

Check against delivery

Committee on Enforced Disappearances

Fifteenth session

5 – 16 November 2018



Opening Address by

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Human Rights Council and Treaty Mechanisms Division

Palais Wilson, First floor Conference Room

Monday, 5 November 2018, 10.00 a.m.

Chairperson,

Distinguished members of the Committee,

Ladies and Gentlemen,

It is a great pleasure to open your fifteenth session today. In doing so, I convey the greetings of the new High Commissioner for Human Rights, Ms. Michelle Bachelet. At the outset of her first address to 39th session of the Human Rights Council, the High Commissioner referred to the topic of enforced disappearance, based on her own professional experience as well as when referring to human rights concerns in countries in all parts of the world. The High Commissioner also recognized the centrality of the work of treaty bodies. Acknowledging that we are passing through a time of many setbacks for human rights, she emphasised that the core human rights treaties, and the recommendations emanating from them, are fundamental contributions to the work of preventing, mitigating and ending human rights violations. The High Commissioner looks forward to meeting you at an upcoming session.

Enforced Disappearances

Distinguished Members of the Committee,

Since your last session, the Gambia ratified the Convention, becoming the 59th State party to the treaty. After the latest session of the Working Group of the Universal Periodic Review, in May 2018, countries such as Cabo Verde, Cameroon, Canada, Djibouti, and Uzbekistan, have indicated their support to recommendations calling them to ratify the Convention. Both the Committee and the Working Group on Enforced or Involuntary Disappearances have made similar calls in your joint statement of 29 August 2018 on the International Day of the Victims of Enforced Disappearances as well as in your interactive dialogues and joint press conference held recently in New York, in the framework of the ongoing 73rd session of the General Assembly. We will also continue to promote ratification of the Convention and are grateful to States who are supporting such efforts.

The Working Group on Enforced or Involuntary Disappearances held its 116th session from 10 to 14 September in Geneva. On 10 September, the Working Group held an expert consultation on standards and public policies for an effective investigation of enforced disappearances, in order to inform its next thematic report on the subject to be submitted to the Human Rights Council. The Committee was represented by Mr. Huhle, and we very much support this kind of cooperation between the mechanisms. We have done our utmost to allow this Committee to meet at the same time as the Working Group throughout 2019,

however this proved difficult. We do hope that you will continue to seek other modalities for cooperation and coordination.

Later on, in October 2018, the Working Group issued a press release expressing deep concern about new and very worrisome practice of disappearance in the form of extraterritorial abductions of individuals in foreign countries through undercover operations. The Working Group referred to the “recent shocking case of Saudi journalist Jamal Khashoggi”. On 16 October, the High Commissioner issued a press release urging concerned governments to reveal everything they know about the disappearance and possible extra-judicial killing of the prominent journalist. Recalling the serious character of the crime of enforced disappearance, the High Commissioner called for a prompt, thorough, effective, impartial and transparent investigation into the facts of the case.

On another development, the Secretary General submitted his report A/73/385 on missing persons to the 73rd session of the General Assembly. The report addresses the international legal and institutional framework applicable to the issue of missing persons and draws on the principles and provisions of the Convention, the various measures being taken to prevent people from going missing and to clarify the fate and whereabouts of missing persons.

Office Management Plan 2018-2021 and reprisals

Distinguished Members of the Committee,

The Office has begun to implement its Office Management Plan for 2018-2021, which includes support to the work of the mechanisms and increasing implementation of their outcomes, which includes all the treaty bodies and certainly your work.

OHCHR has also committed to focus on prevention, on civic space, and on expanding the global constituency for human rights. We will also explore emerging human rights concerns such as digital space, corruption, inequality and people’s displacement and movement, among others. In the area of civic space, OHCHR is committed to enhancing participation in public life by rights holders and to protecting civic space and those standing for human rights. Civil society actors play an important role in your work, as they do in ours and we hope to work together to foster an enabling environment for their work.

I would also like to draw your attention to the Secretary-General’s report to the Human Rights Council on the cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/39/41). The report highlights recent developments within the UN system and beyond to address intimidation and reprisals against those seeking to cooperate or having

cooperated with the UN. The Assistant Secretary-General for Human Rights, as the senior official leading the efforts of the United Nations in this area, for the first time held this September an inter-active dialogue at the Human Rights Council, underlying the particular attention devoted to this alarming issue.

Reflecting the general concern of the treaty bodies on the issue of reprisals, most Committees, like this one, have adopted the San José Guidelines against Intimidation or Reprisals, and have appointed Rapporteurs or focal points on Reprisals, and are addressing allegations when received. A common approach across UN human rights bodies and experts to this issue should certainly prove more effective for counteracting the damaging effect of reprisals also on your work and, more broadly, on the promotion and protection of human rights, including those enshrined in the Convention. To that end, we look forward to increased coordination with other focal points/rapporteurs on reprisals from other treaty bodies, as well as your cooperation with other human rights mechanisms and the Office of the Assistant Secretary-General for Human Rights. The Office is working with civil society partners to co-organise an event to further facilitate such cooperation.

Annual meeting of Chairpersons of Treaty Bodies

Distinguished Members of the Committee,

As you know, the thirtieth annual meeting of the Chairs of the treaty bodies took place in New York from 28th May to 1st June 2018.

One of the outcomes of the Chairs' meeting was the agreement of the Chairs to propose the appointment of focal points in each treaty body to develop a common "treaty body based" position ahead of the 2020 review. I understand this Committee has already provided feedback to this proposal, and I welcome your pro active approach.

The Chairs meeting also focused on the alignment of working methods and other areas of implementation of Resolution 68/268. The Chairs endorsed possible elements for a common aligned procedure for follow-up to concluding observations, decisions and views. I look forward to discussions in this Committee at your current session.

Treaty body strengthening

The Secretary-General's report on the status of the treaty body system, together with the 24 statistical annexes highlights that the adjustments to the meeting time allocated to Committees has not been matched by the allocation of

sufficient staff resources. It also highlights that other mandated activities of treaty bodies, such as urgent actions, inquiries, follow-up and in situ visits are far more labour intensive than what was originally anticipated. Therefore, the staff of the Office cannot keep up with the proper completion of this work, and as you know too well, could not accept all the meeting time granted. We are working towards a solution and I encourage you to use the opportunity of the meeting you have with States to seek increased support. I would like to acknowledge the efforts made by Chairs of treaty bodies, including most recently in their interaction with the Third Committee of the General Assembly, in being vocal in appealing to States to provide increased human resources to support the work of the treaty bodies. We look forward to addressing these challenges with all of you soonest, as well as in the longer term, more sustainably, in connection with 2020 review and beyond.

Programme of work of the 15th session

Let me now turn to your agenda for this session. I understand that you are developing the procedure in relation to the *additional information* provided by States parties under article 29, paragraph 4, of the Convention, which for the first State party (Mexico), under consideration with this new procedure includes a follow-up dialogue. I also understand the Committee will examine the implementation of the Convention in two States parties, assess follow-up information regarding several countries, and address matters related to your urgent action procedure.

With this, I extend my best wishes to all of you for a successful and productive 15th session. Thank you.
