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## Third Committee

### Summary record of the 25th meeting

Held at Headquarters, New York, on Thursday, 24 October 2013, at 10 a.m.

*Chair:* Mr. Tafrov . . . . . (Bulgaria)

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*The meeting was called to order at 10 a.m.*

**Agenda item 69: Promotion and protection of human rights** *(continued)*

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** *(continued)* (A/68/292, A/68/207, A/68/185, A/68/211, A/68/210, A/68/210/Add.1, A/68/208, A/68/177, A/68/261, A/68/224, A/68/323, A/68/301, A/68/209, A/68/390, A/68/277, A/68/287, A/68/304, A/68/56, A/68/268, A/68/279, A/68/298, A/68/290, A/68/262, A/68/225, A/68/288, A/68/283, A/68/289, A/68/294, A/68/284, A/68/345, A/68/382, A/68/285, A/68/297, A/68/362, A/68/293, A/68/256, A/68/299, A/68/296, A/67/931, A/68/389, A/68/176 and A/68/496)

**(c) Human rights situations and reports of special rapporteurs and representatives** *(continued)* (A/67/362, A/67/333, A/67/327, A/67/370, A/67/379, A/67/383 and A/67/369)

1. **Ms. Keetharuth** (Special Rapporteur on the situation of human rights in Eritrea) said that since her appointment in November 2012, she had endeavoured to implement her mandate, which had been extended after the presentation of her first report, in a constructive, transparent, independent and impartial manner. While she had had informal exchanges with representatives of the Eritrean Government, the Eritrean authorities continued to deny her access to the country. In the absence of direct consultations with the relevant officials, her only option would be to continue to listen to Eritrean victims of human rights violations who no longer resided in the country. She was gravely concerned at her findings on the situation in Eritrea, where serious human rights violations were being committed, including extrajudicial killings, arbitrary arrests and detentions and restrictions on freedom of expression and opinion, assembly, religious belief and movement.

2. One major issue was the excessive militarization that was affecting the very fabric of Eritrean society. Originally lasting 18 months, mandatory national service for all citizens aged between 18 and 50 had been extended indefinitely. There was no comprehensive demobilization programme and a coercive apparatus was in place to prolong conscription. As a result, many

Eritreans were deserting from the armed forces and fleeing the country. In addition, from the testimonies collected and the information available, it appeared that prolonged periods of incommunicado detention as a means of obtaining information or as punishment had become the norm, constituting an unjustifiable breach of international human rights law that had potentially harmful mental and physical consequences. Eritrean detainees were also vulnerable to abuse where legal safeguards and procedures were lacking.

3. The alarming human rights situation in Eritrea was triggering a constant stream of refugees. Despite a shoot-to-kill policy against those attempting to flee, many thousands of Eritrean citizens had fled over the past decade. In 2012, the Eritrean population of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR) had totalled over 300,000 persons, with some 2,000 to 3,000 fleeing the country every month. Figures for January to September 2013 showed that Eritreans accounted for a large percentage of refugees arriving in Italy. She extended her condolences to the families of victims of the recent boat tragedies off the coasts of Italy and Malta, which demonstrated the desperation of those who fled dire human rights situations despite the extreme dangers of the journey along escape routes. She was also concerned at the increasing numbers and reports of smuggling and trafficking of Eritrean refugees. In line with its obligations under international law, the international community must do more to protect refugees, particularly the increasing numbers of unaccompanied children, by respecting the principle of non-refoulement and granting at least temporary refuge. During her visit to refugee camps in Ethiopia, she had met over 1,000 unaccompanied children, some as young as 7 or 8 years old. Such children were vulnerable to many forms of violence, including trafficking, and required protection. It was of paramount importance that bilateral and other arrangements between Eritrea and third countries that jeopardized the lives of asylum seekers should be ended.

4. She had recommended key legislative and institutional reforms and other measures that the Eritrean Government should take to address human rights concerns. Eritrea's second universal periodic review in January 2014 would provide another opportunity for a discussion of the human rights situation in the country. She hoped that the Eritrean delegation would be able explain how the Government

had implemented its commitments under the previous review and reflect on how human rights might be strengthened. She reiterated her call to the international community to keep Eritrea under close scrutiny until meaningful change was evident. It was important to increase efforts to engage constructively with Eritrea and its neighbours in order to improve the situation of human rights in the country. Her mandate allowed for a frank and open dialogue and she urged the Eritrean authorities to extend her an invitation to visit Eritrea in her second term. That would be in the best interests of human rights, the country and its citizens.

5. **Mr. Desta** (Eritrea) said that for the past two decades, Eritrea had been attempting to heal the wounds of war by addressing social, economic, political and cultural challenges, ensuring good governance and the full participation of all citizens in public life and engaging in an active and constructive dialogue with its international partners, including on human rights issues. Despite relentless hostility aimed at undermining its sovereignty, Eritrea had made strides in the promotion and protection of the rights of its citizens, while remaining aware that there were challenges and gaps in addressing human rights issues. It rejected the use of human rights issues as an instrument of political pressure, however, and found it difficult to accept a politically motivated mandate that had not been established with human rights objectives at its core.

6. There was no human rights situation in Eritrea that warranted the attention of the Human Rights Council or an interactive dialogue with the Third Committee. Any genuine concerns could have been addressed during the dialogue with the Eritrean delegation on the occasion of its second universal periodic review. The Special Rapporteur's mandate had been spearheaded by the same countries that were perpetuating the status quo of "no war, no peace" and imposing unfair sanctions on Eritrea. His delegation noted with concern the ongoing attempt to dissuade Eritreans outside the country from sending remittances and the active campaign to give control of mining sector revenues to a third party. He questioned the motive for expressing concern about human rights while doing everything possible to deny Eritreans their hard-won peace and unfettered access to the fruits of their natural resources. He rejected the image of Eritrea portrayed by the Special Rapporteur, whose report had been far from "independent, impartial and objective". Among other things, she had presented allegations as

facts, exaggerated the situation on the ground and based her findings on information collected through visits to States that had bilateral disagreements with Eritrea.

7. With regard to national service in Eritrea, the Government had demobilized 105,000 conscripts by the end of 2005, with financial support from the World Bank, the European Union and other partners. Furthermore, Eritrean law prohibiting the recruitment of citizens aged under 18 was strictly enforced and young people over the age of 18 were no longer required to serve for extended periods of time, but were instead offered broader educational opportunities in line with the Government's focus on developing human capital. The former national service training facility, Sawa, had been transformed into an academic and vocational training centre where, depending on their academic performance, young people could pursue a university degree, a two-year diploma or a one-year training certificate. Upon graduation, they were assigned to line ministries and teaching jobs. Despite periodic stop-gap measures to mitigate the financial burden on them and on all public servants, however, the inability to pay decent salaries continued to be a challenge.

8. While crossing the border illegally was an offence, he categorically denied the existence of a "shoot-to-kill" policy. First-time offenders were subject to three months' detention, during which their rights were respected and, contrary to politically motivated accusations, they were not subjected to torture. The Government maintained a policy of voluntary repatriation of Eritrean nationals and opposed forced expulsions. Repatriated Eritreans were not persecuted and were encouraged to reintegrate in society. The media were open to everyone to express their views and there was unrestricted access to various information sources, including the Internet, social media and satellite broadcasts, irrespective of their political content. Freedom of conscience and religion for all was an established and legally protected right and there was a clear separation of religion and State. There had been no extrajudicial killings and the de facto moratorium on capital punishment remained in effect.

9. The Special Rapporteur had misinterpreted the recent boat tragedy off the coast of Lampedusa and had attempted to politicize it. His Government's repeated calls on the international community to investigate and prosecute people trafficking had been to no avail and it therefore welcomed the African Union's decision to

investigate the matter. Unless countries of origin, transit and destination worked together, however, traffickers would continue to take advantage of the vulnerabilities of migrants and to undermine the ability to prevent human tragedies. An effective multilateral system could be put in place only if it was based on unambiguous and transparent rules that were applied without selectivity, politicization and double standards.

10. **Ms. Torres** (United States of America) extended her delegation's condolences to the families of the many Eritrean migrants who had died in boat accidents on the Mediterranean while attempting to flee the human rights situation in Eritrea. The many problems that Eritreans faced included the absence of the rule of law, a Constitution that had yet to be implemented, indefinite conscription and forced participation in civilian militias. Her delegation encouraged the Eritrean Government to cooperate with the Special Rapporteur and allow her to visit the country in order to improve the human rights situation. She asked the Special Rapporteur how the international community might work together to improve the human rights situation in Eritrea and whether she saw any prospect of improved cooperation with the Eritrean Government.

11. **Ms. Fontana** (Switzerland) said that her delegation was particularly concerned about the grave violations of civil and political rights in Eritrea described by the Special Rapporteur. The recent boat tragedy that had claimed the lives of many Eritreans was part of the larger problem of persons who, in seeking protection, became exposed to the dangers of illegal migration. She asked the Special Rapporteur what were the most serious problems that the Eritrean Government must address in order to improve the human rights situation and offer its citizens the prospect of a better life.

12. **Ms. Hewanpola** (Australia) said that the Special Rapporteur had painted a very troubling picture. Her delegation urged the Eritrean Government to reconsider its policy of compulsory and indefinite national service and remained deeply concerned about the shoot-to-kill policy against Eritreans attempting to flee the Government's restrictive policies and denial of basic human rights. She condemned the Eritrean Government's failure to respect fundamental freedoms and urged it to accept the assistance and engagement offered by the Special Rapporteur.

13. **Ms. Tschampa** (Observer for the European Union) expressed concern at the Eritrean authorities' widespread and systematic violations of human rights and of the basic tenets of the rule of law. She urged the Eritrean Government to honour its international human rights obligations and to cooperate with the Special Rapporteur and called for the unconditional release of prisoners of conscience, including Dawit Isaak, a European citizen of Eritrean origin. She asked the Special Rapporteur to expand on her recommendations and the possibilities for engaging constructively with Eritrea and its neighbours with a view to improving the human rights situation, including through the universal periodic review. The Special Rapporteur had also highlighted the Eritrean Government's limited engagement with regional and international human rights mechanisms and its failure to implement certain recommendations. Given the Government's recent efforts to increase its regional engagement, could the Special Rapporteur identify other areas where regional mechanisms might contribute to improving the situation? Lastly, she asked how Member States could support the Special Rapporteur in executing her mandate, given her lack of direct contact with the Eritrean authorities and her inability to visit the country.

14. **Mr. Meyer** (Norway) said that as a long-standing friend of the Eritrean people, his Government was disturbed at the grave situation reported by the Special Rapporteur and would continue to call on the Eritrean authorities to respect international human rights law and to comply with their international obligations, as well as with the Eritrean Constitution. It urged the Eritrean Government to cooperate with the international community and to give the Special Rapporteur access to the country, for the benefit of the human rights of the Eritrean people.

15. **Ms. Kadra Ahmed Hassan** (Djibouti) said that her Government had been happy to comply with the Special Rapporteur's request to visit Djibouti and thereby contribute to the execution of her mandate. The alarming human rights situation in Eritrea described by the Special Rapporteur was also affecting Eritrea's neighbours, to which numerous refugees and deserters had fled without any hope of returning home. She deeply regretted the recent tragic deaths of Eritreans fleeing the difficult situation in Eritrea. Her delegation was concerned at the failure of the Eritrean authorities to cooperate with the Special Rapporteur and encouraged the Eritrean Government to engage in a

sincere dialogue with all the special procedures mandate holders. Increased cooperation with regional human rights mechanisms through the implementation of the decisions of the African Commission on Human and Peoples' Rights would be a sign of goodwill. Her delegation welcomed the Special Rapporteur's recommendations and urged Eritrea to comply with its regional and international human rights obligations.

16. Given the widespread human rights violations and secret detentions taking place in Eritrea, her Government was concerned about the fate of Djiboutian prisoners of war detained in Eritrea. The Eritrean Government must guarantee the physical integrity of Djiboutian soldiers and allow access to the International Committee of the Red Cross (ICRC), so that information on their whereabouts and conditions of detention could be obtained without delay.

17. Her delegation condemned Eritrea's failure to comply with Security Council resolutions 1862 (2009), 1907 (2009) and 2033 (2011) imposing targeted sanctions and restrictive measures designed to reduce Eritrea's destabilizing role in the region. The Government's defiance was perpetuating tensions in the region and contributing nothing to a peaceful and lasting settlement of the border conflict between Eritrea and Djibouti. Her delegation urged the Eritrean Government to comply with its international human rights obligations and the relevant provisions of the Charter of the United Nations.

18. **Mr. Elbahi** (Sudan) recalled the relevant United Nations principles calling for a depoliticized, non-selective approach to human rights. His delegation urged the relevant human rights institutions and the international community to support the Eritrean Government's efforts to promote and protect its citizens' human rights.

19. **Ms. Pérez Álvarez** (Cuba) said that, as a matter of principle, her Government never supported human rights resolutions adopted against individual countries, out of its concern that such resolutions were adopted only against countries of the South. Believing that honest dialogue and cooperation were the best way to promote human rights worldwide, it rejected the punitive approach taken to Eritrea. The universal periodic review was an effective mechanism for international cooperation in the promotion and protection of human rights.

20. **Ms. Keetharuth** (Special Rapporteur on the situation of human rights in Eritrea) said that the international community could help improve the situation in Eritrea by keeping the country on its agenda, giving her access to Eritreans who had fled their country so that she could interview them and protecting refugees and upholding the principle of non-refoulement. As she had indicated, the three main human rights issues to be addressed were national service, arbitrary detention and the refugee situation. There were a number of small steps that could have a significant impact: Eritreans must be able to see that institutions were functioning according to the rule of law in order to be able to demand their rights when they were violated; they should feel secure, instead of constantly fearing arbitrary arrest or detention without due process; and they should feel that their dreams of a better future and a life of dignity were attainable without the threat of indefinite national service.

21. Allowing independent media outlets would facilitate a more open society where free speech was respected. The unconditional and immediate release of prisoners of conscience would also send a positive signal. She urged the Eritrean Government to show that it served the people by protecting and guaranteeing the human rights of all citizens. To end the current culture of silence and impunity, Eritreans must be able to demand their rights and challenge violations without fear of reprisals. The universal periodic review in January 2014 would provide a useful opportunity to scrutinize Eritrea's human rights record and the specific questions put to her could be raised again in that context. She requested the Eritrean authorities to give her and other impartial mandate holders the opportunity to examine the situation at first hand.

22. Concerning the Eritrean Government's cooperation with other international and regional human rights mechanisms, in particular the African Commission on Human and Peoples' Rights, she said that some positive steps would be for it to implement decisions such as those concerning the Group of 15 and journalists held in incommunicado detention, comply with its reporting obligations to such mechanisms and invite other special rapporteurs from regional systems to visit the country. Discussing those issues objectively would not only advance human rights but also benefit Eritreans and the country as a whole.

23. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons), introducing his

report (A/68/225), said that in November 2012 he had undertaken a country visit to the Sudan, where he had met displacement-affected communities in Northern, Western and Southern Darfur. Despite the Government's laudable progress in tackling the causes and consequences of internal displacement, significant challenges remained and he called upon all relevant actors to seize the opportunities available to bring about sustainable peace and durable solutions on an inclusive basis. He also urged the Government of the Sudan to ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) and to adopt implementing legislation without delay. Concerning his follow-up mission to Georgia in June 2013, he commended the Government's commitment to improve the living conditions of persons displaced in the 1990s and to provide durable housing to those displaced by the conflict in 2008, as well as the positive steps taken to revise the law on internally displaced persons to that end. He recommended an integrated approach to addressing the situation of all internally displaced persons in Georgia, in accordance with the international standards contained in the Guiding Principles on Internal Displacement. His recently completed country visit to Serbia and Kosovo had shown that after 14 years of protracted displacement, there was a window of opportunity to find durable solutions. He commended the Government of Serbia and the authorities in Kosovo for their efforts to work together to implement durable solutions for internally displaced persons. Details of his visit would be provided in his next report to the Human Rights Council.

24. As of May 2013, his mandate also included technical assistance to Somalia in developing an internal displacement policy to address the needs of the country's over 1 million internally displaced persons. Such a policy was essential for stabilization. He was scheduled to undertake missions to South Sudan and Sri Lanka in November and December 2013 respectively and had made or reiterated requests to visit a number of countries, including Bangladesh, Colombia, Haiti, Myanmar and the Philippines. He had held positive discussions with the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva on a projected visit to the country in February 2014 to gather first-hand information.

25. He had continued his collaboration with regional and international organizations, engaging with African

States and the African Union with respect to the promotion, ratification and implementation of the Kampala Convention at the national level. He had also addressed the Organization for Security and Cooperation in Europe (OSCE) and continued his commitment to inter-agency processes and close cooperation with all relevant actors to mainstream the human rights of internally displaced persons, notably by participating actively in the Inter-Agency Standing Committee (IASC) and the Global Protection Cluster.

26. It was fundamental to recognize the need for a paradigm shift that addressed displacement not only as a humanitarian concern, but also as a development and peacebuilding challenge. Decision No. 2011/20 of the Policy Committee, in which the Secretary-General had endorsed the preliminary framework on ending displacement in the aftermath of conflict, was one of a number of important new opportunities for addressing the gap between humanitarian and development actors. The primary responsibility for facilitating durable solutions to displacement lay with States, however. The complementarity of the IASC Framework and of the Secretary-General's Framework must be recognized and their integrated implementation was particularly important to assess the success of durable solutions. Achieving those solutions depended to varying degrees on progress in responding to structural challenges, which included ensuring that urban planning, environmental protection, economic development and other reform efforts were effective and considered the particular concerns facing internally displaced persons. Poorly conceived responses to the housing, land and property concerns of internally displaced persons could have significant implications for gender equity and relations between displaced and non-displaced communities. Leadership, accountability and joint, robust efforts on the part of national authorities, civil society and international actors in the humanitarian, human rights, development and peacebuilding spheres were therefore required in order to find durable solutions and strengthen the resilience of individuals and communities and action in the immediate aftermath of displacement was essential in order to avoid the exacerbation of vulnerability and poverty in the longer term.

27. The recommendations in his report with regard to prevention and durable solutions were based on the Guiding Principles on Internal Displacement, the relevant aspects of the Kampala Convention and the

IASC and Secretary-General's Frameworks. It was crucial that affected States develop national frameworks, structures and policies on internal displacement that specifically addressed chronic barriers to solutions. It was imperative to include durable solutions in national and local development plans, poverty reduction and other plans and peacebuilding and stabilization efforts. It was also vital to undertake early, participatory and joint planning in support of durable solutions, ensuring the engagement of local authorities. Such cross-sectoral planning might require adapting to institutional cultures and policies, including funding parameters, to enable the provision of longer-term support for durable solutions and facilitate the engagement of development and peacebuilding actors.

28. He strongly encouraged donor States to implement strategic leadership and recognize the need to resolve displacement as an essential element of effective transition, conflict resolution and prevention, reconstruction, peacebuilding and other efforts. He also urged the international community to integrate durable solutions into strategic plans and frameworks. The IASC Framework provided a widely recognized basis for strengthening cross-sectoral leadership on the resolution of internal displacement. He commended UNHCR and the United Nations Development Programme (UNDP) on their work to implement the Secretary-General's Framework and encouraged them to continue such work and promote the application of the IASC Framework in the development of durable solution strategies. The international community must ensure the early and systematic engagement of humanitarian and development actors and all other relevant sectors in developing solution strategies and identifying mechanisms for an integrated approach from the early stages of displacement onwards. Context-specific barriers to durable solutions in national policies or legislation needed to be addressed through careful profiling of displacement situations. States and United Nations country teams were therefore encouraged to consider using specialized actors to collect, update, analyse and disseminate data on internal displacement and to develop monitoring and evaluation tools. The international community must ensure that the post-2015 development agenda benefited people, including internally displaced persons, living in fragile States and increased their resilience to crisis, including through the achievement of rights-based solutions to displacement.

29. **Mr. Bonser** (Canada) said that the humanitarian crisis stemming from the ongoing conflict in the Syrian Arab Republic highlighted the need for an effective and appropriate response from the international community. His Government was particularly disturbed by the deliberate targeting of civilians and the obstruction of humanitarian activities in conflict-affected areas and urged all parties to the conflict to cease such attacks and to facilitate access for humanitarian workers and humanitarian relief operations. It remained committed to international efforts to address the particular protection needs of vulnerable groups during conflict and displacement, including women and girls and religious communities, and had consistently condemned violence and human rights abuses against them. His delegation supported efforts to improve coordination among humanitarian, human rights, development and peace and security actors to ensure an effective response that allowed internally displaced persons to enjoy their human rights and would therefore like to hear the Special Rapporteur's views on how the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNHCR and the Office for the Coordination of Humanitarian Affairs (OCHA) could collaborate to ensure more effective field-level leadership in addressing the protection and assistance needs of internally displaced persons.

30. **Ms. Alsaleh** (Syrian Arab Republic) expressed dismay at the Special Rapporteur's failure to visit the Syrian Arab Republic prior to preparing his report on the situation of internally displaced persons in the country (A/67/931), despite having received several invitations to do so from the Syrian Government. It was vital that he give a first-hand account of the situation, instead of relying on the reports of commissions that lacked credibility. She also regretted the Special Rapporteur's use of the security situation in Syria as a pretext for not visiting the country and observed that dozens of delegations visited the country on an almost daily basis, with the knowledge of the United Nations. Her Government was providing humanitarian assistance and protection to the Syrian people, including internally displaced persons, in cooperation with United Nations agencies. Unfortunately, the Special Rapporteur made no mention of the Government's relief efforts in his report, even though they had been widely recognized in the reports of several international bodies, including OCHA and UNHCR.

31. The problem of internal displacement in her country was the result of the crimes of armed terrorist groups, supported by well-known Arab, regional and international actors, who were forcibly displacing religious populations on sectarian grounds. Moreover, the illegal unilateral measures imposed on the Syrian people by the European Union and the United States were the main obstacle to her Government's attempts to resolve the displacement issue. It was inexcusable that the Special Rapporteur's report mentioned neither the harm that ongoing European Union sanctions were inflicting on Syrian citizens nor the danger posed by the European Union resolution lifting the prohibition on importing Syrian oil directly from armed terrorist groups. The report considered the theft of Syrian oil by terrorist groups, with European Union support, as mitigating the immoral sanctions imposed by the European Union. Such acceptance amounted to incitement and financing of terrorism, thereby perpetuating violence and causing yet more internal displacement.

32. In closing, she asked the Special Rapporteur about the follow-up process to the publication of his report on Syria, particularly with regard to its recommendations to the international community, especially those on measures to prevent further militarization of the conflict and resulting displacement by restricting arms transfers, the deployment of foreign fighters and the influence of extremist factions.

33. **Mr. Meyer** (Norway) said that the Special Rapporteur's report (A/68/225) made a strong case for the need to revisit the humanitarian-development nexus and look at ways in which the issue of durable solutions for conflict-displaced populations could be linked with the development and peacebuilding agendas. Ignoring displaced populations in development and peacebuilding policies could cause such policies to fail, and failing to involve development actors and conflict-resolution mechanisms could prolong the marginalization of displaced populations. Internally displaced persons did not live in a vacuum and were too important to be left to humanitarian agencies alone. The term "displacement-affected communities" coined by the Special Rapporteur was appropriate, as it summed up the relationship between internally displaced persons and host communities, particularly in protracted situations where local integration was often the only option. His delegation would be grateful if the Special Rapporteur could elaborate further on that

term, as a way to approach the interrelated issues of peace and development and link them with that of the rights of internally displaced populations.

34. **Ms. Fontana** (Switzerland) said that the Syrian crisis was the most urgent humanitarian disaster of recent times, characterized by the forced internal displacement of over 4 million persons, countless violations of international human rights and humanitarian law and difficulties in gaining access to victims. Her delegation strongly condemned the deliberate attacks on civilians and medical and humanitarian staff and facilities and once again called on all parties to respect their international obligations and allow rapid, unhindered access to humanitarian workers. It also urged the Syrian Government to cooperate with the International Commission of Inquiry and the Special Rapporteur and allow them to enter the country. His recommendations on including durable solutions for internally displaced persons in development plans and maintaining donor assistance after a humanitarian crisis were particularly relevant. She asked whether the Special Rapporteur's plans to visit the Syrian Arab Republic were taking shape and, if so, what his main objectives would be. Could he give an example of the successful integration of durable solutions in development plans and indicate the reasons for its success?

35. **Ms. Baxewanos** (Liechtenstein) said that her Government recognized that development and the needs of the most vulnerable persons, often women and children, must be taken fully into account in efforts to provide durable solutions. However, it noted a continuing failure to involve internally displaced women and children in the development of strategies and policies that affected them directly. She would like to hear the Special Rapporteur's views on how best to improve that situation.

36. **Ms. Ilić** (Serbia) thanked the Special Rapporteur for his recent visit to Serbia. Her Government attached particular importance to the question of internally displaced persons, of whom there were over 210,000 in the country. In the 14 years since the arrival of international presences in Kosovo and Metohija, only 18,000 internally displaced persons had returned to the province, of whom only 4,000 could be considered to have returned permanently. Her delegation hoped that the Special Rapporteur would give special attention to that issue and would like to know what he identified as the main problem facing returnees and the main



impediments to the return of internally displaced persons to Kosovo and Metohija.

37. **Ms. Kupradze** (Georgia) expressed appreciation for the guidance provided by the Special Rapporteur during his recent visit to Georgia on how to address remaining challenges effectively. Her Government looked forward to the Special Rapporteur's comprehensive report on his visit, which would be scrutinized and put into practice, but regretted that the Special Rapporteur had been denied access to the occupied regions of Georgia to assess the critical situation on the ground. His visit to the Abkhazia and Tskhinvali regions of Georgia was particularly crucial, in the absence of international monitoring mechanisms there. While her Government spared no effort to ensure adequate living conditions for internally displaced persons in Georgia and facilitate their integration in society, its ultimate goal was their safe, dignified and unconditional return to their places of origin, a goal that internally displaced persons and refugees from Georgia's occupied regions were still being denied.

38. The deteriorating situation in Georgia's occupied regions was undermining the realization of the fundamental rights of internally displaced persons and was exacerbated by physical restrictions that had affected dozens of families, spurring a further wave of internal displacement. Those alarming developments warranted immediate international scrutiny and her Government was confident that the situation would remain high on the Special Rapporteur's agenda. She asked the Special Rapporteur how, in the absence of international monitoring mechanisms, he envisaged the implementation of the recommendations in his upcoming report and whether existing instruments were sufficient and, if not, how they could be reinforced.

39. **Ms. Tschampa** (Observer for the European Union) welcomed the focus of the Special Rapporteur's latest report and endorsed its recommendations. She asked the Special Rapporteur what were the main challenges to bridging the gap between immediate relief and long-term development assistance and to securing more coordinated support for durable solutions, particularly in terms of the United Nations institutional structure for internally displaced persons. Could he share best practices on how to protect the human rights and address the specific needs of displaced women and girls, who were particularly vulnerable? The European Union would welcome recommendations on how to ensure immediate, safe

and unhindered access for humanitarian personnel, as well as their safety and security, so that they could assist internally displaced persons effectively. The Special Rapporteur's additional report on the Syrian Arab Republic (A/67/931) highlighted the large-scale humanitarian crisis and the forced displacement taking place in Syria as Syrians fled the secondary effects of the conflict. Given the significant challenges of meeting the many needs of internally displaced persons and the fact that any efforts by the international community were contingent on a national dialogue and a political solution, she asked how the United Nations could help ensure the protection of internally displaced persons in the country.

40. **Ms. Torres** (United States of America) said that her Government supported the Special Rapporteur's efforts to advance the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) and welcomed his increased cooperation with regional and international organizations, as well as his efforts to implement the Kampala Convention. She asked the Special Rapporteur what steps he was taking to build relationships between the United Nations and other development actors in order to address the long-term needs of internally displaced persons. Her delegation strongly supported all efforts to increase collaboration between humanitarian and development actors and would welcome information on successful examples of such cooperation in pursuing durable solutions for internally displaced persons.

41. **Ms. Klein Solomon** (Observer for the International Organization for Migration (IMO)) said that IMO viewed the recent entry into force of the Kampala Convention as an important milestone. The provision of protection and assistance to internally displaced persons, particularly in situations of conflict or natural disasters, was central to the role of IMO as the Global Protection Cluster lead for camp coordination and camp management. Its specific activities included the provision of shelter and the distribution of non-food items, integration or reintegration assistance for specific target groups, capacity-building, population stabilization, solutions for livelihood recovery and property rights disputes and medical assistance.

42. Tackling the multifaceted challenges of internal displacement required strong partnership and coordination among all stakeholders. Working with many partners in leveraging expertise to meet the manifold needs of affected populations was critical for

IOM operations. IOM therefore endorsed the Special Rapporteur's recommendations fully. The multilayered, long-term task of assisting internally displaced persons could not be divided into two stages. To ensure sustainability, it must be recognized that the transition from relief to development was gradual and required flexibility and inclusiveness. She asked the Special Rapporteur how displaced populations and situations of displacement could be integrated not only into the peace and development discourse, but also into the post-2015 development agenda.

43. **Mr. Zhiglov** (Russian Federation) concurred with the Special Rapporteur's assessment that a long-term strategy was needed to solve the problem of displacement and that responsibility for doing so fell to States. His delegation welcomed the Syrian Government's decision to invite the Special Rapporteur to visit the country and regretted that he had been unable to do so, with the result that his report was incomplete and contained distorted information on a number of aspects. He nevertheless commended the Special Rapporteur's attempt to maintain balance by describing human rights violations committed by all parties, including war crimes committed by armed opposition groups. His delegation shared the Special Rapporteur's concern that the European Union had allowed the ban on the sale of weapons to the Syrian opposition to expire, thereby increasing the likelihood of the further spread of weapons in Syria and throughout the region. There was a real danger that the continued provision of material and financial support to foreign combatants in the Syrian Arab Republic might act as a catalyst for the global jihadist movement.

44. His Government contributed resources and humanitarian supplies to international organizations that assisted internally displaced persons. He noted that, according to Syrian estimates, the number of internally displaced Syrians was more than double the number of Syrian refugees who were being hosted by Syria's neighbours. He called on the international community to assist Syrians still in the country who were in danger of becoming refugees, in close coordination with the Syrian Government and respecting Syria's national sovereignty and territorial integrity. While the Special Rapporteur was holding Government forces and opposition groups equally responsible for internal displacement, he noted that the majority of internally displaced persons were in fact fleeing areas held by militants and moving to territory

under Government control. Evidence of the militants' brutality was emerging daily.

45. The Guiding Principles on Internal Displacement had been drafted by United Nations experts and had not been agreed or adopted by States. As a result, they were not legally binding on the Syrian Government. His delegation endorsed the Special Rapporteur's call for a review of the unilateral economic sanctions imposed by certain States on the Syrian Arab Republic, which were having a detrimental impact on the Syrian people. The forthcoming international conference on Syria, to be held in Geneva in November 2013, would offer an opportunity to avoid further suffering for millions of Syrians and to bring the crisis to an end.

46. **Mr. Hajnoczi** (Austria) welcomed the Human Rights Council's strong support for the extension of the Special Rapporteur's mandate and asked what steps Member States could take to advance the participatory approach recommended by the Special Rapporteur in developing and implementing strategies for durable solutions. With regard to the specific challenge of lack of access to justice faced disproportionately by internally displaced women as a result of, *inter alia*, the social stigma of sexual violence, he asked what could be done to enhance women's access to alternative dispute resolution processes and transitional justice mechanisms.

47. Turning to data collection, he asked what measures could be taken to enhance gender-sensitive data collection and analysis and whether there were examples of good practice in that regard.

48. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) thanked all delegations for their interest in the issue. The Inter-Agency Standing Committee had begun to implement its transformative agenda, which was aimed at improving field coordination among United Nations agencies in the provision of humanitarian assistance to populations in need. The next step in the process would be to establish integrated clusters bringing together humanitarian and development actors in collaborative efforts at the United Nations country team level.

49. His visit to the Syrian Arab Republic had initially been set for February 2013, but the Syrian Government had asked him a week prior to his visit to postpone the meeting to mid-March, on the grounds that the original date was no longer appropriate owing to meetings taking place within the country. He was obliged to

comply with directives issued by the United Nations Department of Safety and Security, which had then informed his office that it was unsafe to travel to Syria at that time. In recent meetings with the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva, agreement had been reached on a visit to the country in February 2014, which he hoped would take place. The aim of his visit would be to collect information on internally displaced persons and to establish a system for determining the whereabouts of such persons. He would also seek to establish a dialogue with the Syrian Government and other parties, including the United Nations, with a view to coordinating an effective international response to the problem of displacement. Access to the displaced population would be crucial for providing protection and assistance. Breaches of international human rights law and international humanitarian law by both the Syrian Government and armed opposition groups were responsible for the displacement situation in the country. In his report, he had reflected the Syrian Government's position on the information that he had received when preparing his report, as well as its position on the issue of sanctions.

50. The concept of displacement-affected communities was applicable in situations of displacement where communities were hosting internally displaced persons and in the context of durable solutions in which local integration or resettlement was the outcome. The importance of the concept lay in the particularities of displacement-affected communities in both contexts and in peacebuilding, development and reconstruction. The needs of both internally displaced persons and displacement-affected communities must be assessed and development and protection efforts aimed at internally displaced persons should also benefit those communities.

51. He expressed satisfaction with the successes achieved in resolving displacement situations in northern Uganda, Angola and Mozambique and the ongoing efforts being made in Colombia and Afghanistan. The Guiding Principles called for the collection of disaggregated data as a means of protecting women, children and other categories of internally displaced persons. It was also crucial to assess the needs of particular categories in the field, in order to design a response that addressed those needs. The case of Georgia, where the Government, UNHCR and local non-governmental organizations had worked

together to provide a special shelter, protection and other measures for women and children who had been victims of domestic violence, was an example of best practice in that regard.

52. During his visit to Serbia and Kosovo, he had found that internally displaced persons preferred local integration because they feared for their safety and their livelihoods in the event of a return to their place of origin. Greater efforts were needed to build the capacity of the Kosovo Property Agency to resolve major property disputes involving those who wished to return.

53. As Chair of the Coordinating Committee of United Nations Special Procedures, he encouraged all mandate holders to visit Georgia, which he had visited in June 2013, and urged local and international civil society organizations to monitor the situation in that country. He had witnessed at first hand the problems faced by the displaced community living in the Tbilisi reservoir area. Internal displacement must remain a humanitarian issue and political issues should be addressed in other forums. Occupation incurred responsibility under international law.

54. Impediments to coordinated joint action by relief and development actors included differences in the language and terminology used by each group in dealing with similar issues: development agencies used the language of the rule of law and governance reform, whereas humanitarian agencies were concerned with transition and people's needs. Budget and funding processes also differed, with development budgets often being planned in advance. Accordingly, States must include assistance to internally displaced persons in their own budgets in order to engage development actors; failure to plan accordingly could hinder their participation.

55. Examples of joint activities included the work being done by UNDP and UNHCR in Afghanistan, Côte d'Ivoire and Kyrgyzstan in the framework of the Secretary-General's initiative on durable solutions, and World Bank collaboration with UNHCR in establishing durable solutions for displaced populations in the Sahel region of Mali. Such inter-agency efforts at the operational level, not just the policy level, were vital for avoiding potential gaps in assistance in the aftermath of emergency situations, which would be detrimental to displaced populations.

56. He expressed appreciation for the support provided by IMO for his mandate and called on it to

help ensure that the post-2015 development agenda included internally displaced persons. He was working closely with like-minded Governments to ensure the progress of participatory efforts to that end.

57. With regard to the role of the parties to the Syrian conflict in creating internal displacement, he noted that under international humanitarian law, both the official armed forces of States and armed groups had responsibilities with regard to the effective control of territory, which included protecting civilians and granting unimpeded, unconditional access to civilian populations in areas that they controlled.

58. The Guiding Principles on Internal Displacement had been adopted formally by the former Human Rights Commission and the 2005 World Summit had adopted them as the internationally recognized framework for dealing with internally displaced persons. Moreover, the Human Rights Council resolution establishing his mandate required him to abide by the Principles.

59. In order to ensure a participatory approach to achieving durable solutions for internal displacement, Member States should devise appropriate domestic policies and laws and exert influence on intergovernmental organizations to ensure that they collaborated more effectively.

60. **Mr. Decaux** (Chair, Committee on Enforced Disappearances), introducing the annual report of the Committee on Enforced Disappearances (A/68/56), said that the number of States parties to the International Convention for the Protection of All Persons from Enforced Disappearance had doubled to 40 since its entry into force in 2010. He welcomed the recent ratification of the Convention by Morocco, Cambodia and Lithuania and its signature by Poland and Guinea-Bissau. The Committee was embarking on its second year of existence, in the course of which it would focus on considering the reports of States parties and adopting lists of issues. It had received a total of nine reports and would have to act soon to extend the duration of its sessions and strengthen the human resource capacities of its secretariat in order to avoid unacceptable delays in the consideration of reports.

61. The Committee had made a conscious effort to “green” its sessions by making full use of information technology resources. Its fourth session had been webcast, with technical support from a non-governmental organization, but it might not have the technical means to repeat that experiment at future

sessions. He hoped that the Committee’s constructive and transparent approach to dialogue with States parties would encourage States that had not yet submitted reports to do so promptly. States parties’ fulfilment of their reporting obligations was vital for ensuring the implementation of the Convention. Delay in considering a report was all the more worrisome in cases where the Committee had expressed concern about the situation on the ground in the State party. The Committee had already been seized of several urgent cases, five of them involving Mexico, under the procedure stipulated in article 30 of the Convention. He thanked the Mexican Government for its cooperation and called on it to redouble its efforts to implement article 30 and ensure the protection of disappeared persons and their relatives.

62. He had established close contacts with the co-facilitators of the human rights treaty body strengthening process, while the Committee had adopted the guidelines on the independence and impartiality of members of the human rights treaty bodies and supported all efforts to harmonize procedures. Anticipating reporting fatigue, the drafters of the Convention had provided for a single report to be submitted two years after its entry into force. It was important that the Committee should have the means to carry out its responsibilities under article 29 of the Convention in a prompt and responsive manner, even in the absence of a report.

63. The Committee shared the concerns of the other human rights committees with regard to reprisals and the need to ensure greater protection for persons participating either directly or indirectly in the Committee’s procedures, who faced intimidation and death threats. The Human Rights Council’s latest resolution on the subject reflected a growing awareness of that priority. The Committee had established bilateral contacts with the Human Rights Committee and the Committee against Torture with a view to ensuring consistency among their observations and recommendations and gaining a better understanding of the legal differences and practical constraints involved in their work.

64. The Committee was also working closely with the Working Group on Enforced and Involuntary Disappearances. It was important to define their respective spheres of competence clearly for both States and victims, as they were jointly responsible for strengthening the coherence, accessibility and

effectiveness of the overall system. The Committee was competent with regard to the 40 States parties. Thus, when the Committee was seized of a matter under article 30 of the Convention, it verified that the Working Group had not previously been seized of it before asking the concerned State to take urgent measures. If the Working Group had already intervened, the Committee ruled the application inadmissible. If both entities happened to work on the same countries, within their respective areas of competence, they should exchange information in order to avoid sending conflicting messages to their interlocutors. For instance, if the Working Group had visited a country, the Committee took its findings fully into account. The two bodies had already issued joint statements.

65. **Mr. Dulitzky** (Chair-Rapporteur, Working Group on Enforced or Involuntary Disappearances) said that enforced disappearance was a technique of terror. Its victims were not people simply reported missing, but victims of a premeditated crime. The Working Group was handling cases of enforced disappearance involving 84 countries. Enforced disappearance was not a crime of the past; States continued to use it in the misguided belief that it was an effective way to counter terrorism, fight organized crime or suppress legitimate movements demanding democracy and human rights. While the Working Group was mindful of the need for States to prevent and react to acts of terrorism and to combat organized crime, it believed that the absolute ban on enforced disappearance did not unduly limit States' ability to gather intelligence in legal and ethical ways. No circumstances whatsoever could justify enforced disappearances.

66. The Working Group's humanitarian mandate with regard to individual cases was one of its most effective endeavours and its urgent measures had helped to prevent cases of enforced disappearance. It was crucial that States take substantive steps to investigate the cases that the Working Group transmitted to them. He thanked all those Governments that had responded to the Group's inquiries, but urged a better rate of response. The Working Group currently had over 42,000 unresolved cases of enforced disappearance in its database. Each outstanding case represented failure both for Governments and for the Working Group itself.

67. Despite the large number of cases registered, the Working Group had repeatedly drawn attention to the underreporting of cases of disappearance in all parts of the world. The victims of enforced disappearance were

not just the person who disappeared, but all those who suffered as a result of it, including relatives who would continue their search until the person's fate and whereabouts were established. Societies often persisted in their struggle for truth, justice and reparations for decades afterwards. Efforts to combat enforced disappearance must therefore take a victim-centred, integrated and long-term approach. He was concerned that some States awarded only formal rights, which were often modest and peripheral to their justice systems. Conversely, he was encouraged by the efforts of several States that had developed comprehensive reparations programmes for victims of enforced disappearance.

68. The Working Group acknowledged the work done by relatives, associations of relatives, non-governmental organizations and human rights defenders to end enforced disappearance, sometimes in adverse conditions, and called on States to take specific measures to protect them from threats, intimidation or reprisals and punish the perpetrators of such acts.

69. Enforced disappearance was a serious crime in international law and carried consequences in terms of the responsibility of States, Governments and individual perpetrators, all of whom must be held accountable. While many States were working hard to bring perpetrators to justice, impunity remained a problem in some parts of the world. Truth commissions, judicial investigations and national plans to search for the disappeared were some of the important steps taken by States to secure the right to the truth. However, the mass exhumation and identification of victims in an effort to discover the truth posed particular challenges. More help should be given to countries that were willing to undertake the task, but lacked the resources or technical capabilities to do so.

70. The complexities of enforced disappearance must be better understood in order to develop new strategies for confronting current challenges. Information provided by Governments gave examples of best practices and innovation and the obstacles encountered. In 2013, the Working Group had undertaken a study on the consequences of enforced disappearance for economic, social and cultural rights and had adopted general comments on women and children affected by enforced disappearance.

71. Country visits allowed the Working Group to assess the prevalence of enforced disappearance

globally, formulate recommendations to address it through a process of open dialogue, assist States in implementing the Convention and ensure direct contact with victims' family members. He thanked the Government of Spain for its broad and positive cooperation both before and during the Group's visit and called on all States that had received a request to visit to respond as soon as possible. He also encouraged States that had been visited by the Working Group to conduct follow-up activities and thanked the Governments of El Salvador and Morocco for their cooperation in doing so.

72. Since its creation, the Committee on Enforced Disappearances had become a privileged interlocutor and partner of the Working Group. It would be impossible to tackle the challenges ahead without sufficient resources, however. Understaffing had resulted in a backlog of hundreds of cases. He reiterated the need to increase the Working Group's resources and support and thanked the Governments of France and Argentina for their contributions. In closing, he called on the General Assembly and all States to take immediate action to consign the shameful practice of enforced disappearance to the past.

73. **Mr. Estreme** (Argentina) said that the activities of the Committee on Enforced Disappearances were vital for developing the Convention's preventive dimension, which including monitoring and early-warning mechanisms. As an unequivocal supporter of the multilateral human rights machinery, his Government had submitted its report to the Committee in 2012 and looked forward to receiving its recommendations at the Committee's next session. Given Argentina's tragic history of enforced disappearances, his Government attached particular importance to the fight against impunity and to the role of the Working Group on Enforced or Involuntary Disappearances in facilitating communication between Governments and the families of victims of enforced disappearance.

74. He agreed with the Chairs of both the Committee on Enforced Disappearances and the Working Group that it was necessary to avoid duplication of mandates and activities. However, since their mandates were clearly differentiated, all stakeholders must be careful to implement them accordingly, while taking equal care to avoid gaps in the protection provided under the Convention.

75. The joint international campaign to attain universal ratification of the Convention, spearheaded by the Foreign Ministers of Argentina and France, had already resulted in three more ratifications. He called on all States that had not yet ratified the Convention to do so.

76. **Mr. Cabouat** (France) said that his country's long-standing commitment to combating enforced disappearance remained a major priority. Noting that enforced disappearance was not a thing of the past, but continued to be used by authoritarian regimes the world over, he encouraged all States to ratify or accede to the Convention for the Protection of All Persons from Enforced Disappearance and welcomed the recent ratifications by Morocco, Cambodia and Lithuania. He would like to know how an effective ratification and awareness-raising campaign might be developed and how recent advances in forensic science, such as DNA testing, might advance the right to truth for victims' families.

77. **Ms. Juodkaitė Putrimienė** (Lithuania) said that her Government had ratified the Convention and recognized the competence of the Committee on Enforced Disappearances to receive and consider individual and inter-State complaints. It believed that the commitments it had made would contribute to international efforts to prevent and eradicate enforced disappearances, wherever they occurred. She emphasized the Convention's importance as the legal instrument that bridged the gap between other human rights treaties and international criminal law. She asked the Chair of the Committee on Enforced Disappearances to elaborate further on its activities and the possible role of regional organizations in that regard.

78. **Ms. Karpinska** (Poland) said that Polish law was already compliant with the provisions of the Convention, which her Government had signed in 2013. The Polish authorities did not detain anyone without informing the person's family and representatives and every detention was registered. Illegal detention and the use of torture were forbidden and prosecuted.

79. **Ms. Tschampa** (Observer for the European Union) said that the entry into force of the Convention for the Protection of All Persons from Enforced Disappearance had been an important step in the fight against impunity. The Committee on Enforced Disappearances had a major role to play in ensuring implementation of the Convention by States parties and

promoting universal accession. She encouraged all States to ratify or accede to the Convention and welcomed the measures taken to ensure the complementarity of the work of the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances.

80. She asked what steps might be taken to avoid a backlog in the consideration of States' reports to the Committee on their implementation of the Convention and what measures could be taken to strengthen the prevention of enforced disappearances, particularly those involving women and children. Lastly, she requested information on the role that civil society played in preventing enforced disappearances.

81. **Ms. Diaz Gras** (Mexico) said that as part of her Government's policy of openness to international scrutiny, it had hosted a visit by the Working Group on Enforced or Involuntary Disappearances in 2011. Despite the many challenges that Mexico faced with regard to enforced disappearance, the Government was committed to strengthening public legal structures and policies to prevent and punish it. To that end, it had proposed amendments to the Criminal Code that defined the crime of enforced disappearance and was also considering the withdrawal of Mexico's reservation to the Inter-American Convention on Forced Disappearance of Persons. A 2011 law had created a national registry of disappeared and missing persons and the Government was making efforts to locate disappeared persons through state prosecutors, in conjunction with a new unit set up to search for missing persons. Transnational organized crime had forced Mexico and other countries in the Americas to redouble their efforts to address the scourge of enforced disappearance.

82. **Mr. García-Larrache** (Spain) expressed appreciation for the tireless efforts of the French and Argentine Governments to keep enforced disappearance on the United Nations agenda. Spain had been among the first countries to ratify the Convention and one of its judges had been a member of the Committee since its establishment. His delegation welcomed new States parties and signatories to the Convention, the universality of which was vital in view of the rise in enforced disappearances in recent years.

83. Spain had submitted its first report to the Committee in 2012 and would present it in November 2013. He was pleased to hear that the Working Group's

recent visit to Madrid, in response to the Government's standing invitation to special procedures mandate holders, had been satisfactory. All the information and interviews with authorities requested by the Working Group had been granted. On 30 August 2013, the International Day of the Victims of Enforced Disappearance, his Government, along with human rights defenders, non-governmental organizations and others involved in the fight to eradicate it, had paid tribute to the victims of that crime.

84. **Ms. Nau** (Germany) urged all States to sign and ratify the Convention, which was an important component of the international human rights treaty system. She asked the Chair of the Committee on Enforced Disappearances for suggestions as to how to educate civil society about the Convention in countries where it was little known.

85. **Mr. Decaux** (Chair, Committee on Enforced Disappearances) said that the United Nations must make the Convention a priority. At a recent treaty ratification day, the Convention had not been included on the Secretary-General's list of some 40 instruments. He trusted that it would be included the following year. With regard to raising the profile of the Convention, the international community must support the awareness-raising work being done by non-governmental organizations active in the field. Amnesty International had published a guide to the Convention. Regional seminars were another important tool.

86. With regard to the consideration of States parties' reports, it was essential that they be considered quickly in order to set an example for States parties. To date, 20 countries were a year late in fulfilling their reporting obligations. The Committee's sessions lasted 10 days and were held twice a year. He hoped that its sessions might be extended to three weeks to enable it to consider 40 reports per year.

87. Unless the means required to make those changes were mobilized, the Committee would have to set priorities and address the most pressing situations. He anticipated tangible cooperation from the Mexican Government, including the submission of its report. The report would give the Committee an overview of the situation, which had clearly changed since the Working Group's visit to the country.

88. **Mr. Dulitzky** (Chair-Rapporteur, Working Group on Enforced or Involuntary Disappearances) said that in view of time constraints he would reply in writing to

the questions put by a number of delegations. Because enforced disappearance was a premeditated crime and continued to occur, new strategies were needed to prevent it from taking new forms and to address disappearances that had already been perpetrated. The Working Group's general comments on women and children constituted an attempt to introduce a gender perspective into enforced disappearance and to consider the interests of the child in cases of enforced disappearance, whether of children or their parents.

89. The use of new technologies such as DNA analysis was a great step forward, but clearly insufficient in itself, in that bodies had to be found and genetic databases established to compare any remains that were exhumed with samples taken from relatives of disappeared persons.

90. Conducting country visits to assess the situation with regard to enforced disappearances was one way in which the Working Group's activities complemented those of the Committee. In cases of disappearance that predated the Convention's entry into force, the Working Group remained the competent body, as it did for the more than 150 countries that were not yet parties to the Convention. For countries that had ratified it, translating their commitment into serious, effective and measurable public policies remained the primary challenge.

*The meeting rose at 1 p.m.*