

Committee on Enforced Disappearances

Newsletter n°26 – October 2023

25th Session



From 11 to 29 September 2023, the Committee on Enforced Disappearances held its 25th session in Geneva. The Committee welcomed State representatives, victims and other civil society actors, NHRIs, and inter-governmental organizations, both in person and online.

Opening

During the opening ceremony, the Chair of the Committee, Ms Carmen Rosa Villa Quintana, and the Representative of the Secretary General, Ms. Wan Hea Lee, recalled the importance of promoting the Convention to prevent and eradicate enforced disappearances.

The opening recorded the solemn oath of office of Fidelis Kanyongolo as a new member of the Committee on Enforced Disappearances.

In the space of tribute to victims of enforced disappearances, the Committee welcomed the sister of Mr. Mohamed Abdulraheem Mohamed Othmane, disappeared since August 2023 in Sudan. She expressed her despair for not getting any information as to the fate and whereabouts of her brother, highlighting that the case of her family is only one of thousands in the current context of the State party. She called upon national and international institutions and organizations to take action and support the relatives of disappeared persons.

[Watch the opening](#)

Elections



After two years under the leadership of Ms. Carmen Rosa Villa Quintana, the Committee nominated its new Chair, Mr. Olivier de Frouville.

The new members of the bureau of the Committee are Juan Pablo Alban Alencastro, Matar Diop, Milica Kolakovic-Bojovic, and Horacio Ravenna.

Country reviews

➤ **Mauritania – First report (under article 29.1 of the Convention)**

The Committee noted that consultations are underway to determine the measures to settle "passif humanitaire", the three-year era that began in 1989 and saw large part of the population subjected to enforced disappearance, arbitrary detention, extra-judicial execution and mass expulsion. The Committee, however, noticed that the proposals to establish for a form of process to access to truth and reconciliation had not been considered in depth. It called on Mauritania to ensure that all cases of enforced disappearance related to that period are thoroughly investigated until the fate of those who have been disappeared is clarified. It also asked the State party to prosecute and sentence all who had participated in the commission of enforced disappearance, including military and civilian superiors. Regarding the limitations faced by Mauritanian women concerning child custody, inheritance and access to social benefits, the Committee was concerned about the negative impact of these limitations on women's full enjoyment of their human rights. The Committee called upon Mauritania to ensure that all women and girls who are victims or relatives of enforced disappearance can exercise without restriction all the rights enshrined in the Convention.

To learn more, you can read the advance unedited version of the [Concluding Observations](#)
And you can watch the dialogue: [Part 1](#) – [Part 2](#)

➤ **Nigeria - First report (under article 29.1 of the Convention)**

The Committee noted with preoccupation that, according to the State party, there has been an increase of enforced disappearances in Nigeria. It recommended that the State authorities generate accurate and up-to-date statistical information on disappeared individuals, disaggregated by sex, sexual orientation, gender identity, age, nationality, place of origin and racial or ethnic origin, and establish a nationwide database. The Committee regretted that the State party gave no information about the investigation of enforced disappearances, prosecution of perpetrators, and search for the disappeared. It called upon Nigeria to increase its efforts to ensure that any arrest, detention, abduction or any other form of deprivation of liberty conducted and concealed by State agents or by whom acting with the State authorisation are investigated immediately and that the alleged perpetrators are brought to justice. The Committee further asked Nigeria to take all necessary measures to assist victims and locate those disappeared.

To learn more, read the advance unedited version of the [Concluding Observations](#)

[Watch the dialogue](#)

➤ **The Netherlands - Additional Information (art. 29.4 of the Convention):**

The Committee expressed concern about reports alleging the disappearance of migrants at sea while attempting to reach Dutch territories in the Caribbean, including suspected victims of trafficking. The Committee further raised alarm over the large number of unaccompanied minors that have disappeared from asylum reception centres in the European part of the Netherlands, possibly as a result of suspected human trafficking. It recommended that the Kingdom of the Netherlands redouble its efforts to prevent and investigate the disappearance of migrants, especially unaccompanied minors from asylum reception centres, and enhance the capacity to search for and identify disappeared migrants.

Regarding the State party's decision in 2021 to temporarily suspend intercountry adoptions in view of reported abuses, the Committee regretted that the State party did not provide statistical data and specific information on measures to establish review and annulment procedures. The Committee reiterated its recommendation that the State party establish specific procedures to review and, where appropriate, annul any adoption, placement or guardianship of children resulting from enforced disappearance and to re-establish the true identity of the children concerned, taking into account the best interest of the child.

To learn more, you can read the advance unedited version of the [Concluding Observations](#)

[Watch the dialogue](#)

➤ **Mexico - reports on Additional Information (art. 29.4 of the Convention) and Observations on the CED Visit Report (art. 33 of the Convention)**

The Committee took note that the National Register of Disappeared and Forcibly Disappeared Persons had registered 111,540 individuals as disappeared in Mexico from January 1, 1962 to September 12, 2023, and was concerned that the data is being updated without following the Homologated Search Protocol and international standards. The Committee called on Mexico to ensure the transparency of the methodology used to update the National Register, so as to guarantee the reliability of the collected data, and that the process be coordinated by the National Search Commission, independently and impartially. The Committee also underscored that Mexico must establish mechanisms that ensure the participation of victims' groups and adopt measures to avoid their re-victimisation and protect the security of the information contained in the Register.

The Committee raised concern over the inadequate investigation of the alarming number of disappearances, its consequential low convictions, and almost absolute impunity. It urged the State party to ensure the immediate, impartial and thorough investigation of allegations of enforced disappearances, but also of disappearances committed by people or groups acting without the State's authorisation, support or acquiescence. It also asked Mexico to act with due diligence at all stages of the process, prosecute and punish the perpetrators with appropriate penalties.

To learn more, read the advance unedited version of the [Concluding Observations](#)

Watch the dialogue: [Part 1](#) – [Part 2](#) – [Part 3](#)

List of issues

The aim of a list of issues is to convey the Committee's requests for clarification and updates related to the State party's first report. In case a State party fails to submit its report, the Committee may also decide to adopt a list of issue in the absence of a report. In both cases, the State party has to reply in writing, and the questions raised will guide the constructive dialogue between the Committee and the State party.

At the 25th session, the Committee adopted lists of issues for:

- [Samoa](#)
- [The Central African Republic \(in absence of a report\)](#)
- [Sri Lanka](#)

Urgent Actions

During the 25th session, the Committee also adopted its [periodic report on Urgent Actions](#), in which it highlights the trends of the registered requests for urgent action, related to 1,633 disappeared individuals in 29 States parties. At the date of the report, 484 disappeared people on whose behalf an urgent action was registered had been located, including 438 alive.

Event on the Joint Statement on Illegal Intercountry Adoptions

At its 24th session, the Committee along with five other human Rights mechanisms*, adopted [a joint declaration on Illegal Intercountry Adoptions](#). Illegal adoptions occur through a wide variety of illegal or illicit practices, such as the abduction and sale of and trafficking in children, coercion, and lack of proper consent, which can amount to enforced disappearances.



To commemorate the first anniversary of the Statement, raise awareness about it, the involved mechanisms hold a joint event on 20 September 2023 at Palais des Nations. Speakers included France, Ukraine, victims (adopted children and biological parents), civil society organizations and UN experts. The testimonies and interventions highlighted the worldwide dimension of the problem, making reference to examples related to ten member States.

To learn more, consult the [agenda](#) of the event and watch it at: [457th Meeting, 25th Session, Committee on Enforced Disappearances \(CED\) | UN Web TV](#)

* The Committee on Enforced Disappearances, the Committee on the Rights of the Child; the Special Rapporteur on the Promotion of Truth, Justice and Reparation; the Special Rapporteur on the Sale and Sexual Exploitation of Children; the Special Rapporteur on Trafficking in Persons especially Women and Children; and the Working Group on Enforced or Involuntary Disappearances

First General Comment of the Committee

The Committee adopted and launched its first [General Comment on enforced disappearances in the context of migration](#). Thousands of migrants disappear every year while trying to reach other countries. “Rigid migration policies involving pushbacks, expulsions and detentions increase risks for enforced disappearances. Specific measures need to be taken to address the phenomenon,” said Olivier de Frouville, Chair of the Committee. The General Comment aims to assist States in identifying and addressing their related obligations arising from the Convention.

The official launching of this key document took place on Thursday 28 September. The [agenda](#) of the event included a [video message from the High Commissioner of Human Rights](#), and interventions of academics, States (Morocco and Mexico), civil society actors and UN experts. Together, they presented and commented the General Comment, and identified existing and future projects to promote its implementation.

You can now watch the event at the following link: [469th Meeting, 25th Session, Committee on Enforced Disappearances \(CED\) | UN Web TV](#)

Other Activities

Throughout the session, the Committee had the honour to meet with various NGOs, States, NHRIs and other stakeholders:

➤ **Annual meetings with NGOs, NHRIs and Member States**

Issues addressed during these meetings:

- Joint project of the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances on the so called “short term enforced disappearances”.
- Human Rights 75 Initiative: thematic focus of August – “Justice”
- Ongoing or future projects of partners related to enforced disappearance.
- Plans to promote the ratification of the Convention.
- Enforced disappearances and non-State actors.
- Ways to strengthen the interaction and synergy of the Committee with its partners.

Launching: Practical guide for the ratification of the Convention

The Committee launched the [Practical Guide for the Ratification of the Convention](#). This new publication answers questions commonly raised by States when considering to become parties to the Convention. It provides all interested stakeholders with a toolbox to encourage and support States in joining the community of parties to prevent and eradicate enforced disappearances and fight against the impunity of this heinous crime.

The Guide is now available in English and will soon be available in French and Spanish.



Closing of the session:

Live presentation of the “Recetario para la Memoria, Guanajuato – Recipe book for the Memory, Guanajuato”

During the closing of the session, the Committee had the honour to count with the participation of Alejandra Diaz and Zahara Gomez, who presented the book “Recetario para la Memoria”. This spectacular photographic and literary project puts a face to victims of enforced disappearances and remembers their presence in the daily life of their relatives and loved ones through their favourite recipes.

Do not hesitate to purchase this marvellous book at the [following link](#).



26th Session

Future examination of States reports

At its 26th session (19 February – 1 March 2023), the Committee will examine the reports of the following States parties (dates to be confirmed soon):

- **First report (under art. 29.1)**
Cambodia
[Report](#)
[List of Issues adopted at the 22nd session](#)

➤ **Report on Additional Information (under art. 29.4)**

Honduras

[Report on Additional Information](#)

Burkina Faso

[Report on Additional Information](#)

Lists of issues

At its 26th session, the Committee will adopt Lists of Issues for:

- **Belize** (in absence of a report)
- **Malawi**

Contributions by Victims, CSOs, and NHRIs to the review of States parties at the 26th session

The participation of victims, civil society organisations and National Human Rights Institutions in this process is key and particularly welcome.

Contributions can be made through written contributions or oral briefings. All contributions have the following deadlines:

- **Lists of Issues:**
Belize and Malawi : **10 December 2023**
- **Follow-up to Concluding Observations:**
Panama (TBC upon receipt of the State party's report): **10 December 2023**
- **Concluding Observations/ dialogues with States parties:**
Burkina Faso, Cambodia and Honduras: written contributions and request for Oral Briefing:
10 January 2024

For further information on ways to contribute and how to register to attend the session, please consult the [Information note for Victims, CSOs, and NHRIs](#) which is available on the Committee's webpage for the Session. The document is available in English, French and Spanish.

