



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances

Concluding observations on the report submitted by Malta under article 29 (1) of the Convention*

1. The Committee on Enforced Disappearances considered the report submitted by Malta under article 29 (1) of the Convention¹ at its 523rd and 524th meetings,² held on 24 and 25 March 2025. At its 536th meeting, held on 3 April 2025, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the report submitted by Malta under article 29 (1) of the Convention. It also thanks the State Party for its written replies³ to the list of issues.⁴

3. The Committee expresses its appreciation for the constructive dialogue with the delegation of the State Party on the measures taken to implement the Convention and welcomes the openness with which the delegation responded to the questions posed. It also thanks the State Party for the supplementary written information submitted after the dialogue.

B. Positive aspects

4. The Committee welcomes the State Party's ratification of eight of the nine core United Nations human rights treaties and several of the optional protocols thereto,⁵ and of the Rome Statute of the International Criminal Court.

5. The Committee welcomes the progress made by the State Party in areas relevant to the Convention, including:

(a) The inclusion of enforced disappearance as a crime against humanity in 2002 (Criminal Code, art. 54C (2) (i)), with penalties extending up to 30 years' imprisonment or, if the offence of enforced disappearance is accompanied by murder, up to life imprisonment;

(b) The adoption of the Prosecution of Offences (Transitory Provisions) Regulations (Legal Notice 378 of 2020), granting the Attorney General prosecutorial discretion over crimes against humanity, including enforced disappearance;

(c) The enactment of the Victims of Crime Act, in 2015, ensuring the protection of and support for victims of crimes, including enforced disappearance, in line with

* Adopted by the Committee at its twenty-eighth session (17 March–4 April 2025).

¹ [CED/C/MLT/1](#).

² See CED/C/SR.523 and CED/C/SR.524.

³ [CED/C/MLT/RQ/1](#).

⁴ [CED/C/MLT/Q/1](#).

⁵ The State Party has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.



directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime;

(d) The amendment of the Extradition Act in 2002, strengthening the country's framework for extraditing individuals involved in crimes against humanity, including enforced disappearance;

(e) The inclusion of fundamental human rights training for police and correctional officers at the Academy for Disciplined Forces as part of ongoing reforms in law enforcement training since 2017, incorporating participation in European Union Agency for Law Enforcement Training (CEPOL) and European Border and Coast Guard Agency (Frontex) human rights courses;

(f) The strengthening of witness protection mechanisms through the Protection of the Whistleblower Act and the amendments adopted in 2017 to articles 40–56 of the Police Act, enhancing safeguards for individuals reporting enforced disappearances;

(g) The enhancement of child protection frameworks under the Child Abduction and Custody Act and the accession of Malta to the Convention on the Civil Aspects of International Child Abduction, strengthening safeguards against children's disappearances;

(h) The establishment of a dedicated unit within the Malta Police Force, which joined AMBER Alert Europe in 2020, to improve efforts for the search for and recovery of disappeared children.

C. Principal subjects of concern and recommendations

6. In the present concluding observations, the Committee shares its concerns and provides recommendations to assist the State Party in ensuring full compliance with its treaty obligations, in both its normative framework and its implementation. The Committee encourages the State Party to implement the following recommendations, which have been made in a constructive and cooperative spirit.

1. General information

Applicability of the Convention

7. The Committee notes the State Party's assertion that the Convention is directly applicable under domestic law, as reflected in its constitutional framework and legal practice. However, the Committee notes the absence of decisions in which the provisions of the Convention have been directly invoked before national courts or administrative authorities, which questions the practical enforceability of the Convention at the domestic level. In this regard, the Committee recalls that the direct applicability of the Convention requires not only its formal recognition but also its effective application in practice (arts. 1, 4, 12 and 23).

8. The Committee recommends that the State Party amend its legislation in order to incorporate the provisions of the Convention into national law and ensure their full and direct applicability in national courts and that they can be invoked before them.

Stakeholders' involvement in the preparation of the report

9. The Committee notes with concern that civil society organizations, including human rights defenders and victims' groups, were not consulted during the preparation of the State Party's report. While acknowledging the State Party's explanation that no civil society organizations in Malta specifically focus on enforced disappearance, the Committee emphasizes that enforced disappearance intersects with broader human rights issues, such as migration, trafficking in persons and child protection, in which civil society plays a crucial role, and that engagement with stakeholders is essential to ensure the comprehensiveness and transparency of the reporting process.

10. The Committee recommends that the State Party ensure the meaningful participation of civil society organizations, including victims' associations and human

rights organizations working on issues that may be related to enforced disappearances such as migration, children's rights and trafficking in persons, in the preparation of future reports and in the follow-up to the present concluding observations, in the light of the Committee's guidelines on the relationship of the Committee on Enforced Disappearances with civil society actors.⁶

National human rights institution

11. The Committee notes with concern that, although the human rights and equality commission bill was introduced in 2019, its progress toward enactment into law was halted due to the dissolution of Parliament in 2022 and that, consequently, the establishment of an independent national human rights institution has been delayed.

12. **The Committee supports the recommendation of the Human Rights Committee⁷ to expedite the adoption of legislation establishing the National Commission for the Promotion of Equality and Human Rights in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). In this regard, the Committee recommends that the State Party establish a clear timeline for the creation of the national human rights institution with meaningful civil society participation, while ensuring that the revised legislation guarantees the institution's full independence, adequate resources and a mandate explicitly covering enforced disappearance, thereby fulfilling the pledge made by the State Party in the context of the seventy-fifth anniversary of the Universal Declaration of Human Rights.**

Individual and inter-State communications

13. The Committee notes with concern that Malta has not recognized the competence of the Committee under articles 31 and 32 of the Convention to receive and consider individual and inter-State communications. This limits the ability of victims and other States Parties to seek redress for alleged violations of the Convention through the Committee's procedures. (arts. 31 and 32).

14. **The Committee encourages the State Party to recognize its competence to receive and consider individual and inter-State communications under articles 31 and 32 of the Convention with a view to ensuring the full effectiveness of the Convention and strengthening the protection of victims from enforced disappearance, and invites it to submit information on the measures taken and the time frame set to this end.**

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

Statistical information and register of disappeared persons

15. The Committee takes note of the information provided by the State Party indicating that Malta has not received reports or alerts of enforced disappearance or acts that amount to enforced disappearance and that no unified and operational register of disappeared persons is used by the competent authorities. While noting the information about the various registers used to search for a person, the Committee is concerned that the information contained in those registers might not allow for a differentiation between cases of enforced disappearance, as defined under article 2 of the Convention, disappearances, as referred to in article 3, and other crimes or situations in which persons disappear that do not fall under those articles of the Convention (arts. 1–3, 12 and 24).

16. **The Committee recommends that the State Party:**

(a) **Consider establishing a single register of disappeared persons to generate accurate and up-to-date statistical information on such persons, disaggregated by sex, age, gender identity, sexual orientation, nationality and racial or ethnic origin. The information should include the date of disappearance, whether the**

⁶ CED/C/3.

⁷ CCPR/C/MLT/CO/3, para. 9.

person has been located, alive or deceased, and whether there may have been some form of State involvement in the disappearance within the meaning of article 2 of the Convention;

(b) **Guarantee that relevant authorities, victims' relatives and representatives have access to the information set out in the previous subparagraph, while respecting privacy protection under article 19 of the Convention.**

Non-derogability of the prohibition of enforced disappearance

17. The Committee acknowledges that article 4 of the Emergency Powers Act subjects emergency regulations to constitutional safeguards. However, it notes with concern that domestic law does not explicitly provide for the absolute prohibition of enforced disappearance as required under article 1 (2) of the Convention (art. 1).

18. **The Committee recommends that the State Party explicitly incorporate the absolute prohibition of enforced disappearance into national law, in accordance with article 1 (2) of the Convention, and clearly specify that no exceptional circumstances whatsoever may be invoked as a justification for enforced disappearance.**

Offence of enforced disappearance

19. The Committee acknowledges that Malta criminalizes enforced disappearance as a crime against humanity under article 54C of the Criminal Code. However, it remains concerned that enforced disappearance is not established as an autonomous offence in compliance with article 2 of the Convention. The Committee also regrets the State Party's statement that it does not envisage amending its legislation because it considers that the existing norms on abduction, illegal arrest and unlawful confinement are sufficient to prosecute cases of enforced disappearance. It recalls that the reference to a range of existing offences does not allow all the constituent elements and modalities of the offence of enforced disappearance to be encompassed, as provided in the Convention, or for the gravity and specific nature of enforced disappearance to be reflected (arts. 2, 4 and 7).

20. **The Committee urges the State Party:**

(a) **To incorporate without delay enforced disappearance into national law as an autonomous offence in line with the definition contained in article 2 of the Convention;**

(b) **To punish the offence of enforced disappearance with appropriate penalties that take into account the extreme seriousness of the crime;**

(c) **To include in its criminal law the specific mitigating and aggravating circumstances set out in article 7 (2) of the Convention.**

Criminal responsibility of superiors and due obedience

21. The Committee notes with concern that current legislation in Malta does not explicitly include the criminal responsibility of persons who order or instigate enforced disappearance, or that of superiors, in compliance with article 6 of the Convention (arts. 1, 6 and 23).

22. **The Committee recommends that the State Party amend its legislation in line with article 6 of the Convention to explicitly establish the criminal responsibility of superiors, both military and civilian, and to specify that no order or instruction from any public authority, civilian, military or other, may be invoked to justify an enforced disappearance.**

Appropriate penalties

23. The Committee observes that, in the absence of an autonomous crime of enforced disappearance, the offences covered by articles 86, 90 and 199 of the Criminal Code do not provide for punishments that are commensurate with the seriousness of the crime of enforced disappearance in compliance with article 7 (1) of the Convention (art. 7).

24. **The Committee recommends that the State Party adopt the legislative measures necessary to include in its criminal law appropriate penalties for the offence of enforced disappearance that take into account its extreme seriousness, as well as the specific mitigating and aggravating circumstances set out in article 7 (2) of the Convention.**

3. Judicial procedure and cooperation in relation to enforced disappearance (arts. 8–15)

Investigation of the disappearance of unaccompanied minor asylum-seekers from reception centres

25. The Committee regrets the lack of specific data on and comprehensive measures to search for disappeared unaccompanied minor asylum-seekers from reception centres in Malta and to investigate their disappearance. Furthermore, the Committee is concerned about reports indicating that searches for unaccompanied minors may be discontinued after a limited period, despite the continuous nature of enforced disappearance. The Committee also notes the lack of clarity regarding the coordination between the Malta Police Force, the Detention Services Agency and other relevant authorities in responding to such disappearances, as well as the absence of specialized protocols to ensure prompt and effective search and investigations (arts. 12 and 14–16).

26. **In compliance with articles, 12, 14–16 and 24 of the Convention and in the light of the Guiding Principles for the Search for Disappeared Persons⁸ and the Committee’s general comment No. 1 (2023) on enforced disappearance in the context of migration, the Committee requests the State Party:**

(a) **To establish a specialized and proactive mechanism to prevent, monitor and investigate the disappearance of unaccompanied minor asylum-seekers, ensuring that the search process is initiated immediately upon receipt of information related to a disappearance, even in the absence of a formal complaint, and that all cases are registered promptly and thoroughly investigated until clarification is received of the fate and whereabouts of the disappeared person;**

(b) **To develop and implement standardized protocols for immediate action when a minor disappears, including mandatory notification of relevant authorities, coordinated search operations and engagement with the International Criminal Police Organization (INTERPOL) and other international bodies where cross-border implications arise;**

(c) **To strengthen inter-agency cooperation among the Malta Police Force, the Detention Services Agency, child protection services and civil society organizations to enhance prevention, reporting and investigation efforts, while ensuring that all personnel involved receive specialized training on the rights of migrant children and the Convention.**

International cooperation and mutual legal assistance

27. The Committee notes with concern that, while Malta has extradition agreements with 27 countries, including States of the Commonwealth and States such as Egypt, Libya, Tunisia and the United States of America, none of these agreements explicitly list enforced disappearance as an extraditable offence. The Committee is concerned that the principle of double criminality may impede effective cooperation in cases where enforced disappearance is not criminalized in the requesting State, despite the assertion by Malta that it would treat such requests under its general extradition framework. Moreover, while Malta has engaged in mutual legal assistance in cases of abduction and trafficking in persons, no such cooperation has been recorded specifically for enforced disappearance, raising doubts about the potential applicability of existing legal mechanisms to enforced disappearance cases in practice (arts. 9, 13, 14 and 15).

⁸ [CED/C/7](#).

28. **The Committee recommends that the State Party take the following measures to strengthen international judicial cooperation in cases of enforced disappearance:**

(a) **Explicitly include enforced disappearance as an extraditable offence in all existing and future extradition treaties, in line with article 13 of the Convention;**

(b) **Ensure that conditions not provided for in the Convention, in particular the requirement of double criminality, are not invoked to restrict extradition processes or the exercise of jurisdiction by its courts, in full compliance with article 9 (2) of the Convention;**

(c) **Enhance mutual legal assistance mechanisms by proactively offering and requesting cooperation in cases of enforced disappearance, including under the European Convention on Mutual Assistance in Criminal Matters and directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters;**

(d) **Provide specialized training to judicial and law enforcement authorities on handling extradition and mutual legal assistance requests related to enforced disappearance, ensuring alignment with international standards.**

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

Non-refoulement and extradition

29. The Committee takes note of the State Party's assertion that its legal framework, including constitutional provisions and the Council of the European Union Act 2001/C 326/01 establishing, in accordance with Article 34 of the Treaty on European Union, the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union, provides sufficient safeguards against refoulement where there is a risk of torture or inhuman or degrading treatment. The Committee also acknowledges the State Party's explanation that extradition proceedings are subject to judicial oversight, including the right to appeal and constitutional remedies, as exemplified in the case of *Police v. Paul Philippe Al-Romaniei*,⁹ in which the court refused extradition due to risks of ill-treatment in Romania. However, the Committee is concerned that domestic legislation does not explicitly prohibit the expulsion, return, surrender or extradition of persons to a country where there are substantial grounds for believing they would be in danger of enforced disappearance, as required under article 16 of the Convention. While the State Party refers to diplomatic assurances and judicial assessments as safeguards, the Committee emphasizes that such measures must be rigorously evaluated on a case-by-case basis and cannot be a substitute for a clear legal prohibition. Furthermore, the Committee notes the absence of specific criteria or guidelines for assessing the risk of enforced disappearance in extradition, expulsion or return decisions, including in cases involving migrants intercepted at sea or returned to Libya under bilateral agreements (arts. 16 and 17).

30. **The Committee recommends that the State Party:**

(a) **Explicitly incorporate into domestic law an absolute prohibition on refoulement, expulsion, return or extradition where there are substantial grounds for believing that a person would be in danger of enforced disappearance, in full compliance with article 16 of the Convention;**

(b) **Establish clear and transparent procedural safeguards, including individualized risk assessments, to evaluate and verify claims of potential enforced disappearance prior to any extradition, expulsion or return, in particular in migration-related cases;**

(c) **Ensure that diplomatic assurances, where relied upon, are subject to strict scrutiny, with due regard to the human rights situation in the receiving State,**

⁹ Court of Criminal Appeal, Case No. 359/2024/2, Decision, 20 May 2024.

and are never used to circumvent the principle of non-refoulement when there is a risk of enforced disappearance;

(d) **Provide specialized training to judges, immigration officials and law enforcement personnel on identifying and addressing risks of enforced disappearance in extradition and migration proceedings, in line with the Committee's general comment No. 1 (2023) on enforced disappearance in the context of migration.**

Registers of persons deprived of their liberty

31. The Committee acknowledges the State Party's explanation that registers of persons deprived of their liberty are maintained in police custody facilities and migrant detention centres, in both digital and hard-copy formats, and that records are updated upon admission. However, the Committee notes with concern the absence of a centralized, nationwide register of all places of deprivation of liberty, including police stations, psychiatric hospitals and immigration detention centres. The Committee regrets that no national preventive mechanism has been established in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which limits the ability of existing mechanisms to ensure full compliance with the Convention (arts. 17, 18, 20 and 22).

32. **The Committee recommends that the State Party:**

(a) **Centralize all existing registers of persons deprived of liberty, establishing a single and fully interoperable register of all persons deprived of liberty, without exception, ensuring that it contains, at a minimum, all the information required under article 17 (3) of the Convention and that it is permanently updated with real-time information and is accessible, in compliance with articles 18 and 20 of the Convention;**

(b) **Ensure, in the meantime, the real-time updating of all existing registers of persons deprived of liberty and guarantee access thereto for judicial authorities, legal representatives and relatives of detainees;**

(c) **Formally establish and empower a national preventive mechanism, in accordance with the Optional Protocol to the Convention against Torture, to ensure independent, unannounced inspections of all detention facilities, including psychiatric institutions and migrant detention centres, and to verify the accuracy and completeness of detention records.**

Conditions in detention and migration centres

33. The Committee notes the State Party's assertion that overcrowding in migrant detention facilities has been addressed through the construction of new centres and that no incidents of violence have been reported in recent years. However, the Committee remains deeply concerned about:

(a) Reliable allegations of non-assistance and pushbacks of migrants at sea, including reports of delays in search and rescue operations and cooperation with the Libyan Coastguard, which may make migrants vulnerable to enforced disappearance. The Committee regrets the lack of detailed information on investigations into these allegations, despite the 2021 decision of the Human Rights Committee regarding the 2013 shipwreck involving authorities from Italy and Malta;¹⁰

(b) The absence of safeguards to prevent enforced disappearances in the context of the 2020 memorandum of understanding with Libya concerning funding for coordination centres in that country, which lacks explicit provisions on measures to monitor the treatment of intercepted migrants or prevent their disappearance upon return;

(c) The use of Mount Carmel Psychiatric Hospital for migrants with mental health issues awaiting deportation, as the State Party acknowledges that individuals may be

¹⁰ *A.S. and others v. Malta* (CCPR/C/128/D/3043/2017).

held for prolonged periods without clear judicial oversight or data on their nationality, detention duration or deportation prospects (arts. 16 and 17).

34. The Committee recommends that the State Party:

(a) **Immediately cease all practices of pushbacks or indirect returns to Libya and ensure that all search and rescue operations prioritize the disembarkation of migrants in safe locations, in full compliance with international human rights and maritime law;**

(b) **Revise the memorandum of understanding with Libya to include explicit safeguards against enforced disappearance, such as independent monitoring of interception operations and guarantees of access to asylum procedures for all eligible migrants;**

(c) **Investigate all allegations of non-assistance at sea, including the 2013 shipwreck, and provide remedies to victims and their families.**

Training

35. The Committee takes note of the training initiatives undertaken by the State Party, including courses provided by CEPOL, on topics such as disappeared persons, victim protection and fundamental human rights, as well as in-service training for police officers that incorporates references to the Convention. However, the Committee regrets the absence of systematic and specialized training on enforced disappearance for all relevant personnel, including law enforcement officers, border guards, judges, prosecutors, medical staff and officials working in migration detention facilities (art. 23).

36. The Committee recommends that the State Party:

(a) **Develop and implement mandatory periodic training programmes on the Convention and enforced disappearance for all law enforcement, military, judicial, medical and migration personnel, ensuring that such training covers the specific requirements of groups including women, children, migrants and persons with disabilities;**

(b) **Integrate the Committee's general comment No. 1 (2023) on enforced disappearance in the context of migration, its joint statement on illegal intercountry adoption¹¹ and the Guiding Principles for the Search for Disappeared Persons into training curricula, with a focus on prevention, victim protection and international cooperation.**

5. Measures to protect and guarantee the rights of victims of enforced disappearance (art. 24)

Access to truth, justice and reparation

37. The Committee takes note of the State Party's explanation regarding existing legal avenues for victims to seek compensation, including through civil suits, constitutional applications and the Criminal Injuries Compensation Scheme. However, the Committee is concerned that:

(a) The Victims of Crime Act does not explicitly recognize the right to truth for victims of enforced disappearance as defined in article 24 (1) of the Convention, nor does it ensure continuous search and investigations until the fate and whereabouts of the disappeared person are clarified;

(b) Compensation claims are subject to statutory limitations (two years for moral damages in civil suits and five years under the Criminal Injuries Compensation Scheme), which may disproportionately restrict victims' access to justice;

(c) The award by courts, under article 15A of the Criminal Code, of compensation in criminal proceedings remains discretionary and contingent on a conviction,

¹¹ [CED/C/9](#).

leaving victims without redress if perpetrators are not identified or not prosecuted (arts. 12 and 24).

38. **The Committee recommends that the State Party:**

(a) **Establish clear legal provisions guaranteeing the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of investigations and the fate or whereabouts of the disappeared person, including, in the event of death, the right to identify and recover remains with dignity;**

(b) **Ensure that victims have access to comprehensive reparations, including compensation, rehabilitation, restitution and guarantees of non-repetition, in full compliance with article 24 (1), (4) and (5) of the Convention.**

Gender-specific impacts of enforced disappearance

39. The Committee notes the State Party's efforts to address trafficking in persons, including provisions in the Criminal Code (arts. 248A–248E) and the Victims of Crime Act. However, it regrets the lack of specific measures to address the gendered dimensions of enforced disappearance, in particular the heightened risks faced by women and girls, such as sexual violence and exploitation, and reprisals against female relatives of disappeared persons (art. 24).

40. **The Committee recommends that the State Party:**

(a) **Ensure that State authorities systematically adopt a differential approach to ensure that women and girls who are victims of enforced disappearance or whose relatives have disappeared have access to protection, justice and support that are adapted to their requirements;**

(b) **Collect disaggregated data on disappeared women and girls, including cases involving trafficking, sexual exploitation or retaliation against family members, to develop and implement targeted prevention and eradication measures.**

6. Measures to protect children from enforced disappearance (art. 25)

Protection of unaccompanied minors

41. The Committee regrets the lack of information on measures to protect unaccompanied minors from enforced disappearance, in particular in migration and trafficking contexts. It is deeply concerned by reports that many unaccompanied minors have left the facility for children of foreign nationals and that no records of their whereabouts exist, placing them at risk of enforced disappearance. While noting the State Party's collaboration with AMBER Alert Europe and its use of care orders for minors, the Committee highlights the absence of comprehensive safeguards to prevent disappearances from reception centres and ensure systematic tracing efforts (arts. 12 and 25).

42. **The Committee urges the State Party:**

(a) **To strengthen preventive measures, including mandatory reporting protocols and regular welfare checks in reception centres, to address risks of disappearance, in particular from the facility for children of foreign nationals;**

(b) **To ensure continuous search efforts for disappeared minors until their fate is clarified;**

(c) **To guarantee systematic recording of all unaccompanied minors' information and investigations into their whereabouts, as outlined in the Committee's general comment No. 1 (2023) on enforced disappearance in the context of migration.**

Wrongful removal of children and illegal intercountry adoptions

43. The Committee is concerned about the absence of information on the existing or planned criminalization of the conduct described in article 25 (1) of the Convention and on the measures taken to locate children who have been victims of wrongful removal or enforced disappearance.

44. **The Committee recommends that the State Party:**

(a) **Incorporate as specific offences all the acts described in article 25 (1) of the Convention, providing for appropriate penalties that take into account the extreme seriousness of the offences;**

(b) **Take effective measures to prevent the falsification, concealment or destruction of documents attesting to the true identity of the children referred to in article 25 (1) (a) of the Convention;**

(c) **Prevent the disappearance of children and search for and identify children who may have been victims of wrongful removal within the meaning of article 25 (1) (a) of the Convention, and ensure that information concerning unaccompanied minors is duly recorded.**

45. The Committee takes note of the information provided by the State Party regarding the legal framework governing adoptions under the Adoption Administration Act, which criminalizes unauthorized arrangements for child adoptions. However, the Committee regrets the absence of information about the measures taken to prevent illegal intercountry adoptions (art. 25).

46. **The Committee recommends that the State Party:**

(a) **Strengthen oversight mechanisms to ensure that all intercountry adoptions are conducted transparently, with due diligence to prevent trafficking in children, enforced disappearances and identity fraud, and in strict compliance with the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption;**

(b) **Ensure that all cases are registered, documented, verified and subject to judicial review;**

(c) **Take into account the Committee's joint statement on illegal intercountry adoption in the development of its domestic legislation.**

D. Fulfilment of the rights and obligations under the Convention, dissemination and follow-up

47. The Committee wishes to recall the obligations undertaken by States when becoming parties to the Convention and, in this connection, urges the State Party to ensure that all the measures that it adopts, irrespective of their nature or the authority from which they emanate, are in full accordance with the Convention and other relevant international instruments.

48. The Committee also wishes to emphasize the particularly cruel effect of enforced disappearance on women and children. Women who are subjected to enforced disappearance are particularly vulnerable to sexual and other forms of gender-based violence. Women who are relatives of a disappeared person and thus victims according to article 24 (1) of the Convention are particularly likely to suffer serious social and economic disadvantages and to be subjected to violence, persecution and reprisal as a result of their efforts to locate their loved ones. Children who are victims of enforced disappearance, either because they themselves were subjected to disappearance or because they suffer the consequences of the disappearance of their relatives, are especially vulnerable to numerous human rights violations, including identity substitution. In this context, the Committee places special emphasis on the need for the State Party to ensure that gender issues and the specific needs of women and children are systematically taken into account in implementing the recommendations contained in the present concluding observations and all the rights and obligations set out in the Convention.

49. The State Party is encouraged to widely disseminate the Convention, its report submitted under article 29 (1) of the Convention, the written replies to the list of issues drawn up by the Committee and the present concluding observations, in order to raise

awareness among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the State Party and the general public. The Committee also encourages the State Party to promote the participation of civil society, in particular organizations of victims, in the process of implementing the recommendations contained in the present concluding observations.

50. Under article 29 (3) of the Convention, the Committee requests the State Party to submit, by no later than 4 April 2032, specific and updated information on the implementation of all its recommendations and any other new information on the fulfilment of the obligations contained in the Convention. The Committee encourages the State Party to consult civil society, in particular organizations of victims, when preparing this information, on the basis of which the Committee will determine whether it will request additional information under article 29 (4) of the Convention.
