappeared people visible and public and therefore includes them whenever the number of registered urgent actions relating to a State party so allows. For other States, the names of the disappeared persons can be consulted in the list of registered urgent actions attached to the present report.

#### *(i) Allegations related to Argentina*

34. The Committee received an urgent action request related to the disappearance on 24 February 2019 of Arshak Karhanyan, alleging direct involvement by State agents in the disappearance. According to the information submitted in respect of Mr. Karhanyan, who worked for the Buenos Aires City Police, that police unit would not be acting impartially and independently in its search and investigation, and the authorities would have hindered the investigation on several occasions.

#### *(ii) Allegations related to Brazil, with parallel registration for Colombia*

35. The Committee registered one urgent action request relating to the disappearance of Jhon Edward Basto Robles, who had travelled from Bogota to Manaus, Brazil, for a job opportunity. Upon his arrival, he communicated via WhatsApp with his family, sharing his locations and talking via video call. From 5 July 2024, his family abruptly lost contact with him and has been unable to obtain information about his fate and whereabouts. It is alleged that Mr. Basto Robles may have been the victim of criminal groups present in the area of the disappearance, or may be detained in a State prison, and that none of these hypotheses have been verified to date. This urgent action case was also registered for Colombia, the country of nationality of the disappeared person. In this case, the Committee underscored the importance of promoting the implementation of judicial assistance and cooperation mechanisms between the States parties concerned, in view of their respective roles, in accordance with articles 14 and 15 of the Convention, to search for Mr. Basto Robles, to facilitate access to information that may be relevant for clarifying his fate and whereabouts, and to provide assistance to him and his family and relatives.

#### *(iii) Allegations related to Colombia*

36. The Committee registered an urgent action in the name of Williams Darío Muñoz Gómez, who was disappeared on 17 November 2023 while he was working between the town centre of Medellín del Ariari and the hamlet of La Esmeralda, Miravalles. The disappearance of Mr. Muñoz Gómez allegedly took place in Meta, where the three municipalities of Lejanías, El Castillo and Cubarral are currently marked by a high level of insecurity due to incursions by dissident factions of the 40th and 53rd fronts of the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP), which have resulted in serious human rights

violations, including enforced disappearances, with the alleged involvement of State agents through authorization, support or acquiescence.

(iv) *Allegations related to Colombia, with parallel registration for Costa Rica and Ecuador*

37. Since 1 January 2024, the Committee has registered 95 urgent actions relating to the disappearance of nationals of Colombia, Ecuador and the Bolivarian Republic of Venezuela who disappeared in 2022 and 2023 after having left San Andrés, Colombia, on boats, with the aim of reaching Nicaragua and the United States of America. Sixteen of these cases were registered during the reporting period. The information received contained 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. The 95 urgent actions that were registered in relation to the different States parties concerned (Colombia, Costa Rica and Ecuador) relate to 46 individuals. In this context, the Committee underlined the States' obligation to promote the implementation of all possible mechanisms of mutual legal assistance, so that the authorities in charge of the search and investigation could have better possibilities of clarifying the fate and whereabouts of the disappeared persons. Specific registration and follow-up notes are prepared for each of the States concerned, sharing the same information, but making specific recommendations for each of the countries in line with their respective obligations under the Convention.

Table 8

**Number of parallel registrations related to the “boat cases”**

<i>Countries concerned</i>	<i>Number of registered urgent actions related to the “boat cases”</i>
Colombia	46
Costa Rica (parallel registration)	46
Ecuador (parallel registration)	3

38. Similarly, the Committee invited the States parties concerned to consider the opportunity to develop judicial assistance mechanisms with the other countries concerned by the cases by virtue of, for example, being the State of nationality of the disappeared individuals, even if the State was not a party to the Convention (i.e. Nicaragua and the Bolivarian Republic of Venezuela).

(v) *Allegations related to Cuba*

39. According to the information received by the Committee, on 26 April 2024 José Luis Tan Estrada, an independent journalist, called his relatives to inform them that he had been detained by State agents upon entering Havana and was being held at the State security training facility known as Villa Marista, in Diez de Octubre. His relatives and friends later tried unsuccessfully to phone the number from which he had allegedly made the call. The person who answered said that they had dialled a wrong number. Mr. Tan Estrada's relatives tried to obtain information from the State authorities as to his fate and whereabouts, including from the administration of the Villa Marista penitentiary centre, but to no avail. It was stated that no register of his deprivation of liberty or record of the existence of a formal arrest warrant or proceedings against him were available. On 16 May 2024 the State party replied to the Committee, informing it that Mr. Tan Estrada had communicated with his family on the day of his detention, that he had been brought before a prosecutor on 27 April 2024 and that he had been released on 29 April 2024. The State party did not accept the case being called an enforced disappearance. The Committee was then informed that Mr. Tan Estrada had been detained again on 5 July 2024 while he was consulting the Internet in a public park, and that his relatives and representatives were unable to obtain any information about his fate and whereabouts during this new deprivation of liberty.

40. Upon confirmation that Mr. Tan Estrada had been released, the Committee closed the urgent action, welcoming the fact that his fate and whereabouts had been clarified. However, the Committee expressed its concern about the subsequent disappearance during his

deprivation of liberty on 5 July 2024. The Committee recalled the following points for the State party:

(a) Deprivation of liberty followed by a refusal to acknowledge such deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law, may amount to an enforced disappearance, regardless of the duration of the said deprivation of liberty or concealment;<sup>3</sup>

(b) Under article 17 of the Convention, no one is to be held in secret detention, and all persons deprived of liberty must be authorized to communicate with and be visited by their family, counsel or any other person of their choice, subject only to the conditions established by law, or, if the person concerned is a foreigner, to communicate with his or her consular authorities, in accordance with applicable international law;

(c) Under article 18 of the Convention, each State party must guarantee to any person with a legitimate interest, such as relatives of the person deprived of liberty, their representatives or their counsel, access to the information listed in the article;

(d) The Committee will remain attentive to all new allegations of incommunicado detention, whatever their duration.

(vi) *Allegations related to Honduras*

41. The two urgent action cases relating to Honduras that were registered during the reporting period refer to the alleged enforced disappearance of men, following the entry of security forces into their homes in the early hours of the morning, in the presence of their partner and children.

42. According to the allegations received, Jefferson Ariel Hernández Dardón disappeared on 9 April 2024. Agents of the Police Investigation Directorate entered his home by force at 3 a.m. They reportedly asked for Mr. Hernández Dardón and enquired “Where are the drugs?” Mr. Hernández Dardón reportedly quickly identified himself and stated that he knew nothing. Subsequently, two agents threw him to the ground and handcuffed him, took him to their vehicle and drove off. Since then, there has been no information about the fate and whereabouts of Mr. Hernández Dardón.

43. The other urgent action case relates to the disappearance of Exel Daniel Castellanos Melara on 7 May 2024. It is alleged that four agents wearing clothing and vests of the Police Directorate against Gangs and Organized Crime forced their way into his home at 3.30 a.m. They reportedly handcuffed Mr. Castellanos Melara, put him into a grey truck-type vehicle without licence plates and took him to an unknown destination.

44. In both cases, the Committee received allegations of acts of violence by security agents against the family of the disappeared persons. In the registration notes, the Committee highlighted how important it was for the authorities in charge of the search and investigation to duly take into account the information relating to the alleged involvement of security forces, as well as Executive Decree No. PCM 29-2022 which was in force at the time of the disappearances.

(vii) *Main trends in allegations related to Iraq over the reporting period*

45. Out of the 15 urgent action cases registered that concern Iraq, 13 relate to disappearances that commenced in 2016 and one to a disappearance that commenced in 2017, affecting men and teenagers from Salah Al-Din (six cases), Mosul (three cases) and Anbar (six cases). These three regions have a history of armed factions of the Popular Mobilization Forces being involved in enforced disappearances. In most of the cases referred to, the men and boys were disappeared after being detained at checkpoints, or following security checks, often together with a large number of other individuals from the same place of origin. Others were disappeared in the context of military training that they were requested to take after having been recruited. Some of the men were released, but all those on whose behalf the urgent actions were registered remain disappeared to date. It is alleged that these

<sup>3</sup> *Yrusta v. Argentina* (CED/C/10/D/1/2013), para. 10.3.

disappearances were perpetrated by agents of the Popular Mobilization Forces. In some of the cases, the State agents allegedly involved are identified with their names and positions at the time of the crime.

46. As regards the disappearances that took place in Anbar, four relate to the “Saqlawiyah incident” in June 2016, where over 600 men and boys disappeared. This affected families, who fled their places of residence to seek protection from the military confrontations taking place between Da’esh and official government forces supported by some armed factions allegedly affiliated with the Popular Mobilization Forces. Individuals from the unidentified armed forces took all the men to an unknown destination, claiming that they would have their names checked for security reasons. Women, children and elderly persons were held separately in a construction area near Albu Fayyad. The families were then divided and transported to the Abu Ghraib and Al-Amariya camps for displaced persons. Then, the families were promised that the men would be released after three days. However, they never reappeared, and there is no information about their fate and whereabouts.

47. The last urgent action relating to Iraq that was registered during the reporting period refers to the disappearance of Sulaiman Ahmad, a Syrian journalist working at Rojnews, an Iraqi Kurdish news website, on 25 October 2023, as he was returning from a visit to his family in the Syrian Arab Republic. His family lost contact with him when he reached Faysh Khabur, Duhok Governorate. It is alleged that Mr. Ahmad was arrested that day by Iraqi Kurdish authorities at the northern Semalka-Faysh Khabur border crossing. He was taken to an unknown location, and no information has been available since then regarding his fate and whereabouts.

(viii) *Main trends in allegations related to Mexico during the reporting period*

48. As regards the 66 urgent action cases registered concerning Mexico during the reporting period, 37.5 per cent of the disappearances occurred in Michoacán (21 urgent actions), 10.7 per cent in Baja California (six urgent actions), 10.7 per cent in Colima (six urgent actions), 7.1 per cent in Quintana Roo (four urgent actions), 7.1 per cent in Guanajuato (four urgent actions), 7.1 per cent in Nayarit (four urgent actions), 3.6 per cent in Jalisco (two urgent actions), 3.6 per cent in Sinaloa (two urgent actions), 3.6 per cent in Sonora (two urgent actions), 3.6 per cent in Veracruz (two urgent actions), 1.8 per cent in Tamaulipas (one urgent action), 1.8 per cent in Durango (one urgent action) and 1.8 per cent in Guerrero (one urgent action). In a large majority of the cases, hardly any information is available, because the person disappeared in the absence of any witness, or because the authorities have not provided the available evidence. In that connection, some authors have noted that videos recorded by street cameras are only available for 30 days, and that the authorities usually do not provide access to the videos in time, which then prevents access to any relevant data. In many cases, they only know that the person disappeared, and that disappearance, including enforced disappearance, is a widespread practice in the area, in a context marked by links between agents of the local authorities and criminal groups, including in relation to the occurrence of disappearances.

49. Such disappearances affect people of all ages and social backgrounds who leave their house as usual on a normal working day. In Michoacán, the authors frequently consider that the victims were probably killed and put in mass graves (such as those found recently in Cerro de la Cruz and Palma). The Committee was also informed that in Jalisco, there are currently hundreds of bags containing unidentified human remains.

50. In some cases, the authors indicated that the perpetrators of the disappearance had requested money from the families of the disappeared, and recognized that they had done so to “take advantage of the situation” and to have the case investigated as a kidnapping rather than an enforced disappearance.

51. With regard to all the above-mentioned cases, the Committee clarified the specifics of the State’s responsibilities under articles 2 and 3 of the Convention, depending on the facts of the case. The Committee also emphasized that all the information provided must be considered by the authorities in charge of the search and investigation as hypotheses and be thoroughly explored through specific investigative actions.

*(ix) Allegations related to Sri Lanka*

52. On 16 April 2024, the Committee registered an urgent action case concerning the alleged disappearance of Kapila Kumara de Silva Gonapinuwala on 27 March 2024. On that day, Mr. De Silva Gonapinuwala left his home at around 6.30 p.m. On 28 March 2024, a group of six men and two women arrived in a white van (with registration plate number NC PC 2725) at his mother's house, and confiscated the mobile phones of the family members present in the house. The group interrogated the family members about Mr. De Silva Gonapinuwala's movements, mentioning that he was in their custody and that he was a suspect in a recent murder case in Galaboda. On 31 March 2024, at approximately 9 a.m., six members of the group returned to the mother's house to enquire whether Mr. De Silva Gonapinuwala had returned during the night, clarifying that he was not in their custody. Since then, there has been no information about Mr. De Silva Gonapinuwala's fate and whereabouts.

53. On 13 May 2024, the Committee was informed that Mr. De Silva Gonapinuwala was currently detained at Galle Remand Prison after having been detained by the police on 20 April 2024 in Horangolla, and that the Office on Missing Persons had informed the family about his arrest and current whereabouts. Upon confirmation of that information, the Committee discontinued the urgent action case on 4 June 2024. On 24 June 2024, the Committee was informed that the mother of Mr. De Silva Gonapinuwala and her family and representatives had been subjected to acts of intimidation, surveillance, smear campaigns, threats and harassment, including by officials, due to their efforts to search for her son and investigate his disappearance. The Committee's rapporteur on reprisals sent a letter to the State party requesting the adoption of interim protection measures to safeguard the family of Mr. De Silva Gonapinuwala and their representatives, to allow them to pursue their search for truth, justice and reparation in full security.

*(x) Allegations related to the Sudan*

54. As at 9 September 2024, the Committee had registered three urgent action cases relating to disappearances that allegedly took place in the Sudan, including two during the reporting period. The first case relates to the disappearance of Mutaz Osman Ahmed Babiker Siddig on 25 May 2023 as he was driving a car in Block 4 of the Kafouri neighbourhood, in the north of Khartoum. He was allegedly stopped by an armed group in Rapid Defence Forces uniforms and then taken to an unknown location. Since then, there has been no information about his fate and whereabouts, or about the authorities that are currently holding him.

55. The second case relates to the alleged disappearance of Abdelrahman Hussien Mohamed Barakat on 4 June 2023. According to the information received, he was in Block 1 of the Al-Nasr neighbourhood when he was allegedly detained by persons in Rapid Defence Forces uniforms and then taken to an unknown location. Since then, there has been no information about his fate and whereabouts, or about the authorities that are currently holding him.

56. In both cases, the Committee recalled the State party's responsibilities under articles 2 and 3 of the Convention and required the competent authorities to take the following actions:

(a) Adopt a search and investigation strategy that explores all the existing investigative hypotheses, including the allegations that the disappeared persons were detained by members of the Rapid Defence Forces, and the possibility that the facts under consideration may constitute an enforced disappearance due to the possible involvement of State agents through their action, authorization, support or acquiescence;

(b) Ensure that the strategy that is adopted determines the actions to be taken to search for and locate the disappeared persons and investigate their alleged disappearances, and to identify the perpetrators in view of all existing hypotheses in an integrated, efficient and coordinated manner, with the necessary resources and adequately trained personnel;

(c) Integrate the search for the disappeared persons into all communications, whether direct or indirect, that the authorities of the State party have with the Rapid Defence Forces;

(d) Check the possible presence of the disappeared persons in any of the places of deprivation of liberty under the authority of the State party;

(e) Consider, in their military operations, the possible locations of the disappeared persons.

57. As at the date of the present report, no reply has been received from the Sudan about any of the registered urgent actions (see para. 28 above).

(xi) *So-called short-term enforced disappearances*

58. Over the reporting period, the Committee registered one so-called short-term enforced disappearance, relating to facts that occurred in Cuba (see paras. 38 and 39 above). Four allegations of such disappearances could not be formally registered, however, because the information about the release of the alleged victim was confirmed before the Committee could take action. Nevertheless, the Committee has kept a register of such allegations, two of which relate to Cuba, one to Benin and one to Togo.

#### **4. Trends in the replies received and the decisions taken over the reporting period**

59. Over the reporting period, the replies received from States parties reiterated some of the trends that have been maintained through the years.<sup>4</sup> In the present report, the Committee wishes to highlight new situations and issues of concern. References are frequently made to examples taken from cases relating to Iraq and Mexico, which remain the two countries with the highest number of registered urgent action requests.

(i) *Overall trends in the replies received*

60. As regards the substance of the replies received from States parties, the Committee continues to observe a slight improvement in the level of detail in the information provided. Nevertheless, in most cases, the States concerned failed to reply to some of the recommendations made to them. In such cases, the Committee has reiterated the relevant recommendations, and has sought to provide more specific guidance to the States.

61. This trend is particularly frequent as regards the recommendations on the establishment of a search and investigation strategy, and of official mechanisms to allow the family, relatives and representatives of the disappeared persons to be informed periodically about the actions taken to search for them and investigate their alleged disappearance, the progress made, and the challenges faced, and to allow their participation in the search and investigation. On these issues, there is either no reply, or the information provided only provides examples of one-off actions that are not part of an overall strategy.

(ii) *Lack of replies regarding the search and investigation strategy*

62. When no reply is provided, the Committee reiterates the relevant recommendations. When the information is limited to one-off activities, the Committee invites the authorities to ensure that a search and investigation strategy is established and implemented, in compliance with the principles described in the registration note, as follows:

(a) Guarantee that the strategy complies with the requirements of due diligence at all stages of the search and investigation processes. This implies the launch of an immediate and expeditious search, including at the authorities' own initiative whenever necessary, and the carrying out of an exhaustive and independent investigation. The strategy should also guarantee the professional competence and independence of all the agents participating in the search for the disappeared person, and in the investigation of the crime (principles 6, 7 and 8 of the Guiding Principles for the Search for Disappeared Persons);

(b) Ensure that the strategy determines the activities to be performed in an integrated, efficient and coordinated fashion, and that its implementation relies on all necessary and appropriate means and procedures to locate the disappeared person and investigate the alleged disappearance (principles 10, 11 and 12 of the Guiding Principles for

<sup>4</sup> CED/C/26/2, paras. 20 ff.

the Search for Disappeared Persons). In this context, the Committee recommends that the State party take specific actions in view of the information available in the file;

(c) Guarantee that the search and investigation strategy that is adopted explores all existing investigative hypotheses in the case, including the alleged involvement of State agents (principles 6, 7 and 8 of the Guiding Principles for the Search for Disappeared Persons);

(d) Ensure that the strategy established is periodically revised and adapted in the light of information and evidence emerging from the search and investigation processes that are carried out (principle 8 of the Guiding Principles for the Search for Disappeared Persons).

63. In some cases, the States concerned have indicated that they cannot share information, considering that it is subject to the secrecy of the investigation. The Committee has emphasized that it does not expect to have access to the details of the search and investigation strategies, but rather to have information allowing it to confirm that steps have been taken to establish and implement such strategies, and to have clear information about the coordination mechanisms that have been set up for that purpose between the authorities in charge of the search and investigation.

64. In view of the above, the Committee decided to further clarify that the authorities are not expected to share information that is subject to the confidentiality of the procedures, but rather to describe the actions taken to establish and implement a search and investigation strategy that takes into account all existing hypotheses, and involves the relevant authorities in a coordinated manner.

(iii) *Lack of replies regarding mechanisms for communicating with and providing information to victims*

65. As regards mechanisms established to inform victims about the progress of the search and investigation and to allow their participation in the process, some States parties provided detailed information about the strategies they have adopted to inform the victims (e.g. Costa Rica, Croatia and Oman). In such cases, the Committee acknowledged the steps taken by the competent authorities, in the follow-up notes. Other States did not reply on this issue (e.g. Burkina Faso, Morocco, Sri Lanka and Togo). Overall, the information provided by States in this regard remains very limited.

66. As regards Iraq, the State party does not provide such information. In many instances, the State party actually requests the Committee to transfer some information to the authors of the urgent action requests.

67. The Committee therefore reiterates the relevant recommendations in its follow-up notes, insisting on the need for State authorities to inform victims about the progress of the search and investigation in a periodic and systematic manner, and for them to ensure that the information shared by relatives and representatives of disappeared persons is duly considered in the elaboration and implementation of the search and investigation strategies.

68. Mexico usually provides information about inter-institutional meetings that are held to follow up on cases of disappearance that have been registered under the Committee's urgent action procedure, the aim of which is to bring together the relatives of the disappeared persons, their representatives, representatives of the interior ministry, and the institutions in charge of the search and investigation. The Committee welcomes these initiatives, considering that such spaces for coordination and information should exist in all cases of disappearance in order to allow the institutions involved and the victims and their representatives to share information, identify actions to be taken, and coordinate the necessary interventions. However, the Committee is concerned that in many cases, it has received information that victims were not invited to take part in some of these meetings; and that too many cases were to be addressed, which prevented a proper analysis and discussion of the cases concerned. Finally, the Committee was also informed repeatedly that the agreements reached during those meetings were not implemented.

69. In such circumstances, the Committee recommended that the State party ensure that the relatives of the disappeared person were called to all relevant coordination meetings that



were organized, that time was taken to address each case properly, and that action was taken on the basis of the agreement reached.

70. In one case, Mexico replied that it was not in a position to provide additional information to the victims to facilitate their participation in the search and investigative activities to be carried out, as it considered that to do so would hinder the carrying out of the search and investigation process and could also put the participants at risk.

71. In that case, the Committee stated that to allow victims to participate, some basic data could be provided, without the need to provide details that might be confidential. In that respect, the Committee recommended that the State facilitate the participation of victims, in compliance with article 24 of the Convention, indicating that an action would be carried out but without saying where or giving the exact timing. In such a case, the people concerned can be called to the coordinating institution, to then travel to the place of the search or the investigative activity together with the competent authorities. The Committee also recalled that, if the level of risk is too high, or if the participation is impossible for other reasons that are beyond the control of the State party, the authorities must explain the situation in a timely manner to the relatives and representatives of the disappeared person, and inform them of the results of the actions taken soon afterwards.

(iv) *Need for clarification about the meaning of “differential approach”*

72. 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 the light of principle 4 of the Guiding Principles for the Search for Disappeared Persons.

73. In this context, the Committee recommended to the States parties concerned to guarantee that the staff are properly trained to deal with the victims with sensitivity, and in a way suited to their requirements. The Committee also requested that specific measures be adopted to that end. For example, in an urgent action case related to the disappearance of a 17-year-old who suffers from epilepsy, the Committee requested the State party to take that fact into account when searching for him, and to ensure that once he was located, specific attention was paid to the requirements that his situation entails.

74. However, the replies received throughout the follow-up procedure have shown that, although the authorities often have the intention to implement such a differential approach, they face challenges in identifying the necessary measures or else fail to do so. For example, in an urgent action case, the sister of the disappeared person wanted to participate in a search activity. However, the search days were stopped due to the presence of her baby, as the authorities considered that a search with a baby present would have gone against “an agreement not to have the presence of people of a given age range, for security reasons”.

75. In view of this, the Committee expressed its concern that such a decision reflected the absence of a differential approach with a gender perspective. Furthermore, it recalled that the authorities should identify alternatives that would allow the presence of a victim who was the mother of a baby without putting the safety of the participants at risk. In the case concerned, the Committee recommended that the State party find alternatives together with the victim (such as identifying a trusted person who could take care of the baby on the search days) and provide her with the necessary support to this end.

(v) *Other trends observed in the replies of Iraq*

76. As regards Iraq, the Committee notes that the State party is progressively providing more information as it compiles the replies sent by various authorities to the Ministry of Foreign Affairs. However, these replies hardly ever reflect concrete actions taken by the authorities to search for the disappeared person, to investigate the alleged disappearance, and to facilitate the participation of the victims and their access to information.

77. The Committee remains concerned about the trends highlighted in its previous reports on urgent actions, notably as to the practice of the State party of requesting clarification about the name of the disappeared person when, for example, only three of the five names indicated

on the urgent action request appear on an identity document (e.g. when the name of the father or grandfather is not included); of requesting an identity document “of better quality” than the one provided by the Committee; of indicating that an arrest warrant has been issued against the disappeared person under the Anti-Terrorism Act, without the provision of any additional information; of stating that the disappeared person has been declared to be displaced; or of asserting that the victim has not provided proof of having reported the disappearance to the competent national authorities.

78. The Committee also notes with concern that some of the replies provided by the State party are repetitive and demonstrate that the authorities consulted as part of the process do not have access to the information provided by the Committee throughout the procedure. The Committee notes that, as a result of this, the State party requested the complete name of the victim or a copy of his or her identity documents on a number of occasions as time went on, in various cases, whereas the information had already been provided since the issuance of the note of registration of the case and had later been confirmed. In such cases, the Committee invited the State party to ensure that whenever it replied to the letters of the Committee, it took into account all the correspondence that had been transmitted since the beginning of the procedure, including the registration note.

79. Similarly, the Committee notes with concern that some of the replies provided by the State party are contradictory and difficult to reconcile. For example, in a case registered in 2015, the State party replied on several occasions that no information about the disappeared person was available in its records. In 2024, the State party indicated that the disappeared person was a member of the elements of the so-called Islamic army, and had been affiliated with the terrorist organization Al-Qaida in 2005. While recalling that the Convention does not provide for any exception to States’ 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, the Committee noted that such a statement did not bring any clarification as to the current situation of the disappeared person and was somehow contradictory to the previous replies of the State party.

80. The Committee also notes that during the reporting period, the State party requested, in various urgent action requests, that the Committee invite the family of the disappeared person “to attend the Forensic Medicine Department/Missing Persons Section and the Forensic Medicine Department” of a specified governorate “to review photographs, for the purpose of identification”. In several of those cases, the Committee was informed that the victims had already been to the departments referred to, sometimes on a number of occasions, but had not received any relevant information. In such cases, the Committee emphasized that the process of identifying photographs should not be carried out as an isolated activity, but must be part of the established search and investigation strategy, together with other search and investigation activities. Accordingly, the Committee recommended to the State party to take the following actions:

(a) Ensure that the family of the disappeared person receives an official invitation from the competent authorities so that they are indeed provided with the relevant information when they go to the designated forensic institute;

(b) Such an invitation should only be issued once the competent authorities have confirmed that new photographs of potential relevance to the case of the disappeared person are available, different from those that were seen when the relatives or representatives last visited the forensic medicine department;

(c) For all search and investigation activities, State officials should be particularly aware of and sensitive to the potential impact of participation in the search and identification process on the mental health of victims. The State party must therefore ensure that all officials in charge are trained to receive the family with respect and with a differential approach, guaranteeing that they communicate compassionately and respectfully with them as well as with other persons involved in the search;

(d) In cases where the State party confirms that a visit to a forensic institute could be of relevance in the case under consideration, the family of the disappeared person should have the possibility to be accompanied by the person of their choice if they decide to attend.

81. Iraq also required victims, on various occasions, to provide a copy of the complaints or reports submitted to the Iraqi authorities. On this point, the Committee emphasized that such documents were in the hands of the State party and should therefore be transmitted directly by the authorities concerned.

82. The Committee is particularly concerned about information received recently from various authors of urgent action requests that numerous families of disappeared persons have been pressured by authorities to change their declarations so as to state that the forces responsible for the arrests were not affiliated with the Government, but that the arrests were made by “unknown groups”. According to the allegations received, the authorities promise families that if they change their statements, they will receive financial compensation, for instance through a death grant (of up to \$300) or in the form of a monthly pension. In such cases, the State party then informs the Committee that the disappeared person is dead, and requests the closure of the relevant urgent action, with the person not having been located and no investigation having been carried out.

83. In view of the above, the Committee decided that, in such cases, it will clarify that similar allegations have been received in other cases, and that, consequently, it cannot take action on the basis of an affirmation by the State party of the alleged death of the disappeared person. The Committee will also recall:

(a) The State party’s obligation under the Convention to search and investigate until the fate and whereabouts of the person have been clarified on the basis of an exhaustive procedure that fully complies with the principles of due process, and takes into account all hypotheses, including the allegations of enforced disappearance;

(b) The Committee’s recommendations to Iraq to establish a declaration of absence that would allow access to social support.

(vi) *Other trends observed in the replies of Mexico*

84. The Committee observed that authors are often informed by the authorities that a lack of human and financial resources is hindering the implementation of the investigative and search actions recommended by the Committee. Such replies relate to visits to the alleged place of occurrence of the crime or the possible location of the disappeared person, to delays in identifying located remains and in carrying out the relevant forensic examinations, and to delays in analysing telephone networks, call sheets and data generated from mobile phones.

85. In that connection, the Committee requested the State party to carry out the relevant activities and proceedings without delay, and recalled the obligation under the Convention to provide the competent authorities with the necessary resources to carry out the search and investigation and to identify the victims and perpetrators. The Committee also referred to the recommendations contained in the report on its visit to Mexico as regards State responsibility for establishing and implementing a public policy for the prevention and eradication of enforced disappearances, including access for all victims to truth, justice and reparation.<sup>5</sup>

86. The State party also frequently refers to the impossibility of accessing places where disappearances allegedly occurred for security reasons. In such cases, the Committee referred to its recommendations regarding the responsibility of the State to guarantee permanent protection for public officials engaged in searches and investigations and to establish a comprehensive protection programme for them. The Committee also noted that particular account should be taken of the inherent risks in places where organized criminal groups have warned that public officials will not be allowed to continue their activities or carry out their work.<sup>6</sup> The Committee recommended that security measures be taken to allow the authorities in charge of the search and investigation process to gain access to the crime scene zone despite the prevailing security conditions. In that context, the Committee invited the State party to consider, inter alia, the possibility of transferring the case to the competent federal authorities, and of conducting interviews and other analyses of available evidence outside the state where the disappearance occurred.

<sup>5</sup> CED/C/MEX/VR/1 (Findings), paras. 30–37.

<sup>6</sup> CED/C/MEX/VR/1 (Recommendations), para. 103.

87. In the vast majority of cases relating to disappearances in Mexico, the Committee has received information revealing failures in the process of search and investigation, sometimes with very detailed data about the public agents involved in acts that have allegedly hindered the search and investigation.

88. In all these cases, the Committee has provided the available information to the State party and has recalled the obligation of the State party under article 12 (4) of the Convention to investigate such allegations and ensure punishment. No reply has ever been received discussing the process carried out to this end.

## **5. Reprisals and interim measures**

89. 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.

90. In cases currently open, concerning 286 disappeared persons and representing 26 per cent of all open cases, the Committee requested the States parties concerned to take interim measures to preserve the lives and integrity of the individuals concerned and to allow them to pursue their search activities without being subjected to violence, intimidation or harassment (see art. 24 of the Convention and 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 requested for the protection of pieces of evidence.

91. Of the 286 disappeared persons who were the subject of requests for urgent action where the Committee requested interim measures or protection measures, 235 had disappeared in Mexico, 17 in Iraq, 13 in Honduras, 8 in Gabon, 6 in Colombia, 1 in Argentina, 1 in Brazil, 1 in Burkina Faso, 1 in Cambodia, 1 in Morocco, 1 in Paraguay and 1 in Spain.

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