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Human Rights Council Working Group on Enforced or Involuntary Disappearances

Post-sessional document

104th session (15–19 September 2014)

I. Introduction

1. The present document reflects the communications and cases examined and other activities carried out by the Working Group on Enforced or Involuntary Disappearances at its 104th session, held from 15 to 19 September 2014.

II. Communications

2. Between its 103rd and 104th sessions, the Working Group transmitted 14 cases under its urgent action procedure to Cuba (1), Egypt (6), the Islamic Republic of Iran (2), Kenya (1), Mexico (1), Pakistan (1) and the Syrian Arab Republic (2).

3. At its 104th session, the Working Group decided to transmit 91 newly reported cases of enforced disappearance to 17 States. The Working Group also clarified 21 cases in Chile (10), China (1), Peru (3), Sri Lanka (3), the Syrian Arab Republic (3) and the United Arab Emirates (1). Thirteen cases were clarified on the basis of information provided by the Governments and eight on the basis of information provided by sources.

4. Between its 103rd and 104th sessions, the Working Group, following its prompt intervention procedure, transmitted, jointly with other special procedure mechanisms, four communications, to Honduras (1), India (1), Mexico (1) and Sri Lanka (1). The Working Group also transmitted, jointly with other special procedure mechanisms, eight urgent appeals concerning persons who had been arrested, detained, abducted or otherwise deprived of their liberty or who had been forcibly disappeared or were at risk of disappearance in the Congo (1), Eritrea (1), the Islamic Republic of Iran (1), the Syrian Arab Republic (1), Tajikistan (1), Thailand (1) and Yemen (1).

5. On 8 July 2014, the Working Group transmitted, jointly with two other special procedures mechanisms, an urgent appeal to the African Union concerning the alleged arrest and disappearance of 11 individuals at the hands of the contingent of the Congo of the African-led International Support Mission in the Central African Republic (MISCA) on 24 March 2014. A similar urgent appeal was transmitted to the Government of the Congo.

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6. On 11 July 2014, the Working Group issued a press release,¹ in which it stressed the urgent need for new national and regional strategies and a renewed commitment at the highest political level to address the question of enforced disappearances and missing persons in Western Balkans, at the end of an official 16-day visit to Croatia, Serbia and Kosovo* and Montenegro.

7. At its 104th session, the Working Group also reviewed four general allegations, concerning Bahrain, Kenya, Nepal and Paraguay.

III. Information concerning enforced or involuntary disappearances in States reviewed by the Working Group during the session

Algeria

8. The Working Group transmitted 28 cases to the Government of Algeria, concerning:

(a) Mr. Mokhtar Arar, allegedly arrested on 14 February 1995 by the army in Rebahia, Saida;

(b) Mr. Sid Ahmed Bader, allegedly last seen in 1995 in the “Mourane” detention centre in Ksar El Boukhari, Wilaya of Médea;

(c) Mr. Ali Bekai, allegedly arrested on 14 September 1994 in Oran by members of the military security;

(d) Mr. Moussa Belaid, allegedly abducted on 23 September 1999 in Ghardaïa by the Gendarmerie;

(e) Mr. Ramdane Belkais, allegedly arrested on 25 May 1994 in Blida by the Gendarmerie;

(f) Mr. Mohamed Belkina, allegedly arrested on 13 April 1996 in Blida by security forces;

(g) Mr. Toufik Belkina, allegedly arrested on 16 April 1996 in Blida by security forces;

(h) Mr. Ben Abid Benkhaled, allegedly arrested on 15 February 1995 in Djelfa by the Gendarmerie;

(i) Mr. Tayeb Benzahia, allegedly arrested on 9 September 1996 in Algiers by the military;

(j) Mr. Ali Bouguerra, allegedly arrested on 11 July 1996 in Blida by members of the military;

(k) Mr. Merzak Bouguerra, allegedly arrested on 11 July 1996 in Blida by members of the military;

(l) Mr. Ahmed Boulares, allegedly arrested on 5 July 1994 in Blida by members of the military;

¹ Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14854&LangID=E.

* Reference to Kosovo should be understood to be in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

- (m) Mr. Nadir Bouziane, allegedly abducted by security forces in December 1992 in Tolga, in Wilaya of Biskra;
- (n) Mr. Achour Chabane, allegedly arrested by the police in August 1994 in El Kadiria, Wilaya of Bouria;
- (o) Mr. Mustapha Cheriet, allegedly arrested on 13 August 1995 in Relizane by security forces;
- (p) Mr. Tahar Cherrad, allegedly arrested on 16 December 1992 in Tolga, Wilaya of Biskra by the police;
- (q) Mr. Abdelkader Elmagroud, allegedly arrested on 20 August 1996 in Mascara by members of military security;
- (r) Mr. Mohammed Essellami, allegedly arrested on 25 October 1994 in Blida by police officers;
- (s) Mr. Karim Hamdadou, alleged arrested on 14 August 1995 in Tablat by military officers;
- (t) Mr. Rachid Issad, allegedly abducted on 1 November 1995 in Blida by the Gendarmerie;
- (u) Mr. Hamid Kefif, allegedly arrested on 11 October 1992 in Bourmerdès by the Gendarmerie;
- (v) Mr. Abdelhamid Khelaifa, allegedly abducted on 12 March 1996 in Algiers by the police;
- (w) Mr. Mohammed Lamari, allegedly arrested on 27 April 1995 in Blida by the army;
- (x) Mr. Ali Laouar, allegedly arrested in November 1996 in Djelfa by the Gendarmerie;
- (y) Mr. Ahmed Matoug, allegedly abducted on 18 September 1996 by members of the military;
- (z) Mr. Saleh Merabet, allegedly arrested on 11 October 1992 in Wilaya of Bourmerdès by the Gendarmerie;
- (aa) Mr. Adila Rahmani, allegedly arrested on 1 October 1994 in Djelfa by the Gendarmerie;
- (bb) Mr. Ali Rekhaoui, allegedly arrested on 24 November 1995 in Oran by security forces.

Information from the Government

9. The Working Group concluded its consideration of the information transmitted by the Government on 29 December 2013, on 2,722 cases, and on 29 August 2014, on 2,744 cases. The information was reviewed and was considered insufficient to lead to the clarification of the cases.

Observations

10. The Working Group welcomes the meeting held during the session with a high-level government delegation. It nonetheless expresses its deep disappointment that, in spite of an official communication received in February 2014 in which it invited the Working Group to visit Algeria in the second semester of 2014, the Government has not accepted the different dates offered by the Working Group nor the format and purpose of the visit.

Argentina

Standard procedure

11. The Working Group transmitted one case to the Government, concerning Ms. Ramona Benítez, allegedly abducted on 16 May 1976 by the police and the army in Remedios de Escalada, Lanús.

Information from the Government

12. On 5 September 2014, the Government provided information in relation to one outstanding case registered under the statistics of Peru. The information provided was not considered sufficient to lead to the clarification of the case.

Bahrain

General allegation

13. On 24 September 2014, the Working Group transmitted information received from credible sources concerning obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance.

14. Specifically, the Working Group received reports on a pattern of short-time disappearances in Bahrain. According to the information received, the victims, including several persons below the age of 18, were arrested and detained by Bahraini security forces. After their arrest, they remained detained for a few hours to several weeks without their relatives being informed of their fate or whereabouts. It was reported that, upon inquiry of relatives of the victims, the authorities denied the detention. Furthermore, it has been alleged that, during the time of disappearance, the individuals were being ill-treated and even tortured for the purpose of extracting a confession.

15. It was reported that some of the victims were detained by the Criminal Investigation Directorate while they were disappeared.

16. 43. It was reported that a person below the age of 18 (a citizen of the United States of America) was arrested by Bahraini security forces in Ma'ameer on 10 March 2014. Allegedly, there was no information on the detention for few hours. According to the information received, persons associated with him were informed of his whereabouts only after the security forces had been informed that he was a citizen of the United States.

17. It was reported that Mr. Redha Mushaima, a Bahraini national, was arrested on 4 March 2014 by security forces at a friend's house. He allegedly remained disappeared for three days. During this time, he was allegedly detained at the Criminal Investigation Directorate and the Riffa police station.

18. It was reported that Mr. Sami Musheima, 39 years, a Bahraini national, was arrested on 3 March 2014 by security forces in civilian clothes. He remained disappeared until 23 March 2014. During this time, he was reportedly held at the Criminal Investigation Directorate and the Riffa police station.

19. It was reported that Mr. Ahmed al-Arab, 22 years, a Bahraini national, was arrested by security forces in Hamad Town on 9 January 2014. He allegedly remained disappeared until 10 February 2014. The case was transmitted by the Working Group to the Government of Bahrain as a joint urgent appeal on 17 January 2014 and under the urgent action procedure of the Working Group on 22 January 2014. The case was clarified at the 103rd session of the Working Group, in May 2014.

20. It was reported that a person below the age of 18 (a Bahraini national) was arrested on 8 January 2014 by security forces at a checkpoint in Murkh. When attempting to escape, the person was reportedly shot twice and then transported to the hospital. The individual allegedly remained disappeared for 15 days, and is currently detained at the Al-Qala'a hospital. The case was transmitted to the Government in a joint urgent appeal sent on 17 January 2014, to which the Government responded on 17 February.
21. It was reported that a person below the age of 18 (a Bahraini national) was arrested on 6 January 2014 by security forces at his father's home. He allegedly remained disappeared for three days.
22. It was reported that Mr. Yusuf al-Nashmi, a Bahraini national, was arrested on 18 August 2013 by security forces on the street. The person allegedly was disappeared until 27 August 2013. According to the reports received, the person was held during this time at the Dry Dock Prison.
23. It was reported that Mr. Mohamed Ahmed, 25 years, a Bahraini national, was arrested on 6 August 2013 by security forces. He allegedly remained disappeared for two days while he was detained at the Criminal Investigation Directorate.
24. It was reported that Mr. Sayed Muneer Sayed Habib, 32 years, a Bahraini national, was arrested on 28 May 2013 by security forces in civilian clothes. He allegedly remained disappeared for several days. During this time, he was allegedly detained at the Criminal Investigation Directorate.
25. It was reported that Mr. Maher al-Khabbaz, 28 years, a Bahraini national, was arrested on 19 February 2013 by plain-clothed security forces at the Golden Tulip Hotel in Manama. He allegedly remained disappeared for about a week. He remains in detention.
26. It was reported that Mr. Taleb Ali Mohammed, a Bahraini national, was arrested on 14 November 2012 by security forces and taken to the Criminal Investigation Directorate. He allegedly remained disappeared for eight days. He is currently detained in Jaw prison.
27. It was reported that Mr. Ebrahim Abdulla al-Sharqui, 27 years, a Bahraini national, was arrested on 8 November 2012 by security forces. He allegedly remained disappeared for three days.
28. It was reported that Mr. Ahmed Abdulla Ebrahim, 26 years, a Bahraini national, was arrested on 7 November 2012 by security forces and taken to the building of the Criminal Investigation Directorate. He allegedly disappeared for three days.
29. It was reported that a person below the age of 18 (a Bahraini national) was arrested on 25 July 2012 by security forces in Bilad al Qadim Village. The person allegedly remained disappeared for two days.
30. It was reported that a person below the age of 18 (a Bahraini national) was arrested on 23 July 2012 by security forces. The person allegedly remained disappeared for two days.
31. It was reported that Mr. Salah Abbas Habib Moussa, 36 years, a Bahraini national, was arrested by security forces on 20 April 2012 after participating in a protest. According to the information received, the day after, his body, which displayed signs of torture, was found on the roof of a building in Shakhoura village.

Information from the Government

32. On 17 February 2014, the Government transmitted a reply to a joint urgent appeal sent on 17 January 2014 concerning allegations of, among others, the disappearance of Mr. Ahmed Mohammed Saleh Al Arab, Mr. Mansoor Ali Mansoor Al Jamri, Mr. Hussain Al

Ghasra and a person below the age of 18. In its reply, the Government stated that the four individuals remained in detention on remand, pending investigations.

Bhutan

Information from the Government

33. On 16 July 2014, the Government transmitted a communication regarding five outstanding cases. The information provided was considered not sufficient to lead to the clarification of the cases.

Bosnia and Herzegovina

Information from the Government

34. On 22 May 2014, the Government transmitted a reply to the general allegation letter sent on 1 April 2014 concerning the situation surrounding the decision of the Constitutional Court of Bosnia and Herzegovina to quash the verdicts in the cases of 10 individuals serving prison sentences for war crimes against civilians and genocide. All 10 individuals have reportedly been released from prison with processes for their retrial either under way or being finalized. In its reply, the Government of Bosnia and Herzegovina provided two responses: one from the President of the Court of Bosnia and Herzegovina, the other from the Chief Prosecutor.²

35. The President replied that:

(1) As correctly stated [in the general allegation], the decisions of the Constitutional Court of Bosnia and Herzegovina [...], which were issued after the decisions of the European Court of Human Rights, rescinded the final judgements of the Court of Bosnia and Herzegovina in relation to the named applicants, and the Constitutional Court found violations of article 7 of the European Court of Human Rights in the [10] cases [...]. It is visible from the foregoing decision of the Constitutional Court of Bosnia and Herzegovina that they practically mandate automatic application of the Criminal Code of the former Yugoslavia in all cases involving the criminal offences of war crimes that were covered by that Criminal Code, including war crimes against civilians and genocide, irrespective of the gravity of the crimes committed. [...] Although such a position evidently does not follow from either the letter or the spirit of the decision of the European Court of Human Rights, [...] the Court of Bosnia and Herzegovina still has the obligation to comply with the final and binding decisions of the Constitutional Court of Bosnia and Herzegovina and to act upon them. Non-compliance with the decisions made by the Constitutional Court of Bosnia and Herzegovina constitutes a criminal offence under the laws in effect in Bosnia and Herzegovina. [...]

36. The Chief Prosecutor replied that “the decisions of the European Court of European Rights in the case of Maktouf and Damjanovic are of declaratory nature, and as such they did not quash the verdicts of the Court of Bosnia and Herzegovina, but provided grounds for a retrial.”

² The full content of the allegation will be published in the communications report of the special procedures, to be submitted to the Human Rights Council at its twenty-eighth session.

37. After the Court of Bosnia and Herzegovina received the decisions of the Constitutional Court, it decided without delay to release all the defendants from prison, without specifying any measures to ensure their appearance before the court, and excluding any order for detention, so that all the defendants could be released.

38. The Prosecutor's Office considers that the release of the defendants caused "a clear and real danger to the further smooth and lawful conduct of criminal proceedings."

39. The Constitutional Court of Bosnia and Herzegovina would have to alter its position in relation to the most serious offences and crimes in all applications, 40 of which having been filed, to properly apply the principles of the judgement passed by the European Court of Human Rights in the case of Maktouf and Damjanovic.

Observations

40. The Working Group thanks the Government for its reply. Regarding the situation surrounding the decision of the Constitutional Court of Bosnia and Herzegovina, the Working Group encourages the Government to implement fully the national war crimes strategy adopted in 2008 and to allocate adequate financial and human resources to guarantee its effective implementation. The Working Group also recalls that, in accordance with the Declaration on the Protection of All Persons from Enforced Disappearance, all acts of enforced disappearance are offences under criminal law and punishable by appropriate penalties, which are to take into account their extreme seriousness, and that persons accused and found guilty of enforced disappearances should be sanctioned accordingly.

Chile

Clarification

41. On the basis of information provided by the Government, the Working Group decided to clarify 10 outstanding cases following the expiration of the period prescribed by the six-month rule.³

China

Information from the Government

42. On 30 May 2014, the Government transmitted a reply to a joint urgent appeal sent on 1 April 2014 concerning allegations of the alleged incommunicado detention of the human rights lawyer Mr. Gao Zhisheng. In its reply, the Government stated that Gao was currently serving his sentence in Sha Ya prison, in Xinjiang Uygur Autonomous Region, and was in good health. The Government added that the prison guaranteed, in accordance with the law, Gao's rights to correspondence and to receive visits.⁴

Clarification

43. On the basis of information provided by the source, the Working Group decided to clarify one outstanding case.

³ See A/HRC/WGEID/102/2, para. 25.

⁴ The case was clarified by the source during the 104th session of the Working Group. The source confirmed that Gao Zhisheng was released from prison in August 2014.

Observations

44. While the Working Group appreciates the information according to which Mr. Gao Zhisheng was released in August 2014, it expresses its concern at reports indicating that he was in very poor health when released.

Colombia

Information from the Government

45. On 5 September 2014, the Government provided information in relation to one outstanding case registered under Ecuador. The information provided was not considered sufficient to lead to the clarification of the case.

Congo

Urgent appeals

46. On 4 July 2014, the Working Group transmitted, jointly with two other special procedures mechanisms, an urgent appeal to the Government concerning the alleged arrest and disappearance of 11 individuals at the hands of the contingent of the Congo of the African-led International Support Mission in the Central African Republic (MISCA) on 24 March 2014. A similar urgent appeal was transmitted to the African Union.

Observations

47. The Working Group calls upon the Government of the Congo to investigate those allegations fully and requests to be informed of the results thereon.

Cuba

Urgent action

48. On 30 July 2014, the Working Group, following its urgent action procedure, transmitted one case to the Government, concerning Mr. Ángel Lázaro Santiesteban Prats, allegedly arrested on 28 February 2013 after the issuance of a five-year sentence and allegedly last seen on 20 July 2014 in Asentamiento de Lawton prison, in Havana.

Information from the Government

49. On 4 September 2014, the Government transmitted a communication regarding the case of Mr. Ángel Lázaro Santiesteban Prats. Based on that information, the Working Group decided at its 104th session to apply the six-month rule to the case.

Democratic People's Republic of Korea

Information from the Government

50. On 5 August 2014, the Government transmitted a communication regarding 27 outstanding cases. The information provided was considered insufficient to lead to clarification of the cases.

Democratic Republic of the Congo

Standard procedure

51. The Working Group transmitted one case to the Government of the Democratic Republic of the Congo, concerning Mr. Moses Kibatondwa Lastborn, allegedly arrested in August 1998.

Ecuador

Information from sources

52. The source provided information on one outstanding case.

Egypt

Urgent action

53. The Working Group transmitted six cases to the Government under its urgent action procedure:

(a) On 4 July 2014, the cases of Mr. Mohamed Ibrahim Sayed Jamil, allegedly arrested in Cairo on 5 June 2014 by security forces, and of Mr. Fouad Farouk Mahmoud Kandil, allegedly arrested on 15 June 2014 in Alexandria by agents of Homeland Security;

(b) On 14 July 2014, the case of Mr. Ahmed Salem Omar Ramadan Omar, allegedly arrested on 28 June 2014 in Abu Zaabel prison in Cairo by the police;

(c) On 24 July 2014, the case of Ms. Asma Khelf Chendine Abdelmajid, allegedly arrested on 18 April 2014 by agents of the national security forces in Assiut;

(d) On 14 August 2014, the case of Mr. Fathi Abdelradi Abdelsalam Reda, allegedly arrested on 3 August 2014 in Al Fashn by the police;

(e) On 19 August 2014, the case of Mr. Ahmed Mossad Elmaadawi Mohamed, reportedly deported on 7 August 2014 to Egypt and arrested by Egyptian Security Forces on his arrival at Cairo airport. Mr. Mohamed was initially allegedly arrested at Abu Dhabi airport in the United Arab Emirates on 13 January 2014.⁵

Observations

54. The Working Group is seriously concerned at the large number of urgent actions that it has had to address to the Government in recent months. The Working Group expresses its sincere hope that the Government will take immediate steps to reverse this trend, and deplores the fact that it still to receive any response from the Government thereon.

⁵ See A/HRC/WGEID/103/1, para. 184. This case was initially registered under the statistics relating to the United Arab Emirates, but was transferred to the statistics relating to Egypt in the light of the information given above.

El Salvador

Information from the Government

55. On 27 May 2014, the Government responded to a prompt intervention letter sent jointly with two other special procedures mechanisms on 25 November 2013 concerning the closure of the Legal Protection Office of the Archbishop of San Salvador (Oficina de Tutela Legal del Arzobispado de San Salvador).⁶ In its reply, the Government reported on the investigations initiated by the national human rights institution of El Salvador and the Office of the General Public Prosecutor.

56. On 12 August 2014, the Government conveyed information regarding the State's approach to enforced disappearances in the context of internal armed conflict in El Salvador.

Observations

57. The Working Group stresses the importance of preserving historical archives for posterity and the right to truth and justice of victims, as well as of facilitating access to them.

Eritrea

Standard procedure

58. The Working Group transmitted two cases to the Government, concerning:

(a) Mr. Idris Abdulkadir Tahir, allegedly abducted on 12 March 2001 in Sawa Military Training Camp, Eritrea, by State security agents;

(b) Mr. Idris Abdulkadir Yassin, allegedly arrested on 28 December 2000 in Geza Banda Tilyan, Asmara, by plain-clothed State security agents, in a house located in Geza Banda Tilyan, Asmara, and allegedly last seen on the same day at Karsheli Asmara prison.

Urgent appeals

59. On 18 June 2014, the Working Group transmitted, jointly with four other special procedures mechanisms, an urgent appeal to the Government concerning the alleged arrest and incommunicado detention of Mr. Mohamed Ali Omaro by security personnel.

Georgia

Information from the Government

60. On 9 June 2014, the Government transmitted a communication regarding the case of Mr. Paata Kardava. On the basis of the information provided by the Government, the Working Group decided, at its 104th session, to apply the six-month rule to the case.

⁶ The full content of the reply will be included in the communications report of the special procedures to be submitted to the Human Rights Council at its twenty-eighth session.

Greece

Information from the Government

61. On 19 August 2014, the Government transmitted a communication regarding the case of Mr. Bruno Breguet. The information provided was considered insufficient to lead to the clarification of the case. In accordance with the methods of work of the Working Group, the Governments of Hungary, Switzerland and the United States of America also received a copy of the case.

Honduras

62. On 20 June 2014, the Working Group transmitted, jointly with another special procedure mechanism, a prompt intervention letter concerning alleged acts of intimidation and attacks against members of the Committee of Relatives of the Detained and Disappeared in Honduras (COFADEH).

Observations

63. The Working Group would like to recall article 13 of the Declaration, in which it provides that steps are to be taken to ensure that all involved in the investigation of an enforced disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal (para. 3), and that steps are to be taken to ensure that any ill-treatment, intimidation or reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished (para. 5).

India

Prompt intervention letter

64. On 27 August 2014, the Working Group transmitted, jointly with two other special procedures mechanisms, a prompt intervention letter concerning an alleged ban to enter India vis-à-vis Ms. Mary Aileen Diez Bacalso, Secretary-General of Asian Federation against Involuntary Disappearances.

Iran (Islamic Republic of)

Urgent actions

65. On 11 March 2014, the Working Group, following its urgent action procedure, transmitted to the Government a communication concerning two cases, Messrs. Chebieshat Ali and Mousawi Sayed Khaled, both Iranian nationals, who were last seen at Fajr prison, Dezful, Khuzestan Province, in the Islamic Republic of Iran. On 18 March 2014, their families were reportedly informed by personnel of the Ministry of Intelligence that they had been transferred to an undisclosed location.

Standard procedure

66. The Working Group transmitted two cases to the Government, concerning:

(a) Mr. Kaveh Seyedi Honarvar, who was allegedly last seen at his residence in Tehran in September 2005;

(b) Mr. Yousef Silavi, who was allegedly last seen at his residence in Ahwaz on 6 November 2009.

Urgent appeals

67. On 11 June 2014, the Working Group transmitted, jointly with seven other special procedures mechanisms, an urgent appeal to the Government concerning acts of intimidation and reprisals in the form of ill-treatment of detainees, including six human rights defenders detained in Evin prison. Among them, the fate and whereabouts of Mr. Ebrahimzadeh has been unknown since 3 May 2014.

Iraq

Information from sources

68. The source provided information on seven outstanding cases.

Jordan

Information from the Government

69. On 4 August 2014, the Government transmitted a communication regarding two outstanding cases. The information provided was considered insufficient to lead to clarification of the cases. In accordance with the methods of work of the Working Group, the Government of the Sudan received a copy of one of the cases.

Kenya

Urgent action

70. On 4 September 2014, the Working Group, following its urgent action procedure, transmitted a case to the Government concerning Mr. Suleiman Salim Swaleh, allegedly abducted on 1 August 2014 by the Kenyan security forces near his home in Majengo, Mombasa.

General allegation

71. On 30 September 2014, the Working Group transmitted information received from sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Kenya.

72. According to sources, the Anti-Terrorism Police Unit (ATPU) has carried out a series of enforced disappearances and other human rights abuses. In some cases, members of the anti-riot forces (known as the General Service Unit), military intelligence and the National Intelligence Service were allegedly also implicated in abuses by the counter-terrorism unit.

73. It was argued that terrorism suspects had been abducted from vehicles and courtrooms, beaten badly during arrest, detained in isolated blocks and denied contact with their families or access to lawyers. The source added that the officers allegedly involved in enforced disappearances and other abuse often wore civilian clothes, thus making the identification of the individuals responsible for the disappearances difficult.

74. The sources stated that at least 10 young men had been forcibly disappeared by ATPU officers in Nairobi between 2011 and 2013. The men faced terrorism-related charges

in various Kenyan courts, were under investigation by the ATPU, or had been acquitted. Prior to their disappearance, all of them told family members, friends and associates that they had received direct death threats from ATPU officers.

75. According to the information, the ATPU was created within the Criminal Investigations Department in 2003 in response to the attacks on the embassy of the United States of America in Nairobi in 1998 and on an Israeli-owned Mombasa hotel in 2002. Terrorist attacks have increased in Kenya in recent years, particularly after Kenya sent its military into neighbouring Somalia in October 2011.

76. Allegedly, the police failed to respond, even though in many cases the men were abducted nearby police stations or taken from court rooms. Police officers had advised families to look for the bodies of the disappeared in the mortuary.

77. The information provided suggests that the ATPU has not formally acknowledged responsibility for the alleged disappearances. The source added that Kenyan authorities have not investigated effectively these cases or any anti-terrorism unit officers for alleged abuses, including the enforced disappearance of terrorism suspects.

78. The source pointed out that, in some cases, court proceedings continued even after the suspects had disappeared. The source alleged that, in many cases, the authorities had argued that the disappeared had fled Kenya to avoid prosecution or to engage in terrorist activities, without providing any concrete documentation or evidence to demonstrate such claims. The families that have attempted to file a complaint have been turned away at several police stations.

Mexico

Urgent action

79. On 4 September 2014, the Working Group, following its urgent action procedure, transmitted one case to the Government, concerning Mr. Pablo Roberto Millán Lira, allegedly abducted on 21 August 2014.

Standard procedure

80. The Working Group transmitted two cases to the Government, concerning:

81. Mr. Teodulfo Torres Soriano, allegedly abducted on 24 March 2013, by agents of the Mexican federal police in his residence in Mexico City.

82. Mr. Diego Rogelio Nichol Hernández, allegedly last seen on 8 May 2013, when municipal police officers of Puerto Vallarta were requisitioning him. In accordance with the methods of work of the Working Group, the Government of Canada was also provided with a copy of the case.

Information from the Government

83. On 22 July 2014, the Government responded to an urgent appeal sent jointly with two other special procedures mechanisms on 17 April 2014 concerning the allegations of arbitrary arrest and enforced disappearance of Mr. Marco Antonio Valle Cabañas. In its reply, the Government reported that there was no confirmation that the two persons that had allegedly taken the victim from his residence belonged to the Public Prosecutor's Office for Special Investigations on Organized Crime (SIEDO) of the Office of the General Prosecutor. The Government also reported on the investigations initiated in relation to the case and on the access to the investigation by Mr. Valle Cabañas's relatives.

Information from sources

84. The sources provided information on four outstanding cases.

Prompt intervention letter

85. On 14 August 2014, the Working Group transmitted, jointly with another special procedure mechanism, a prompt intervention letter concerning the alleged intimidation and threats against relatives of Mr. Héctor Rangel Ortiz, who disappeared in Queretaro on 10 November 2009.

Morocco

Standard procedure

86. The Working Group transmitted three cases to the Government, concerning:

(a) Mr. Mohamed Lamine Krimou, allegedly last seen in Dakhla on 28 September 2011;

(b) Mr. El Hachmi Ben Driss Nihou, allegedly arrested in Khemisset in November 1972 by police officers;

(c) Mr. Mimoune Fagouri, allegedly last seen at the central prison in Kenitra on 7 August 1973.

Information from sources

87. A source provided information on 14 outstanding cases. The information provided was considered insufficient to lead to a clarification.

Nepal

Other communications

88. On 3 July 2014, the Working Group transmitted, jointly with other special procedures mechanisms, a communication to the Government drawing its attention to the incompatibility of the recently adopted Nepal Act on the Commission on Investigation of Disappeared Persons, Truth and Reconciliation 2071 (2014) with international standards in the areas of the competence of the Commission to recommend amnesties for perpetrators, including for gross violations of human rights and serious violations of international humanitarian law; the competence of the Commission to initiate reconciliation processes in the absence of a request by the victim or the offender; and the selection procedures for Commission members. The special procedures mandate holders called upon the Government to initiate speedily a process of amendment, with an emphasis on the amnesty provisions, and in line with international standards.

Press release

89. On 4 July 2014, the Working Group issued, jointly with four other special procedures mechanisms, a press release in which it called upon the Government to amend its new legislation allowing for amnesties in cases of serious violations of human rights and humanitarian law. The experts expressed deep concern that the recently adopted truth-seeking law left mass violations unaddressed.

Observations

90. The Working Group reminds the Government of Nepal of article 18 of the Declaration, as well as of its general comment thereon,⁷ according to which persons who have or who are alleged to have committed acts of enforced disappearance should not benefit from any special amnesty law or similar measures that might have the effect of exempting them from any criminal proceedings or sanction. The Working Group also recalls its general comment on the right to the truth,⁸ which sets out the main obligation of States in respect of the right to the truth, including the obligation to investigate until the fate and the whereabouts of the person have been clarified; the obligation to have the results of these investigations communicated to the interested parties; the obligation to provide full access to archives; and the obligation to provide full protection to witnesses, relatives, judges and other participants in any investigation.

Norway

Information from the Government

91. On 30 April 2014, the Government replied to an urgent appeal, dated 4 April 2013, regarding the alleged imminent deportation of Mr. Mohammad Anwar Baloch, an asylum seeker and human rights defender. In its response, the Government stated that a deferment of the implementation of the decision to deport Mr. Baloch had been granted by the Immigration Appeals Board of Norway, and that the immigration authorities had pledged to review the case in order to investigate and verify the new information and evidence presented.

Oman

Standard procedure

92. The Working Group transmitted a case to the Government concerning Mr. Abdulrahman Ali Salem Mohammed, allegedly arrested on 27 December 2013 by police officers in Dhofar. In accordance with the methods of work of the Working Group, the Governments of the United Arab Emirates and Yemen also received a copy of the case.

Pakistan

Urgent action

93. On 15 July 2014, the Working Group, following its urgent action procedure, transmitted a communication to the Government, concerning Mr. Zia Ur Rehman, who was allegedly abducted by Pakistan Rangers, on 13 April 2014, from Al-Karim fast food restaurant, in Karachi, Sindh.

Standard procedure

94. The Working Group transmitted one case to the Government, concerning Mr. Asadullah Faiz Mohammad, who was allegedly abducted on 18 March 2014 by frontier corps personnel, some in uniform, some in plain clothes, from the CGS colony satellite town, Quetta, Balochistan.

⁷ A/HRC/16/48, para. 39.

⁸ Ibid.

Prompt intervention letter

95. On 19 September 2014, the Working Group transmitted a prompt intervention letter concerning the alleged ill-treatment and harassment of Mr. Babar Anis Syed, president of the Committee for Missing Persons, a non-governmental organization that works on cases of enforced disappearance in Pakistan.

Information from sources

96. Sources provided information on one outstanding case. In accordance with the methods of work of the Working Group, the Governments of Afghanistan and India received a copy of the case.

Paraguay

97. On 7 October 2014, the Working Group transmitted information received from credible sources on obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance.

98. The source reported that, during the dictatorship between 1954 and 1989, repression was systematic, and included widespread and continuing cases of arbitrary detention, mass imprisonment, systematic torture and enforced disappearance. The source also reported that, since 1989, with the end of the dictatorship, there has been no effective will to investigate disappearances committed during the dictatorship.

99. It was indicated that, in 2003, Law 2.225/03 created the Truth and Justice Commission. The Commission aimed to “investigate facts that constitute, or may constitute, violations of human rights committed by public or government agents from May 1954 until the enactment of the law” (art. 1), and must “cooperate with relevant bodies in clarifying violations of human rights carried out by State and parastatal agents” (art. 2b), “to identify perpetrators as far as possible”(art. 2c) and “to provide all evidence to the judiciary to allow the justice system to act immediately in view of safeguarding the rights of victims and avoiding the impunity of those responsible for such violations” (art. 2 e). The work of the Commission ended in August 2008 with the publication of a truth and justice report, in which it determined the existence of 336 victims of enforced disappearances. All information compiled by the Commission was forwarded to the Public Prosecutor’s Office of the State in 2008 with the aim of opening investigations on the facts compiled, as provided for by law 2.225/03.

100. The source argues that the Commission also assumed the task of finding the disappeared, creating a campaign entitled “Break the Silence”, aimed at obtaining confessions of those responsible for hiding the bodies of the disappeared. According to the information received, thanks to the many testimonies made, 27 sets of remains have been allegedly found in police stations and other clandestine cemeteries. Prosecution authorities were reportedly repeatedly requested to identify the bodies and to initiate appropriate procedural steps. This request has been ignored by the competent authorities; in fact, none of the bodies has been identified nor has any measure been taken to investigate and punish those responsible for the enforced disappearances.

101. Since 2006, 27 sets of remains of disappeared persons have been found and exhumed in different police stations and clandestine cemeteries. These findings were allegedly obtained thanks to work conducted by the Research Unit of Enforced Disappearances and Extrajudicial Executions of the Truth and Justice Commission. Between July 2009 and March 2013, the work was carried out by the Department of Truth, Justice and Reparations dependent on the Ombudsman; and since April 2013, by the Directorate of Reparations and Historical Memory.

102. According to the source, in 1991, before the creation of the Truth and Justice Commission, two human skulls were found at the site of the Special Group of the National Police (ex Security Guard), which were deposited with the Court, then subsequently recovered by the Commission and taken to the Forensic Laboratory of the Public Ministry. In 2006, a skeleton was identified and exhumed in Guaira, in the district of Cerro Jovere and Paso Yobai. In March 2008, two more skeletons were found at the municipal cemetery in the city of Paraguari and transferred to the Forensic Laboratory of the Public Ministry. No attempt at identification of the remains has been made.

103. On 23 July 2009, two skeletons were identified and exhumed on the premises of the Special Group of the National Police, in a courtyard that served as clandestine cemetery for many of the disappeared. The remains were taken to the Forensic Laboratory of the Public Ministry and have yet to be identified. Anthropological reports on these findings have been made and complete genetic profiles obtained by the Argentine Forensic Anthropology Team. This work was allegedly funded by Argentina without any support from Paraguay.

104. The source also reported that, on 23 December 2009, another skeleton had been identified and exhumed, also in the premises of the Special Group of the National Police, which was also transferred to Forensic Laboratory of the Public Ministry. As in the previous case, an anthropological report and complete genetic profiles were obtained by the Argentine Forensic Anthropology Team. This work was, again, reportedly funded by Argentina only, without any contribution from Paraguay.

105. On 25 March 2010, a skeleton was found in the premises of the Special Group of the National Police. On 5 May 2010, another skeleton was found following work in the clandestine cemetery of the Special Group of the National Police. On 5 August 2010, two skeletons were found on the premises of the Specialized Group of the National Police. From 20 to 23 December 2010, five skeletal bones were found in the same mass grave of the Compañia de 7 de Agosto in the district of Carlos Antonio López, Itapúa.

106. On 28 September 2011, a skeleton was located in trench no. 203 on the premises of the Special Group of the National Police. On 4 October 2011, another skeleton was found in trench no. 205 of the Special Group of the National Police. On 8 November 2011, another was found in the Special Group of the National Police. On 16 February 2012, a skeleton was found in the secret cemetery of the Special Group of the National Police. On 19 and 20 March 2013, two skeletons were found in trench no. 252 of the Special Group of the National Police. On 6 August 2013, two skeletons were found in a farm near Tavaí, Caazapá department, which served as headquarters for forces led by former President Alfredo Stroessner. On 1 November 2013, two more skeletons were found in a mass grave in María Auxiliadora Tava'i district, Itapúa.

107. According to the source, although the above-mentioned remains were exhumed and transferred to the forensic laboratories of the Public Ministry, they were not identified,, which left the families of the disappeared persons in a state of uncertainty. The demands made by the victims that steps be taken to identify the remains, which after more than six years are still being found on police premises are allegedly being ignored by the State authorities, thereby obstructing their right to know the whereabouts of their relatives, given that many of the remains could belong to them. The source also reported that there is a general situation of impunity in relation to all cases of enforced disappearance.

Peru

Information from the Government

108. On 2 June 2014, the Government provided information in relation to one outstanding case. The information provided was not considered sufficient to lead to the clarification of the case.

Information from sources

109. The sources provided information on 71 outstanding cases. Three of the cases were clarified as a result.

Duplication

110. The Working Group decided to consider two cases duplicates of two existing cases. Both duplicate were subsequently expunged from the records of the Working Group.

Republic of Korea

Information from the Government

111. On 19 August 2014, the Government provided information on four outstanding cases registered under the statistics of the Democratic People's Republic of Korea. These cases remain outstanding.

Saudi Arabia

Standard procedure

112. The Working Group transmitted two cases to the Government, concerning Mr. Saud Faleh Awad al-Anzi and Mr. Sultan Hamid Marzouk al-Anzi, both allegedly last seen in May 2013 in the General Prison of Ar'ar.

Information from the Government

113. On 12 August and 2 September 2014, the Government transmitted information concerning three outstanding cases. On the basis of the information provided by the Government, the Working Group decided, at its 104th session, to apply the six-month rule to the two cases. In accordance with the methods of work of the Working Group, the Governments of Jordan and India received a copy of one of the cases. With regard to the remaining case, the information provided was considered insufficient to lead to the clarification of the case. In accordance with the methods of work of the Working Group, the Government of Nepal received a copy the case.

Spain

Information from sources

114. The sources provided information on one outstanding case.

Information from the Government

115. On 9 July 2014, the Government responded to a general allegation sent with four other special procedures mechanisms on 25 March 2014 concerning the modification of

Organic Law 6/1985 relating to universal jurisdiction. In its reply, the Government transmitted a report of the Ministry of Justice on universal jurisdiction and international law, as well as information on the transitional provision of Organic Law 1/2014, which modifies the scope of universal jurisdiction in Spain. The Government also stated that the modification of the law would not interfere with the exclusive authority of courts to decide on their jurisdiction on particular issues and cases.⁹

Observations

116. While the Working Group appreciates the reply of the Government to the general allegation, it still regrets the amendments to legislation restricting the application of universal jurisdiction.

Sri Lanka

Standard procedure

117. The Working Group transmitted nine cases to the Government, concerning:

(a) Mr. Vithiya Anandharajah, allegedly last seen on 13 May 2009 at the Pulmootai hospital; it is alleged that the Sri Lankan Army could be responsible for his disappearance;

(b) Mr. Puvanachandra Arunsalam, allegedly last seen at Menik Farm Zone 4 camp for internally displaced persons, in Cheddikulam, Vavuniya District, Northern Province, then under the control of security forces;

(c) Mr. Kalistus Antony Celestin, allegedly last seen on 17 May 2009, when he was taken by the military to a military vehicle;

(d) Mrs. Vithiya Kirubakaran, allegedly last seen on 18 May 2009 at the Omanthai check point controlled by the Sri Lankan Army;

(e) Mr. Selvakumar Murugesu, allegedly last seen on 17 May 2009 in Sinnathankadu, Mullaitivu, then under the control of the Sri Lankan Army;

(f) Mr. Pratheeban Pathmanathan, allegedly last seen on 17 May 2009 in Mullivaikal, then under the control of the Sri Lankan Army;

(g) Mr. Sabeshan Subramaniyam, allegedly last seen on 10 January 2008 in Maththalan, then under the control of the Sri Lankan Army;

(h) Mr. Sritharan Thuraisingam, allegedly last seen on 18 February 2009 in Maththalan, then under the control of the Sri Lankan Army;

(i) Mr. Poobalasingam Uthayakumar, allegedly last seen near the relief village in Karrapankadu, Vavuniya, then under the complete control of the Sri Lankan Army.

Information from the Government

118. On 5 June and 18 August 2014, the Government transmitted communications regarding 254 outstanding cases. On the basis of the information provided by the Government, the Working Group decided, at its 104th session, to apply the six-month rule

⁹ The full content of the reply will be included in the communications report of the special procedures to be submitted to the Human Rights Council at its twenty-eighth session.

to seven cases. With regard to the remaining cases, the information provided was considered insufficient to lead to the clarification of the cases.

Information from sources

119. A source provided information on one outstanding case.

Clarification

120. On the basis of information provided by the Government, the Working Group decided to clarify three outstanding cases once the period prescribed by the six-month rule had elapsed.

Prompt intervention letter

121. On 14 August 2014, the Working Group transmitted, jointly with three other special procedure mechanisms, a prompt intervention letter concerning alleged dispersal of and acts of intimidation against a group of individuals who had gathered to discuss cases of disappearance in Sri Lanka, and possible collusion between the assailants and the police.

Observations

122. The Working Group is following up on the implementation of paragraphs 9 and 11 of Human Rights Council resolution 25/1 on promoting reconciliation, accountability and human rights in Sri Lanka.

Sudan

Information from the Government

123. On 11 November 2013, the Government of the Sudan transmitted a communication regarding several communications and outstanding cases. The information provided was considered insufficient to lead to the clarification of the cases. The Working Group also thanks the Government for having accepted the possibility of a country visit of the Working Group in a communication dated 11 November 2013, and hopes to agree shortly on a mutually convenient date for the visit with the Government.

Syrian Arab Republic

Urgent action

124. The Working Group transmitted under its urgent action procedure two cases to the Government, concerning:

(a) On 20 May 2014, the case of Mr. Abed Al Rahman Al Ajaj, allegedly abducted in Aleppo on 13 February 2014 by security forces;

(b) On 22 August 2014, the case of Ms. Faten Rajab, allegedly last seen in Adra Prison in July 2014

Standard procedure

125. The Working Group transmitted 13 cases to the Government of the Syrian Arab Republic, concerning:

(a) Mr. Kamal Mohamed Ahmad, allegedly arrested on 12 August 2012 by Air Force Intelligence, in Ashrafieh district;

- (b) Mr. Anas Al Kayal, allegedly abducted in Aleppo on 4 August 2013 by members of the military;
- (c) Mr. Abdul Basit Al Sheikh, allegedly last seen on 25 January 2013 at the Air Force Branch in Damascus;
- (d) Mr. Ayham Al Sirafi, allegedly arrested in Damascus on 6 January 2014 by army officers;
- (e) Ms. Amal Al-Saleh, allegedly last seen in Adra Prison on 15 February 2014;
- (f) Mr. Yassin Ammouna, allegedly abducted in Almland Village, Jser Al Shogor district, Idlib, on 3 September 2012 by army officers;
- (g) Mr. Mohammed Hayel Bakour, allegedly arrested on 3 September 2012 by the army in Jesr Al Shogor, Idlib;
- (h) Mr. Hasan Hafez, last seen on 30 October 2012 at the Military Security Branch No. 227, Kafarsouseh;
- (i) Mr. Hael Hamed, allegedly abducted on 13 August 2012 from the Yarmouk refugee camp in Damascus by military officers. In accordance with the methods of work of the Working Group, the Government of the United Kingdom of Great Britain and Northern Ireland was also provided with a copy of the communication;
- (j) Mr. Mohammad Hujuk, allegedly abducted in Homs on 28 November 2012 by security forces;
- (k) Mr. Abed Alkareem Shiah, allegedly last seen on 11 January 2012, at the military security branch of Damascus;
- (l) Mr. Hikmat Shihabi, allegedly arrested in Aleppo on 1 October 2012 by the Republican Guard;
- (m) Mr. Amier Shihabi, allegedly arrested in Aleppo on 15 April 2012 by police officers and Air Force Intelligence.

Information from the Government

126. On 26 May and 19 August 2014, the Government transmitted information regarding two outstanding cases. The information provided was considered insufficient to lead to a clarification of these cases.

127. On 9 July 2014, the Government transmitted a reply to a joint urgent appeal sent on 17 December 2013 concerning the alleged disappearance of Ms. Razan Zaitouneh, Mr. Wa'el Hamada, Mr. Nazem Hamadi and Ms. Samira Khalil. The Government states that Ms. Zaitouneh was kidnapped by a terrorist armed group. With regard to Mr. Wa'el Hamada, the Government states that he was arrested and referred to the competent juridical authorities. It added that the competent authorities do not have any information on the remaining two individuals.

Information from sources

128. Sources provided information on four outstanding cases. The Working Group decided to clarify three of these cases as a result.

Clarification

129. On the basis of information provided by the sources, the Working Group decided to clarify three outstanding cases.

Press release

130. On 30 May 2014, the Working Group issued, jointly with other special procedures mechanisms, a press release emphasizing that the decision of the Security Council not to refer the situation in the Syrian Arab Republic to the International Criminal Court left the door wide open for new atrocities in the ongoing conflict. In the absence of prosecution at the domestic level, it was the responsibility of the Security Council to refer the situation to the International Criminal Court, which would be an important and most necessary step to protect civilians against continued and future violations by all sides to the conflict, and to curb impunity for the grave violations of human rights and humanitarian law, some amounting to crimes against humanity.¹⁰

Observations

131. The Working Group recalls its general comment on crimes against humanity,¹¹ and reiterates its concern at the number of enforced disappearances and its call for the situation to be referred to the International Criminal Court.

Tajikistan

Urgent appeals

132. On 23 June 2014, the Working Group transmitted, jointly with six other special procedures mechanisms, one urgent appeal to the Government, concerning the alleged arbitrary arrest, incommunicado detention and enforced disappearance of Mr. Alexander Sodiqov. Mr. Sodiqov formerly worked for local non-governmental organizations, the Organization for Security and Cooperation in Europe and the United Nations in Tajikistan.

Information from the Government

133. On 15 July, 11 September and 18 September 2014, the Government transmitted three communications concerning four outstanding cases. Based on the information provided by the Government, the Working Group decided at its 104th session that the information provided could not be considered sufficient to lead to clarification of the cases.

134. On 21 July 2014, the Government transmitted a reply to the aforementioned urgent appeal, sent on 23 June 2014, regarding Mr. Alexander Sodiqov. In its response, the Government stated that Mr. Sodiqov was in a detention facility of the State Committee on National Security.

Thailand

Urgent appeals

135. On 28 May 2014, the Working Group transmitted, jointly with four other special procedures mechanism, one urgent appeal to the Government, concerning the suspension of constitutional guarantees, the detention of senior political leaders and others, and the closure of multiple media outlets in Thailand.

¹⁰ The full text of the press release is available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14655&LangID=E.

¹¹ A/HRC/13/31, para. 39.

Press release

136. On 13 June 2014, the Working Group issued, jointly with four other special procedures mechanisms, a press release in which it urged the authorities to reverse all measures affecting basic rights and to restore democratic rule in the country, and stressed that stability and reconciliation could hardly be achieved in Thailand if human rights guarantees were neglected.¹²

Information from the Government

137. On 31 July 2014, the Government replied to the aforementioned press release dated 13 June 2014. Regarding the alleged detention of persons, the Government stated in its response that almost all of those who had been asked to report to the National Council for Peace and Order had already been released, some on the same day and some within a period of not exceeding seven days, except for those who had been criminally charged and had to be subjected to due judicial process. Their immediate family members had been given access to them.

138. On 31 July 2014, the Government transmitted information regarding one outstanding case. The information provided was considered insufficient to lead to a clarification of this case.

Information from sources

139. The sources provided information on 32 outstanding cases.

Observations

140. The Working Group urges the Government to restore democratic order and the rule of law in order to prevent the occurrence of enforced disappearance.

Tunisia**Information from the Government**

141. On 25 November 2013, the Government transmitted information regarding two outstanding cases. The information provided was considered insufficient to lead to a clarification of these cases. In accordance with the methods of work of the Working Group, the Government of Libya was also provided with a copy of one of the communications.

Turkey**Standard procedure**

142. The Working Group transmitted eight cases to the Government, concerning:

- (a) Mr. Ahmet Akbaş, allegedly arrested by soldiers in Hozat, Tunceli;
- (b) Mr. Abdurrahman Coşkun, allegedly arrested by military officers in Ulaş and placed in custody;

¹² The full text of the press release is available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14696&LangID=E.

(c) Mr. Ahmet Dansik, allegedly abducted together with other individuals in Kavalli, Silopi, Şırnak, by military officers;

(d) Mr. Abidin Polat, allegedly abducted together with a person associated with him, by military officers when they were working in a field. Released two days later, Mr. Polat was allegedly summoned by the gendarmerie to sign a document. Afterwards, Mr. Polat was reportedly abducted again;

(e) Mr. Aydin Tekay, allegedly abducted by military officers in Koca Köyü, Diyarbakir. Subsequently, Mr. Tekay was allegedly taken to Koca Köyü gendarmerie station, which was certified by the Public Prosecutor, who issued documents stating that Mr. Tekay was in custody. The source reported that, 28 days later, persons associated with Mr. Tekay were allegedly informed that he had died, although they reportedly never saw his body;

(f) Mr. A. Latif Yağızay, allegedly arrested by police officers at his residence in Nusaybin District, Mardin Province;

(g) Mr. Ahmet Yetişen, allegedly arrested by security forces agents in Huzur neighborhood, Batman. According to the information received, Mr. Yetişen was placed in custody, together with a person associated with him, by security forces agents.

Turkmenistan

Standard procedure

143. The Working Group transmitted one case to the Government, concerning Mr. Gulgeldy Annaniyazov, a Turkmen political dissident and human rights activist, who was allegedly last seen on 7 October 2008, at the court during a closed trial where he was convicted to 11 years of prison.

United Arab Emirates

Information from the Government

144. On 30 May 2014, the Government transmitted a reply to a joint urgent appeal, sent on 12 May 2014, concerning the alleged arbitrary detention and disappearance of Mr. Bader Hussain al-Abdulla al-Bahri. The Government stated that Mr. al-Bahri had been arrested on 22 April 2012 for having joined a secret organization and having funded the international terrorist Muslim Brotherhood, in violation of the Penal Code and the Law on Combating Terrorist Crimes.

145. On 25 November 2013, the Government transmitted information regarding two outstanding cases. The information provided was considered insufficient to lead to a clarification of these cases.

Information from sources

146. Sources provided information on two outstanding cases. One case was clarified as a result. On the basis of the information provided by the source, the Working Group decided to transfer the other case under the statistics relating to Egypt (see para. 53 (e) above).

Clarification

147. In the light of the information provided by the sources, the Working Group decided to clarify one outstanding case.

Uruguay

Information from the Government

148. On 7 July 2014, the Government provided information in relation to four outstanding cases. Based on that information, the Working Group decided at its 104th session to apply the six-month rule to two of those cases.

Information from sources

149. The sources provided information on three outstanding cases.

Yemen

Standard procedure

150. The Working Group transmitted one case to the Government, concerning Mr. Jamil Al Dabibi, allegedly last seen on 20 February 2014 at the Central Security Prison in Sana'a.

Urgent appeal

151. On 18 July 2014, the Working Group transmitted, jointly with four other special procedures mechanisms, an urgent appeal to the Government concerning the alleged secret detention of Messr. Mourad Ben Ayed and Taha Aissaoui. The Governments of France and Tunisia were provided with a copy of the communication.

Information from sources

152. The source provided information on one outstanding case. In accordance with the methods of work of the Working Group, the Government of the United States of America also received a copy of this case.
