



**International Convention for
the Protection of All Persons
from Enforced Disappearance**

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Committee on Enforced Disappearances
Twenty-sixth session

Summary record (partial)* of the 472nd meeting

Held at the Palais Wilson, Geneva, on Monday, 19 February 2024, at 10 a.m.

Chair: Mr. de Frouville

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Chair** declared open the twenty-sixth session of the Committee on Enforced Disappearances.
2. **Mr. Walker** (Office of the United Nations High Commissioner for Human Rights) (OHCHR) said that he attached great importance to strengthening collaboration between the Rule of Law and Democracy Section of OHCHR, of which he was Chief, and the human rights treaty bodies. The Section was responsible for, inter alia, preparing the report of the Secretary-General on missing persons, which drew on the work of the Committee and other human rights mechanisms in order to update the General Assembly on recent developments in that area. A call for input had been issued for the upcoming report, which would be submitted to the General Assembly in September 2024 and to the Human Rights Council thereafter.
3. The Section was also working with Mr. Albán-Alencastro and swisspeace on a project to develop a practical guide to assist stakeholders in addressing the issue of disappeared persons within transitional justice processes. It was hoped that a draft version of the guide would be ready for review in the second quarter of 2024 so that public consultations on the text could be held in the second half of the year. The Section had likewise contributed to the efforts of OHCHR to assist in the development of the terms of reference for the Independent Institution on Missing Persons in the Syrian Arab Republic, whose initial phase of operations was due to run from 1 April to 31 December 2024.
4. Enforced disappearance had been brought to the fore in the context of the Human Rights 75 initiative to commemorate the seventy-fifth anniversary of the adoption of the Universal Declaration of Human Rights when, in August 2023, the monthly thematic spotlight had been placed on the issue of justice and the Committee had issued a joint statement with other human rights bodies calling on States to provide effective access to justice for all victims of enforced disappearance.
5. Against a backdrop of rising global insecurity, the body of rules and instruments comprising international law had never been so pertinent. Accordingly, he was pleased to report that, at the Human Rights 75 high-level event held in December 2023, Angola, Guinea-Bissau, Indonesia, Mozambique, South Africa, Thailand and Zimbabwe had all pledged to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. Cameroon and Sao Tome and Principe had, for their part, pledged to work towards the ratification of all core human rights instruments, including the Convention, while France had pledged to support efforts to promote the latter's ratification.
6. The ongoing deliberations on the content of the draft articles on prevention and punishment of crimes against humanity adopted by the International Law Commission in 2019 and on whether they might form the basis of a future convention offered an additional opportunity to strengthen international protection against enforced disappearance. Many States had participated in those deliberations, which were due to resume in April 2024, and it was hoped that the General Assembly would be able to adopt a further resolution on the subject in October of the same year.
7. In November 2023, the United Nations High Commissioner for Human Rights had held an informal briefing on the treaty body strengthening process. The briefing had been attended by representatives of 118 States and a significant number of treaty body experts, who had indicated broad support for the introduction of a predictable cycle of State party reviews, the harmonization of working methods and the increased use of digital tools, as set out in a working paper prepared by OHCHR. However, despite that positive development, the budgetary constraints and prolonged liquidity crisis facing the United Nations were having an adverse effect on the functioning of the treaty body system and threatened to further increase the treaty bodies' backlog of work. In view of the unrelenting workload of the treaty bodies, it was essential for States to provide the resources required to enable those bodies to function properly. A strategic goal for 2024 was to mobilize support from States to strengthen and further harmonize the treaty bodies' work on the basis of the OHCHR working paper and the conclusions reached at the thirty-fifth annual meeting of the Chairs of the

human rights treaty bodies in June 2023. The decisions taken by States in that regard would determine the future trajectory of the treaty body system.

8. He wished to remind Committee members that, as of January 2024, the United Nations Office at Geneva had ceased servicing most hybrid and online meetings. Official dialogues between the treaty bodies and State party delegations could, however, still take place in a hybrid or online format, as mandated by General Assembly resolution 68/268.

9. **The Chair** said that, at the current session, the Committee would consider the initial report of Cambodia and the additional information submitted by Burkina Faso and Honduras. It would also adopt lists of issues for Malawi and Belize. In the case of Belize, the Committee would adopt the list of issues in the absence of a report, which the State party had been due to submit by 13 September 2017. To date, the Committee had received 1,734 requests for urgent action under article 30 of the Convention. While requests had been submitted by individuals from over 30 countries, most came from Mexico and Iraq. The Committee would review and adopt its report on urgent action at the current session. One communication submitted under article 31 of the Convention was awaiting consideration by the Committee. It was important to continue encouraging States parties to recognize the Committee's competence to receive and consider communications under that article, as only 30 States parties had done so to date. The Committee had carried out two visits, to Mexico and Iraq, under article 33 of the Convention. He was pleased to report that the Government of Colombia had indicated its willingness to receive a visit from the Committee in 2024, the details of which would be discussed at the current session.

10. A clear procedural framework was required in order for the Committee to discharge all those functions. Although the Committee had begun the process of updating its rules of procedure ([CED/C/1/Rev.1](#)) at its twenty-fifth session, many more rules would need to be amended to reflect recent changes in the Committee's working methods. The working group tasked with updating the Committee's rules of procedure had met during the intersessional period to develop proposals to that end; those proposals would be reviewed at the current session.

11. The Committee would also continue to work with the Working Group on Enforced or Involuntary Disappearances and other mechanisms to finalize a joint statement on "short-term" enforced disappearance, which, he hoped, could be adopted before the end of 2024. Time would also be devoted to examining the impact of enforced disappearance on women and women's rights. The Committee would adopt its annual report, which was to be presented at the next session of the General Assembly, and would discuss members' intersessional activities and its medium- and long-term strategy to promote the ratification and implementation of the Convention. Bilateral consultations would also be held with representatives of States, civil society actors and OHCHR staff on the margins of the session.

12. A further matter to be discussed at the current session was the treaty body strengthening process. An informal meeting of the Chairs of the human rights treaty bodies would take place later in the session and would be attended by Ms. Kolaković-Bojović in her capacity as Vice-Chair. The discussions held at that meeting would then inform the conclusions to be adopted by the Chairs at their thirty-sixth annual meeting in early July 2024. The treaty body strengthening process was crucial for guaranteeing the future of the entire United Nations human rights protection system. The Universal Declaration of Human Rights and the core international human rights treaties were a body of fundamental and universal legal standards that guaranteed justice and peace worldwide. Accordingly, it was essential for the treaty bodies to function optimally, particularly at a time when intolerance and hatred were on the rise and the scourge of war was claiming thousands of victims each day. The Committee was fully committed to the strengthening process and stood ready to engage with States parties to reflect on the reforms to be undertaken to ensure the durability and efficiency of the treaty body system.

13. It was essential that the Committee should be provided with the resources that it required to fulfil its mandate. In that connection, the Committee was concerned about recent announcements concerning the liquidity crisis facing the United Nations. That crisis posed a threat to the entire human rights protection system, which was already underfunded. The Committee was also troubled by the decision of the United Nations Office at Geneva to stop

servicing hybrid and online meetings. That decision represented a serious step backwards for the human rights protection system, as hybrid and online meetings had enabled civil society representatives and victims from across the world to participate in the activities of human rights bodies without having to travel to Geneva. The Committee had taken note of the letter of 6 February 2024, signed by 170 civil society organizations, and hoped that a solution could be found as soon as possible.

14. Cases of enforced disappearance were continuing to rise, and the work of mechanisms offering protection against enforced disappearance had never been so important. The Convention was the cornerstone of the global fight against that practice; acceding thereto was not an option but an obligation. The prohibition of enforced disappearance was a fundamental international principle that all States were required to uphold, and becoming a party to the Convention was the best way for them to do so. As part of its strategy to mobilize efforts to tackle enforced disappearance, the Committee was working with partners to organize a world congress on enforced disappearance, which would be held from 14 to 16 January 2025. The purpose of the congress would be to ensure that victims and their families were at the centre of efforts to address that phenomenon, to encourage dialogue among States with a view to promoting the ratification and implementation of the Convention and to foster cooperation among actors to ensure that they were equipped to identify and adopt strategies to overcome common challenges and fulfil the obligations flowing from the Convention. The Committee would have the opportunity to hold discussions with its partners to review the preparations for the event on the margins of the current session.

Adoption of the agenda (CED/C/26/1)

15. *The provisional agenda was adopted.*

Tribute to victims of enforced disappearance

16. **The Chair**, introducing a video statement to be delivered by Ms. Andrea Torres Bautista, a lawyer working at the Fundación Nydia Erika Bautista para los Derechos Humanos (Nydia Erika Bautista Foundation for Human Rights), said that he wished to pay tribute to all victims of enforced disappearance and their loved ones, whose stories were the driver of the Committee's work.

17. **Ms. Torres Bautista**, in a pre-recorded video statement, said that her aunt, Nydia Erika Bautista, had been disappeared since 30 August 1987. The foundation established in her aunt's name provided support to family members of victims of enforced disappearance in Colombia. In recent years, it had worked with eight women's organizations and had submitted six reports to the Commission for the Clarification of Truth, Coexistence and Non-Repetition. Those reports had shed light on the violence that women who had devoted themselves to searching for their disappeared family members had been facing for more than 40 years; such violence included sexual and gender-based violence, deprivation of liberty, kidnapping, enforced disappearance, forced displacement, physical and psychological torture, threats, harassment and reprisals.

18. Against that background, the foundation had become the driving force behind a bill to recognize and protect the rights of women who devoted themselves to searching for their disappeared family members. The bill addressed those women's civil and political rights and economic and social rights, which were often undermined, as the work that they carried out was not officially recognized as a form of employment. The bill likewise acknowledged the role of those women as peacebuilders and the contribution that they had made to public policy and peace processes by submitting specific proposals concerning the search for victims, the investigation of cases and the prevention of enforced disappearance.

19. With support from four congresspersons, the bill had been submitted to the Colombian parliament in 2021. It had been debated on three occasions and had been the subject of sexist challenges by various congresspersons and senators, who had proposed replacing all references to "women" with the term "persons". Nonetheless, the text that was due to be debated by the plenary of the Senate would maintain the references to "women" to reflect the fact that the individuals who dedicated their lives to searching for disappeared family members were almost always women.

20. **Ms. Villa Quintana**, thanking Ms. Torres Bautista for her testimony, said that the adoption of the bill by the Colombian Congress would represent a historic milestone and secure State recognition for the tireless work of women who devoted themselves to searching for disappeared family members and their contribution to uncovering the truth and obtaining justice and reparation. Many of those women had spent decades searching for their family members and had had to sacrifice their personal and professional lives to do so, which had led to serious economic, social and emotional consequences for them and their families. While such women lived in a constant state of uncertainty, the search for their family members offered them a source of hope and an opportunity to provide their families with the answers they deserved.

21. It was crucial that women who devoted themselves to searching for disappeared family members should be afforded comprehensive protection and access to health services, education and social security. States parties had a duty to adopt measures to promote and protect those women's human rights and their right to participate in search processes and investigations. Those women should be granted direct access to any available information in a timely, respectful and dignified manner. States parties also had an obligation to take steps to prevent gender-based violence, to investigate all instances of such violence against those women and to punish the perpetrators.

22. The Committee's Guiding Principles for the Search for Disappeared Persons ([CED/C/7](#)) stated that searches for disappeared persons should respect human dignity and follow a differential approach. Tackling the stigmatization and discrimination faced by women victims was essential. The Committee placed special emphasis on the need for States parties to systematically follow a gender-sensitive approach at all stages of searches and investigations, taking into account the specific needs of women and girls. The Committee wished to recognize and express its admiration for the work of women who devoted themselves to searching for their disappeared family members and urged States parties to support those women in securing their relatives' safe return. The Committee would continue to support all victims of enforced disappearance and to work with States parties to ensure that they fulfilled their obligations under the Convention.

The discussion covered in the summary record ended at 10.50 a.m.