

Check against delivery

Committee on Enforced Disappearances

Sixteenth Session

8 to 18 April 2019



Opening Address by

Maja Andrijasevic-Boko

Chief a.i. Civil, Political, Economic, Social and Cultural Rights
Section

Human Rights Treaties Branch

Human Rights Council and Treaty Mechanisms Division

Palais Wilson, First Floor Conference Room

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Dear Chair,

Distinguished Members of the Committee,

Ladies and Gentlemen,

Welcome to the sixteenth session of the Committee on Enforced Disappearances.

At the outset of this meeting I would like to mention some developments related to the prevention and elimination of enforced disappearances which may be of interest.

One such development, as you may be aware, is related to the adoption, by the Human Rights Committee, of the general comment on the right to life (in October 2018). The general comment underscores that enforced disappearance represents a great threat to the right to life and elaborates on States' obligations to prevent or investigate all cases of enforced disappearance, to bring perpetrators to justice, and to provide full reparation to victims. It is also worth noting that the general comment makes it clear that under no circumstances should families of victims of enforced disappearance be obliged to declare them dead in order to be eligible for reparation, and that States should also provide them with means to regularize their legal status in relation to the disappeared persons.

Another noteworthy development is the adoption of the General Assembly Resolution on Missing Persons (A/RES/73/178 of 23 January 2019) earlier this year. This Resolution makes explicit reference to your Convention, encouraging States to sign, ratify or accede to it as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention.

Turning to the Universal Periodic Review, and with respect to engagement of States of particular interest to this Committee, I would like to highlight Mexico's full acceptance of recommendations concerning enforced disappearances received during the UPR in November (2018). These include recommendations to recognize the competence of this Committee to receive individual and inter-State communications.

Turning now to the **Annual meeting of Chairpersons of Treaty Bodies and Treaty Body Strengthening**

The Chairs of the treaty bodies will hold their annual meeting at the end of June in New York. It will be the last formal opportunity for the Chairs to meet before the Review of the treaty body system, which should take place by 9 April 2020. Hence the importance of making use of any remaining opportunity to reflect on any other issues that the Committees may wish to contribute in the context of the 2020 Review. While I note that your Committee has elaborated its position based on the questionnaire proposed by the Chairs of treaty bodies, I encourage you to pursue discussions at this critical time leading to the 2020 Review.

The Secretariat of the meeting of the Chairs of treaty bodies also stands ready to support you in this regard. A dedicated extranet page has been created, with all available information and background documentation.

Let me also take this opportunity to recall that the General Assembly, in its resolution 73/162 adopted in December last year, requested the Secretary-General to submit the next biennial report on the status of the treaty body system in January 2020, in advance of the Review. In terms of the timeline, the Secretary-General, with input from the Office, will need to finalize the report by September, and will be developing its contours by the end of June.

In this regard, the Office has requested input from States and other stakeholders on the implementation of Resolution 68/268 and on the 2020 review more generally. The deadline to receive information has now been extended until 30 April 2019.

The Secretary-General's report will certainly highlight some of the lessons learned from the implementation of Resolution 68/268. The report will also address some of the procedures and activities that were not adequately funded or for which resources were underestimated or simply not included in the formula. This includes adequate resources for the timely treatment of individual complaints, but also, by way of example, urgent action procedures and visits. We are hopeful that the outcome of this process will bring the necessary solutions to allow the system to function effectively and to make a difference, where it matters most, at the national level, for the rights holders.

Distinguished Members,

You have a very busy two weeks ahead of you, you will continue with your regular activities and be reviewing three State party reports, adopting lists of issues and considering requests for urgent action. With respect to the latter, the number of urgent actions continues to increase. It has now reached a total of 569 registered urgent actions. As of today, 41 of the persons on behalf of whom an urgent action has been opened have been localised. Both these figures are impressive, but remain low in comparison with the number of persons who have been victim of enforced disappearance. The collaboration between the rapporteurs, the secretariat and OHCHR field presences remains paramount for the success of this procedure.

You will continue your work on the Draft guiding principles for the search for disappeared persons. In this regard, there was an open a consultation process which was highly participatory, you received over forty written contributions, most of which from organizations of victims, and several from NHRIs, UN bodies, from intergovernmental organizations and from States parties to the Convention, respectively. This interest from a wide variety of stakeholders is most welcome and further highlights the importance of the work you are doing.

Distinguished Members,

Before I conclude, I would like to take this opportunity to thank the five outgoing Members of the Committee. Yourself, Madame Chair, Mr. Emmanuel Decaux former (and first) Chair of the Committee, and Mr. Rainer Huhle, who were the founding Members of the Committee, as well as Mr. Daniel Figallo Rivadeneyra and Ms. Maria Clara Galvis Patiño, all of whom will see their terms come to an end later this year. You have made a great contribution to the work of the Committee and have shaped its path for the future. My colleagues and I wish you all the best in your ongoing and upcoming projects and commitments. We all look forward to working with you over the next two weeks, and discussing other matters which may be of interest, including in closed session.

Now, with this, let me wish you a successful and productive session. Thank you.
