



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances

Sixth session

Summary record of the 98th meeting*

Held at the Palais Wilson, Geneva, on Friday, 28 March 2014, at 3 p.m.

Chairperson: Mr. Decaux

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* No summary records were issued for the 93rd to 97th meetings.

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The meeting was called to order at 3.05 p.m.

1. **The Chairperson** said that all documents relating to the sixth session had been adopted, but that details could be amended, as necessary, by rapporteurs, particularly country rapporteurs.

Adoption of the draft annual report to the General Assembly and presentation of the provisional agenda for the seventh session

2. **Mr. Garcé García y Santos** (Rapporteur) briefly outlined the content of the draft annual report of the Committee on Enforced Disappearances to the General Assembly on the work of its fifth and sixth sessions and read out the provisional agenda for the seventh session, which would be held in Geneva from 15 to 26 September 2014.

3. *The Committee's draft annual report to the General Assembly was adopted ad referendum.*

4. **The Chairperson** said that he wished to emphasize the success of the collective effort that had been made since the establishment of the Committee to ensure that the Convention was implemented promptly without any gaps or inconsistencies and that tools were developed for effective monitoring of its implementation. As the key to success was the information provided by all those who cooperated with United Nations mechanisms, the Committee intended to fully implement interim and protective measures for the persons concerned. In unison all the treaty bodies, it had repeatedly called for the issue to feature among the priorities set by the General Assembly for treaty strengthening and had encouraged the Office of the United Nations High Commissioner for Human Rights to appoint a focal point on reprisals. The Committee had also contributed to the development of the Convention by systematically opting for legal interpretations that would best favour the promotion of human rights and the protection of victims of enforced disappearance.

5. The Committee had consolidated the system for considering State party reports. It had already considered a total of six reports and planned to adopt three lists of issues concerning Armenia, Mexico and Serbia at the seventh session, which would allow it to consider three State party reports at the eighth session. It had also ensured that its concluding observations were consistent and was discussing a methodology that could be used for drafting general comments concerning the interpretation of the main provisions of the Convention.

6. The public discussion on “enforced disappearances and military justice” that had been held at the current session with experts from different backgrounds and various representatives of United Nations agencies had allowed the Committee to address a gap in the Convention; it had reaffirmed the principle that military courts did not have jurisdiction over serious human rights violations, including the crime of enforced disappearance. The Committee would adopt a statement of principle describing the impact of the absence of jurisdiction on the implementation of the Convention and later explore the possibility of drafting a general comment on the matter.

7. The Committee had revised the guidance for the submission of requests for urgent action, in accordance with article 30 of the Convention (CED/C/6/INFORMAL/1), with a view to streamlining the procedure. Moreover, it had posted a draft paper on cooperation between the Committee and national human rights institutions on the Internet so as to gather input from those concerned prior to the formal adoption of the document at the next session.

8. By focusing on cooperation, efficiency and consistency and constantly working with stakeholders, the Committee would be able to strengthen not only the Convention, but also the entire treaty body system.

Closure of the session

9. After an exchange of courtesies, **the Chairperson** declared the sixth session of the Committee on Enforced Disappearances closed.

The meeting rose at 3.35 p.m.