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Committee on Enforced Disappearances
Fifth Session



Opening Address by
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Geneva, 4 November 2014

Distinguished Members of the Committee,

Ladies and Gentlemen,

On behalf of the High Commissioner for Human Rights, I would like to welcome you to the fifth session of the Committee on Enforced Disappearances. In particular, I would like to congratulate Santiago Corcuera Cabezut, from Mexico, on his election, as well as Mohammed Al-Obaidi, Luciano Hazan, Juan José López Ortega and Kimio Yakushiji on their re-election. Allow me also to thank Mr. Enoch Mulembe, from Zambia, for his contribution to the Committee during his tenure as member from July 2011 to June 2013.

Members of the Committee,

As you may know, I had the privilege to participate in the event titled “Putting an End to Enforced Disappearances: Progress and Challenges”, organized by Argentina on the margins of the Second Conference of States parties to the Convention convened last May. I was honoured to share the podium with representatives of the Mothers of Plaza de Mayo and I was deeply moved by their testimonies. As I said on that occasion, it is the courage of those mothers, and of all other human rights defenders, which motivates us at the Office of the High Commissioner for Human Rights. It is the will of those mothers that defied politics and it was their fight that gave birth to the International Convention on the Protection of All Persons from Enforced Disappearance. As with the Convention on the Rights of Persons with Disabilities, this Convention truly represents a legal tool stemmed from the united voice of persons, directly

affected by the issue, in an attempt to realize the vision of a society free from the heinous crime of enforced disappearance.

Sadly this comes at a high price: too many of these courageous human rights defenders and families of victims continue to be subject to **reprisal**. Mindful of this increasing challenge, the Human Rights Council recently adopted a resolution requesting the Secretary-General to nominate a UN focal point against reprisals. The overall objective of this new focal point is to support and promote cooperation with the UN in the field of human rights. Under the Urgent Action procedure, this Committee may have already experienced attempts to silence individuals for having submitted communications to the Committee. I note with satisfaction that this Committee has already decided to nominate one of its members to focus on this issue. This decision demonstrates awareness for this very serious matter as well as, once again, readiness in implementing the suggestions included in the High Commissioner's report on Treaty Body Strengthening, and the recommendations by the Chairpersons adopted during their last meeting in New York.

OHCHR supported your work in favor of civil society in many ways, including by organizing, on the occasion of the third United Nations International Day for the Victims of Enforced Disappearance, on 30 August 2013, a media campaign through conventional media. A short video featuring the Chairperson of the Committee and the Chairperson of the Working Group on Involuntary or Enforced Disappearances was recorded and disseminated through YouTube. The main messages of the video were **protection from reprisals and need for the**

support, including financial support, for those individuals and civil society organizations that struggle to implement the Convention all over the world.

I am happy to see that you continue to deepen your relationship with civil society actors, including by consulting them extensively on the draft of a document detailing your interaction which is scheduled for adoption at this session.

Members of the Committee,

You are mandated by article 28 of the Convention to actively **cooperate with all relevant mechanisms and instruments**. I know that this has been one of the main Committee's priorities since its establishment: you have already met, whether formally or informally, with some members of the Human Rights Committee and of the Committee against Torture. You also had occasions to interact with some special procedures mandate holders during the thematic discussions held in the past and you will hold your third joint meeting with the Working Group on Enforced or Involuntary Disappearances at this session. All these occasions of exchange and reflections offered a fertile ground for an effective integration of your Committee in the existing human rights system as well as for the actual implementation of the Convention.

The cross-fertilisation across the treaty bodies which the Committee has started during its first year is a tool which will be very precious in the near future. As the Committee begins to receive individual communications the necessity of **harmonization, consistency and coherence of jurisprudence** will become of

paramount importance as featured in the High Commissioner's report on Treaty Body Strengthening.

Members of the Committee,

This Committee has always supported the **treaty bodies strengthening process** and members have contributed on several occasions to the intergovernmental process. This process continues to move forward. Since the Committee last met, the co-facilitators - the Ambassadors of Iceland and Indonesia in New York - circulated a revised set of elements for a possible draft resolution,. The High Commissioner is of the view that these draft elements form a solid basis for a comprehensive and sustainable outcome, agreement among all Member States.

To move the process forward, the co-facilitators presented a quasi-procedural resolution in September, requesting the Secretary-General to prepare a comprehensive and detailed cost assessment of the draft elements by 15 November 2013, and extending the inter-governmental process until February 2014. The General Assembly adopted this resolution on 20 September by consensus. We hope that the Member States will be able to reach a comprehensive agreement next February, and grant additional regular budget resources to enable the treaty bodies to address their backlog in a sustainable manner, to deal with the growing number of reports from States parties, and to discharge fully their respective mandates.

Emmanuel Decaux, has addressed the issue in his intervention to the General Assembly a couple of weeks ago stressing that, while the Committee still does not have any backlog, it is important to take all necessary measures to avoid in the future delays in the consideration of reports as it is the case for other Committees. It is clear that a comprehensive solution to the treaty body strengthening process would go a long way to allowing all Committees to fulfill their mandates effectively and efficiently.

Members of the Committee,

Your contribution to the challenges mentioned above, on reprisals and the harmonisation of jurisprudences cannot be underestimated. As mentioned above, the High Commissioner herself made many of these suggestions as ways of strengthening the entire treaty body system. I remain hopeful that at your next session in March, we will be able to present you with an adopted substantive General Assembly resolution on treaty body strengthening - a roadmap to the future for the treaty body system.

I wish you successful deliberations and a productive session.