

**Note for the facilitator**

**Module 8: Enforced disappearances and other international instruments and mechanisms, and the Sustainable Development Goals**

Session sequence	<ol style="list-style-type: none"> <li>1. Quiz (10 minutes);</li> <li>2. Interactive presentation (45 minutes);</li> <li>3. Wrap-up (10 minutes).</li> </ol>
Total duration	<b>65 minutes</b>
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"> <li>• Projector and screen</li> <li>• Laptop or computer</li> <li>• Speaker, 2–3 microphones (ideally wireless);</li> <li>• Flip charts</li> </ul>
Training materials	<ul style="list-style-type: none"> <li>• PowerPoint presentation – overview of relevant international instruments and mechanisms</li> </ul>
Online adaptation	<p>The session can be adapted to be held online as follows:</p> <p><b>Step 1:</b> Conduct the quiz (question on preprepared PowerPoint slides)</p> <p><b>Step 2:</b> Continue with the presentation and go through the PowerPoint slides</p> <p><b>Step 3:</b> Wrap-up</p> <p>Show key messages, for example on a preprepared PowerPoint slide.</p>
Background reading for facilitators	<ul style="list-style-type: none"> <li>• Sections VII–IX of part I of the training guide</li> <li>• OHCHR, <a href="#">The United Nations Human Rights Treaty System</a>, Fact Sheet No. 30/Rev.1</li> <li>• OHCHR, <a href="#">Enforced or Involuntary Disappearances</a>, Fact Sheet No. 6/Rev.3</li> <li>• OHCHR, <a href="#">Civil and Political Rights: The Human Rights Committee</a>, Fact Sheet No. 15/Rev.1</li> <li>• Human Rights Committee, <a href="#">general comment No. 35 (2014)</a>, paras. 17, 55 and 58</li> </ul>

	<ul style="list-style-type: none"> <li>• Human Rights Committee, <a href="#">general comment No. 36 (2018)</a>, paras. 57–58</li> <li>• OHCHR, <a href="#">Reporting to the Human Rights Treaty Bodies Training Guide: Part I – Manual</a></li> <li>• <a href="#">General Assembly resolution 70/1 on transforming our world: the 2030 Agenda for Sustainable Development</a></li> </ul>
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### Learning objectives

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

- Explain the functions and the methods of work of the Working Group on Enforced or Involuntary Disappearances
- Describe the main features of the Declaration on the Protection of All Persons from Enforced Disappearance (1992 Declaration)
- List relevant international instruments that set forth provisions touching upon enforced disappearances
- Identify other international human rights mechanisms (regional and universal) that deal with and make recommendations on the subject of enforced disappearance, within the scope of their respective mandate
- Explain the relationship between the humanitarian mandate of the Working Group and the competence of the Committee under article 30 of the Convention, and between the competence of other international human rights mechanisms to receive and examine individual complaints (regional and universal) and article 31 of the Convention
- Describe the link between enforced disappearances and the Sustainable Development Goals

### Session sequence

#### **Step 1: Quiz**

*Duration: 10 minutes*

- Distribute the quiz to participants and ask them to answer it in groups. See the facilitator's copy of the quiz.

#### **Step 2: Presentation**

*Duration: 45 minutes*

- Take your time to explain the main features of the 1992 Declaration and the Working Group, present international instruments that set forth provisions touching upon enforced disappearances and explain the relationship between the humanitarian mandate of the Working Group and the competence of the Committee under article 30 of the Convention, and between the competence of other international human rights mechanisms (regional and universal) to receive and examine individual complaints and article 31 of the Convention.
- Read the quiz questions and provide answers to them as you move along in your presentation. Try to first refer to the question of the quiz, ask participants to share their answer and use the presentation to verify or complement as needed. Reference to the relevant slides is included in the annotated facilitator's copy of the quiz.

### Step 3: 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:

- The 1992 Declaration
- The Working Group
- Universal and regional human rights and other treaties
- Human rights mechanisms that deal with, and issue recommendations on, enforced disappearance
- The relationship between the humanitarian mandate of the Working Group and the competence of the Committee under article 30 of the Convention
- The Sustainable Development Goals

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

- The Working Group is one of 44 thematic special procedures of the Human Rights Council. The Working Group is composed of five independent experts and holds three sessions each year. The Working Group is competent with regard to the subject of enforced disappearance in all the States Members of the United Nations, without prejudice to their status as parties to any human rights treaty, including the Convention. For States that are not yet parties to the Convention, the Working Group is the thematic mechanism of reference when it comes to enforced disappearance, within the limits of its mandate. The main function of the Working Group is humanitarian in nature, in the sense that it assists families in determining the fate or whereabouts of their family members who are reportedly disappeared. In this realm, the Working Group acts as a channel of communication between family members of victims of enforced disappearance and other sources reporting cases of disappearances, and the Governments concerned. The Working Group performs its mandate mainly through the following procedures: cases (dealt with under either the “special” or “standard” procedure); urgent appeals; prompt intervention letters; general allegations; country visits; and referral.
- The 1992 Declaration, was proclaimed by the General Assembly in its resolution 47/133 of 18 December 1992 and it remains a valid reference as a body of principles for all States and reflects customary international law on the subject.
- Even if the Convention is the only comprehensive and universal treaty on enforced disappearance, enforced disappearance is a crime under international law and it violates multiple human rights and fundamental freedoms enshrined in various universal and regional human rights and other international treaties, such as the International Covenant on Civil and Political Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the African Charter on Human and Peoples' Rights; the American Convention on Human Rights; the Inter-American Convention on Forced Disappearance of Persons; the Convention for the Protection of Human Rights and Fundamental Freedoms

(European Convention on Human Rights); Rome Statute of the International Criminal Court; and the Geneva Conventions of 12 August 1949 and the Protocols Additional thereto.

- The treaty bodies and courts charged with overseeing the implementation of the above-mentioned human rights instruments have made findings and issued recommendations in their decisions and concluding observations on the practice of enforced disappearance itself and the corresponding obligations of States, as well as on the importance of the ratification of the Convention and the recognition of the competence of the Committee pursuant to articles 31 and 32 of the Convention. Enforced disappearances have also been addressed through the universal periodic review and the mandates of the special procedures.
- As for the relationship between the mandates of the Committee and the Working Group, for States that are not yet parties to the Convention, only the Working Group is competent, within the limits of its mandate. For States parties to the Convention, both the Committee and the Working Group are competent, within their respective mandates. They coexist side by side and can be regarded as complementary: they coordinate and cooperate among themselves with a view to strengthening joint efforts to prevent and eradicate enforced disappearances. The same enforced disappearance cannot be simultaneously registered by the Working Group and as an urgent action before the Committee. Should the Working Group determine that a case or allegation before it would be better handled by the Committee, it will consult with the source (e.g. relatives of disappeared persons or their representatives) and then refer the case or allegation to the Committee for action, if appropriate. If a case, allegation or other document received by the Working Group contains information relevant to the Committee, the information will be referred to Committee, if appropriate.
- In September 2015, the General Assembly adopted resolution 70/1, entitled “transforming our world: the 2030 Agenda for Sustainable Development, which sets out the 17 Sustainable Development Goals, divided into 169 specific targets to be achieved by all countries by 2030. The most relevant for the prohibition of enforced disappearances are Goals 5 and 16, which refer respectively to the aim of achieving gender equality and empowering all women and girls and to the aim of promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels.