



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances

Third session

Summary record of the first part (public)* of the 19th meeting

Held at the Palais des Nations, Geneva, on Monday, 29 October 2012, at 10 a.m.

Chairperson: Mr. Decaux

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* No summary record was prepared for the second part (closed) of the meeting.

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The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Chairperson** declared open the third session of the Committee on Enforced Disappearances.

Statement by the Director of the Human Rights Council and Special Procedures Division

2. **Mr. Ndiaye** (Director of the Human Rights Council and Special Procedures Division) assured the Committee that it could count on the full support and assistance of the United Nations High Commissioner for Human Rights and her staff in meeting its priority objectives. The Office of the United Nations High Commissioner for Human Rights had taken steps to encourage universal ratification of the Convention. In particular, it had provided States with assistance in the field of training and had organized a public awareness-raising campaign. The efforts towards ratification of the Convention had been successful. The Committee had already adopted its fundamental technical instruments and the programme of work for the third session, which demonstrated its will to apply the Convention broadly principally from the victim's perspective. In conformity with article 28 of the Convention, the Committee was obliged to establish cooperation with all relevant bodies and mechanisms, and the informal exchanges and meetings with other treaty bodies planned for the session would certainly ensure the Committee's integration into the existing human rights system. The Committee might also wish to engage with actors dealing with transitional justice processes at the national and international levels. The Office of the United Nations High Commissioner for Human Rights would provide the Committee with assistance and, in particular, would ensure coordination between the secretariat of the Committee and that of the Working Group on Enforced or Involuntary Disappearances.

3. **The Chairperson** said that, after two sessions focusing on making all the necessary technical arrangements, the third session marked a transition, since in 2013 the mechanisms established by the Convention would come into force. The 21 initial reports from States parties were expected by the end of 2012 and would be followed by another 9 reports in 2013. The Convention had already been ratified by 36 States, and getting the work of the Committee off to a good start would be the best way to encourage other States to sign and ratify the Convention. The Committee, whose members were willing to take part in information, training and awareness-raising activities, could help States with the complex process of ratifying and incorporating the Convention into legislation. During the third session, the Committee should make the final technical adjustments and perfect the initial procedures, in order to ensure that it was ready to respond to the requests it would receive and to be able to take effective action for victims.

4. The Committee should also reflect further on important topics, such as vulnerable groups and non-State actors, and should consider the various issues raised by the Convention. It should explore further the question of the implementation of article 30. The third session would also be an appropriate time to establish firm foundations for cooperation, particularly since the Human Rights Committee and the Committee against Torture were currently in session, and to work towards an effective division of roles with the Working Group on Enforced or Involuntary Disappearances; the two bodies were complementary and should support each other. Although the activities of the Committee and of the Working Group took place at different times in different places, they both had the common goal of protecting all persons against enforced disappearance and combating impunity for the crime of enforced disappearance. In order to avoid gaps or overlaps, the Committee should abide by certain rules. First, it should raise awareness about the need to clarify how the mandates and competencies of the Working Group and the Committee were

interlinked. Next, regular consultations should be held in order to create synergy between the two bodies. Lastly, in a general context of consultations, trust and mutual respect, practical issues should be resolved with ease. How procedures were developed would depend, above all else, on the informed choices of victims. Regarding visits, it might be wise for the Working Group to wait, for example, until the initial reporting cycle for States parties was successfully completed, before visiting any State party. It would also be feasible to define areas of competence: the Working Group would focus on third States as a priority, while the Committee, by definition, would carry out its activities relating to States parties. What was important was to ensure consistency between the observations and recommendations of the two bodies.

5. The mission of the Committee on Enforced Disappearances was guided by four additional considerations: supporting the harmonization and rationalization efforts of the Office of the United Nations High Commissioner for Human Rights, the fulfilment of the mandate laid out in the Convention, guaranteeing the effectiveness of the treaty body system as a whole, and, lastly, the need to ensure the specific nature of a universal instrument on enforced disappearances.

Minute of silence in remembrance of victims of enforced disappearance

6. *At the invitation of the Chairperson, the members of the Committee observed a minute of silence in remembrance of the victims of enforced disappearance.*

Adoption of the agenda (CED/C/3/1)

7. **The Chairperson** said that the day of general discussion on the responsibility of States and the role of non-State actors (agenda item 8) would not be held during the current session. The issue would, nonetheless, be debated under agenda item 7 (Thematic discussions), in a closed meeting.

8. *The provisional agenda (CED/C/3/1), as amended, was adopted.*

The first part (public) of the meeting rose at 10.45 a.m.