

Other key functions of the Committee on Enforced Disappearances



UNITED NATIONS



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HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

Let's dive in

Other key functions of the Committee: questions and answers

Urgent actions

- Unique function of the Committee
- Aim: to locate the disappeared person
- Applies to all States parties to the Convention
- Only enforced disappearances that commenced after the entry into force of the Convention for the State party concerned
- A choice must be made between registering the case with the Working Group on Enforced or Involuntary Disappearances or lodging an urgent action before the Committee
- Does not require the prior exhaustion of domestic remedies
- Interim measures

Individual communications

- Victims' right to submit a complaint (“communication”)
- Committee's decisions (“Views”)
- Interim measures
- Only for States parties that have accepted the competence of the Committee
- Only for enforced disappearances that commenced after the entry into force of the Convention for the State party concerned

Inter-State communications

- Only for States parties that have accepted the competence of the Committee under article 32
- Acceptance of the competence of the Committee by both States parties' involved in an inter-State communication
- Good offices of the Committee
- Report of the Committee

Country visits

- For all States parties to the Convention
- Initiated upon receipt of reliable information on the serious violations of the Convention by a State party
- Only if the State party concerned agrees to the visit
- Committee's findings and recommendations
- The State party's observations on the Committee's findings
- Committee's follow-up

Referral to the General Assembly

- For all States parties to the Convention
- Initiated upon receipt of reliable information about enforced disappearances being practised on a widespread or systematic basis in the territory under the jurisdiction of a State party, which is when crimes against humanity are being committed
- Committee's seeking of information from the State party concerned prior to proceeding with the referral
- Procedure regulated by the Charter of the United Nations and other documents concerning the General Assembly's mandate.

Work in groups - carousel

Flip chart 1: Urgent actions;

Flip chart 2: Individual communications

Flip chart 3: Inter-State communications

Flip chart 4: Country visits

Flip chart 5: Referral to the General Assembly

Each flip chart contains one function of the Committee and 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?

Discuss each function in groups and write down your ideas on the flipchart

Wrap-up

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