

Note for the facilitator

Module 6: Other key functions of the Committee on Enforced Disappearances

Session sequence	<ol style="list-style-type: none"> 1. Participatory presentation with PowerPoint (20 minutes) 2. Work in groups – carousel (30 minutes); 3. Debriefing in plenary (30 minutes); 4. Wrap-up (10 minutes).
Total duration	90 minutes
Venue requirements	Spacious training hall arranged in such a way as to promote peer-to-peer atmosphere; preferably round tables with 4 to 5 persons at each table (maximum of 25 participants).
Equipment	<ul style="list-style-type: none"> • Projector and screen • Laptop or computer • Speaker, 2–3 microphones (ideally wireless) • Flip charts
Training materials	<ul style="list-style-type: none"> • PowerPoint presentation – overview of the other key functions of the Committee
Online adaptation	<p>The session can be adapted to be held online as follows:</p> <p>Step 1: Conduct the presentation and go through PowerPoint slides</p> <p>Step 2: Divide participants into four breakout groups if the IT platform allows for it or alternatively ask all participants with names starting from A–E; F–L; M–S; and T–Z to discuss the key functions of the Committee and answer selected questions on each function</p> <p>Step 2: Debrief on each function of the Committee by asking each one of the four groups to provide their answers to the main questions</p> <p>Step 3: Wrap-up</p> <ul style="list-style-type: none"> • Show key messages, for example on a preprepared PowerPoint slide
Background reading for facilitators	<ul style="list-style-type: none"> • Sections IV.B–IV.F of part I of the training guide • OHCHR, Enforced or Involuntary Disappearances, Fact Sheet No. 6/Rev. 3 • Committee, rules of procedure • Committee, working methods

	<ul style="list-style-type: none"> • Committee, statement on the <i>ratione temporis</i> element in the review of reports submitted by States parties under the International Convention for the Protection of All Persons from Enforced Disappearance • Committee, form and guidance for the submission of a request for urgent action to the Committee • Committee, urgent actions (brochure) • Committee, model complaint form (for individual communications pursuant to article 31 of the Convention) <p>Note: Before the session, please make sure to check the updated list of States parties to the Convention and the acceptance of the competence of the Committee under articles 31 and 32, here.</p>
--	---

Learning objectives

By the end of this session, participants will be able to:

- Name the key functions of the Committee
- Describe the key characteristics of the functions of the Committee, such as consideration of requests for urgent actions, individual communications, inter-State communications, country visits, etc.

Session preparation

- Test the projector and the sound system

Session sequence

Step 1: Interactive presentation

Duration: 20 minutes

- Conduct a presentation providing an overview of the key functions of the Committee (other than monitoring and reporting)

Step 2: Work in groups – reflection and discussion

Duration: 30 minutes

- Divide the participants into four groups and ask each group to select a rapporteur
- Ask each group to discuss the functions of the Committee (urgent actions, individual communications, inter-State communications, country visits, referral to the General Assembly) and to answer the following questions:
 - What does this function entail?
 - When is it used?
 - Who are the stakeholders involved?
 - What, in your view, are the benefits of this function?

Step 3: Debrief in plenary*Duration: 30 minutes*

- Each group will provide their overview of each function of the Committee and their answers to the questions asked

Step 4: Wrap-up*Duration: 10 minutes*

Prepare a large sticky note for each key message, and place each one on the wall or board as you explain the key message. This (very simple) visual aid could help participants to better retain the key messages:

- Urgent actions
- Individual communications
- Inter-State communications
- Country visits
- Referral to the General Assembly

Please consider also adding a “subnote” called “interim measures” (whereby interim measures in the context of urgent actions and individual communications are dealt with).

Key messages for the wrap-up can include the following:

- The urgent action procedure is unique to the Committee. The aim of urgent actions is not to establish the responsibility of a State party, but rather to locate the disappeared person. The urgent action procedure applies to all States parties to the Convention, without the need for any separate additional declaration of acceptance by the State concerned. Urgent actions can concern only enforced disappearances that commenced after the entry into force of the Convention for the State party concerned. The same enforced disappearance cannot be simultaneously registered by the Working Group and as an urgent action before the Committee; therefore, those who submit the request must make a choice. The urgent action procedure does not require the prior exhaustion of domestic remedies. In the context of this procedure, the Committee may request that the State party concerned adopt interim measures in very serious and urgent cases, with the aim of avoiding irreparable damage to the persons concerned or to other elements (including pieces of evidence) relevant to locating the disappeared person.
- The individual communication procedure applies only to States parties that have made a declaration accepting the Committee’s competence. It applies only to enforced disappearances that commenced after the entry into force of the Convention. Individuals claiming to be victims of a violation of their rights protected under the Convention by a State party can submit a complaint (called “communication”). The decisions of the Committee with respect to individual communications are called “Views”. Also in the context of the individual communications procedure, the Committee may request the respondent State to adopt interim measures with the aim of avoiding irreparable damage to the victims of the alleged violation (different from interim measures adopted under the urgent action procedure).
- The inter-State communication procedure applies only to States parties that have made a declaration accepting the Committee’s competence. Accordingly, both States involved in an inter-State communication (i.e. the one lodging the communication and the respondent State)

should have deposited a declaration pursuant to article 32 of the Convention recognizing the Committee's competence.

- The Committee's procedure on country visits applies to all States parties to the Convention and does not require an additional declaration of acceptance. Such visits are conducted if the Committee receives reliable information indicating that a State party is seriously violating the provisions of the Convention and the State party concerned agrees to the visit. Following the visit, the Committee transmits its findings to the State party, which could submit its observations within a period set by the Committee. Subsequently, to ensure follow-up to the outcome of the visit, the Committee may request the State party to provide additional information on the measures taken with a view to implementing its recommendations.
- The procedure on referral to the General Assembly applies to all States parties to the Convention and does not require an additional declaration of acceptance. The precondition to activate this procedure is receiving reliable information that enforced disappearance is being practised on a widespread or systematic basis in the territory under the jurisdiction of a State party, that is when crimes against humanity are being committed. If the Committee activates the referral procedure, it will seek information from the State party concerned. If the Committee decides to bring the matter to the attention of the General Assembly, its treatment will be regulated by the Charter of the United Nations and other documents concerning the General Assembly's mandate.

Alternatively, you could simply ask participants to share what their main takeaways of this session are and then supplement this with additional information, if necessary. This would also give you a sense of how much they have processed.