

Check against delivery

Committee on Enforced Disappearances
Fourteenth Session



Closing Statement by
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Chairperson
Committee on Enforced Disappearance

Geneva, 1 June 2018

Ladies and Gentlemen,

Dear Colleagues, Members of CED,

Today we are concluding an intense and important session of the Committee on Enforced Disappearances. The 14-th session can be considered another fruitful and effective contribution of our collective work to consolidate the mandate of the Committee as ‘the legal guardian’ of the Convention, with the aim of providing leadership in the fight against enforced disappearance.

As of today, there are 58 States Parties and 49 signatory States to the Convention for the Protection of All Persons from Enforced Disappearances. We must admit that the pace of ratifications remains slow and we are not yet at the point where the Convention is showing its full potential. A glance at the geographic spread of the current States parties to the Convention already gives a clear indication of the regions which are seriously underrepresented. Within each region it is also possible to engaging with those States that have already signed the Convention. On this reality, CED has welcomed and supported the ratification campaign announced by the United Nations High Commissioner for Human Rights, to double the ratifications of the Convention in the next five years. To achieve this aim, more coordinated efforts should be made. Universality is critical to making this instrument fully operational. The need and possible means and strategies for achieving the universalization of the Convention have been further discussed in this session.

During these two weeks the Committee conducted three constructive dialogues with the States Parties, namely with Honduras, Austria and Albania and adopted concluding observations on their reports. The Committee also adopted the List of Issues on Portugal and Japan, for the dialogues to be prepared for the next session.

During the session the Committee addressed its concerns on the situation of overdue reports and reiterated its decision to examine the States whose reports are more than 5 years overdue, in the absence of the report.

I would like to put to evidence, among others, in the discussion we had related to our Working Methods, the new procedure applicable to the

assessment of additional information submitted by States parties pursuant to article 29, paragraph 4 of the Convention. The Committee, after receiving additional information will proceed to a thorough consideration of this additional information, with a view to assess the implementation of the recommendations issued by the Committee and further developments occurred in the State party relevant to the implementation of the Convention. If the situation so requires, the Committee may invite the State party to a follow up dialogue, which will focus on further measures adopted by the State party to implement the Convention and the Committee's recommendations, including those recommendations issued under the urgent action procedure.

Under this procedure, we have invited the State party of Mexico to a follow-up dialogue on the implementation of the Concluding Observations, new developments occurred in relation to the implementation of the Convention after February 11th 2015, and developments related to requests to the State party under the urgent action procedure. With relation to Mexico, the Committee also decided to reiterate its request to carry out a visit to Mexico, pursuant to article 33 of the Convention.

Unfortunately the enforced disappearance is not a phenomena in decrease, the growing number of urgent cases that the Committee receives continuously shows that. As of today there are around 500 cases of urgent action procedure registered. Based on the trends these cases represent, the Committee decided to initiate the preparation of an analytical study on its Urgent Action Procedure.

The Committee continued its thematic discussion on the important topic of search for and location of disappeared persons. The Committee decided to establish a working group to continue considering the issue of "The obligation under the Convention to search for and locate disappeared persons", prepare Guidelines and have a draft ready for consideration at its fifteenth session.

Our Committee continues to be engaged with stakeholders, each of them being valuable partners and supporters of our work. The Committee during this session held a public meeting with Member States of the United Nations, with the Global Alliance of National Human Rights Institutions (GANHRI) and Non-Governmental Organizations and civil society.

Allow me to emphasize the cooperation and support extended to CED from the beginning, by the civil society, especially associations of relatives of disappeared persons, which have been very valuable in assisting it to discharge its mandate effectively. We reiterate the importance of human rights defenders being able to act freely and without any interference, intimidation, abuse, threat, violence, reprisal or undue restriction. As noted in the San Jose Guidelines against Intimidation on Reprisals we strongly condemn acts of intimidation or reprisal, including against those who seek to cooperate, cooperate or who have cooperated with the Treaty Bodies. During this session CED has endorsed the Joint statement by the Chairs of the United Nations Human Rights Treaty Bodies and the UN Special Rapporteur on Human Rights Defenders.

Our Committee has followed closely, discussed formally and informally over the draft convention prepared by the International Law Commission on the crime against humanity, with the objective to reinforce the legal co-operation in the fields of prevention and repression of international crimes, and has adopted a statement, recalling the importance of progressive development of international law and underlying that the International Convention on the Protection of all Persons from Enforced Disappearances is a legal milestone in this matter.

CED has expressed its strong commitment to remaining engaged in the treaty body strengthening process and, to comply with the objectives of Resolution 68/268 of the General Assembly and is following closely discussion for preparation of 2020 Review, with the aim to contribute along with other treaty bodies. A sign of this commitment has been the presence of our Committee in the Chairperson's meeting in New York, although this meeting overlapped with our session, a situation I hope will be avoided in the future to give the opportunity to all treaty bodies to be equally and fairly represented in this important forum of discussion and coordination for the entire system.

As part of the system, we are aware of the budgetary difficulties that the Office of the High Commissioner for Human Rights and the Treaty Bodies are facing in the aftermath of a resolution adopted in the 72nd session of the General Assembly, which has not fully supported the request for additional human resources. We believe that the work of the OHCHR

deserves recognition and the adequate resources to continue to promote and protect human rights throughout the world. At the same time, we will continue to argue that additional timing is necessary for fulfilling the full range of tasks of our Committee and we reiterate the request that the fifth week of meeting time granted to the Committee is effectively implemented.

To conclude I would like to thank you, dear colleagues, for your tireless efforts as Members of this Committee, to contribute in its independence, competence and achievements. I am pleased to express our appreciation for the Secretariat, Jorge who rejoined us again in time of need, Albane, Rosa, Minjae, Eya, interpreters, and all the staff who support our work with dedication and professionalism.

I would like also on your behalf to express our gratitude to our Secretary Ms. Giovanna Bianchi, who has been transferred to another assignment, for these 7 years she has accompanied the Committee and invested her special professional and human values.

I have the pleasure to close this session, with the wish for a safe return home and already looking forward to meet and work together during the 15 session on November, later this year.

Thank you.
