

COMMITTEE ON ENFORCED DISAPPEARANCES
Sixth session
Geneva, 17 – 28 March 2014

**REPORT OF THE COMMITTEE ON ENFORCED DISAPPEARANCES
ON ITS SIXTH SESSION**

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I. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the International Convention for the Protection of All Persons from Enforced Disappearance

1. As at 28 March 2014, the closing date of the sixth session of the Committee on Enforced Disappearances (CED), there were 42 States parties to the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and 93 signatory States. The Convention was adopted on 20 December 2006 during the sixty-first session of the General Assembly by resolution A/RES/61/177. The Convention was opened for signature on 6 February 2007. In accordance with its article 39(1), the Convention entered into force on 23 December 2010.

2. A list of States parties to the Convention, as at 28 March 2014, as well as the deadline by which they have to submit their reports to the Committee, is included in annex I of this report.

B. Opening of the Sixth session

3. The sixth session of the Committee on Enforced Disappearances was opened by the Director of the Human Rights Treaties Division, Mr. Ibrahim Salama, who, on behalf of the High Commissioner for Human Rights, welcomed the members of Committee to the sixth session and congratulated the Committee for the successful results of its excellent work since its last session. He provided an update of the treaty body strengthening, highlighting the central contribution of the Chairpersons to the process that was highly regarded during the negotiations and the impact that treaty bodies can have when they act as a system. He also highlighted a three-day workshop in Tunis organized by OHCHR and OIF on the reporting procedures to the Committee. He closed his statement reassuring the Committee of the continuing support of the Secretariat and wishing successful deliberations and a productive session.

4. The Chairperson of the Committee, Mr. Emmanuel Decaux, thanked Ibrahim Salama for his personal engagement to the treaty body strengthening process and the conduct of difficult negotiations. He stressed that enforced disappearances continue to be a reality worldwide. He stressed the need to keep on promoting the ratification of the Convention and keep on supporting the work of the NGOs on this issue. He mentioned that 42 countries have ratified the Convention and that of 30 States parties which should have submitted the report 12 have reported to the Committee so far. Mr. Decaux underlines the importance of the public discussion on enforced disappearances and military justice scheduled on 25 March 2014.

C. Observance of a minute of silence in remembrance of the victims of enforced disappearance

5. At the end of his statement, the Chairperson invited all those present to observe a minute of silence in remembrance of the victims of enforced disappearance.

D. Adoption of the agenda and organization of work

6. The Committee adopted the agenda for the sixth session (CED/C/6/1). The adopted agenda is included in annex III.

E. Update on Treaty Bodies Strengthening

7. Paulo David, Chief of the Capacity Building and Harmonization Section in the Human Rights Treaties Division, updated the Committee in a closed meeting on the treaty body strengthening process and providing the latest information on the approval stages of the resolution to the General Assembly and its main elements. He highlighted the main gains for the treaty bodies and the savings that will be done. He also stressed the various actions as follow-up that the treaty bodies could take, including coordinating at the level at Chairpersons meeting.

8. The Chairperson of the Committee made a substantive and detailed presentation on the discussion held at the informal meeting of the Chairpersons of treaty bodies held in Washington. He stressed that the General Assembly resolution makes reference to the treaty bodies as a system, which is a positive development. The ample consultations between the co-facilitators and the Chairpersons of the Treaty Bodies help to dispel many pre-conceived ideas on the work of treaty bodies. He noted that the Committee is already aligned with the proposal on the way to hold constructive dialogues and draft focused concluding observations. He mentioned the declaration by Chairpersons issued on 1 February which is a diplomatic but firm text to remind independence of treaty bodies.

II. ACTION TAKEN DURING THE SIXTH SESSION

A. Working methods

9. During its sixth session, the Committee discussed the following issues related to its working methods:

- a. Methods of work related to articles 32, 33 and 34 of the Convention;
- b. Interaction with relevant stakeholders;
- c. Ratification strategy and other matters.

B. Communications, information and requests received by the Committee

10. Since September 2013, date of submission of the first Urgent Action registered by the Committee, seventeen petitions for urgent actions under article 30 of the Convention were received, related to disappearances occurred in States parties, out of which 11 were registered. Out of the 11 registered urgent actions, 9 relate to disappearances occurred in Mexico, 1 in Colombia, and 1 in Cambodia. In accordance with article 30, paragraph 3, of the Convention and Rule 62 of its Rules of procedure, the Committee has requested the State parties concerned to take all the necessary measures, including interim measures, to locate and protect the persons concerned in accordance with the Convention and to inform the Committee, within a specified period of time, of measures taken, in the view of the urgency of the situation. The Committee also informed the person submitting the urgent action request of its recommendations and of the information provided to it by the State as it becomes available.

11. The two special rapporteurs on Urgent Actions presented the Note of the Secretary General on Urgent Actions, describing all the actions taken since the 5th session with regard to the 11 registered urgent actions, and to the six submissions that could not be registered. During the presentation of the Note of the Secretary General on Urgent Actions, issues related to the working methods of the Committee on urgent actions were addressed, and the Committee adopted decisions as to the next measures to be taken for each of the registered urgent actions.

12. On 24 and 28 March 2014, the Special Rapporteurs on Urgent Actions had meetings with the Permanent Missions of Mexico and Colombia to enquire about the state of some of the registered urgent actions, including as to the implementation of the interim and protection measures granted by the Committee. The meetings also enabled to discuss and identify ways to enhance the interaction between the States parties and the Committee to that regard.

13. The Special Rapporteur on new communications presented the status of the communications submitted to the Committee.

14. The Committee adopted new guidelines/formats for the submission of urgent actions under article 30 of the Convention, and of communications under article 31 of the Convention. These new guidelines were drafted taking into account questions and comments from authors of urgent actions, and following consultations with specialized NGOs, field offices of OHCHR, and state authorities working on the issue of enforced disappearances. The new formats will be posted on the website of the Committee.

C. Decisions

15. The Committee decided on:

- a. The adoption of the List of Issues on Belgium and The Paraguay;
- b. The adoption of the concluding observations on the reports submitted by Germany and The Netherlands under article 29, paragraph 1, of the Convention;
- c. To adopt the LOIs for Mexico in September 2014 in order to hold the constructive dialogue with the State party in March 2015;
- d. The appointment of the country rapporteurs who will draft the Lists of Issues related to the reports of Serbia and Mexico and will lead the constructive dialogues with the State parties;
- e. To entrust the Rapporteur on follow-up to remind inter-sessionally States parties of the submission, within one year, of information on the measures taken to implement the concluding observations that the Committee considered a priority;
- g. To send the yearly reminder to be sent to those States parties that have not presented their report within two years after the entry into force of the Convention and to publish the name of those countries in its annual report according to rule 27 of its methods of work;
- h. To order by number the decisions taken since its first session and publish them as an annex to its third Annual Report to the General Assembly in order to facilitate their consultation;
- i. To publish on the website the draft document on The Relationship of the Committee with National Human Rights Institutions, in order to receive comments from relevant stakeholders before its adoption at the seventh session;

- l. The adoption of its sixth session informal report;
- m. The adoption of its third annual report to the General Assembly;
- n. The provisional agenda of the seventh session of the Committee (included in annex IV).

D. Future Sessions

16. In accordance with the calendar of conferences adopted by the General Assembly, the Committee confirmed the dates of its seventh session, to be held from 15 to 26 September 2014, at the United Nations Office at Geneva.

III. CONSIDERATION OF REPORTS

A. Germany

17. On 17 and 18 March 2014, the Committee considered the report of Germany in public session. Germany was presented by a delegation headed by Her Excellency Dr. Almut Wittling Vogel, Head of Directorate, Federal Ministry of Justice and Consumer Protection; co-headed by H.E. Dr. Thomas Fitschen, Ambassador, Deputy Representative of Germany to the Office of the United Nations and other International Organisations in Geneva; and composed by several representatives of the State party, including Dr. Bernhard Boehm, Head of Directorate, Federal Ministry of Justice and Consumer Protection; Prof. Dr. med. Norbert Konrad, Professor of Forensic Psychiatry, Institute for Forensic Psychiatry, Charité University Hospital; Dr. Hans-Joerg Behrens, Head of Division, Federal Ministry of Justice and Consumer Protection; Dr. Gabriele Scherer, Ms. Rut Ley, Ms. Isabel Mielenz, and Ms. Ulrike Bender, Desk Officers, Federal Ministry of Justice and Consumer Protection; Mr. Stephan Lanzinger, Federal Foreign Office; members of the Permanent Mission in Geneva and two interpreters.

18. During the dialogue, the main issues discussed were as follows:

- Status and direct applicability of the Convention;
- Compliance with the obligations stemming from the Convention at the Federal and state (Länder) level;
- Lack of autonomous offence of enforced disappearance and consequences concerning obligations of a legislative nature contained in the Convention;
- Relevance of including autonomous offence of enforced disappearance in the military criminal code;
- Investigation and punishment of conducts that are similar to enforced disappearances but are committed by non-State actors;
- Adequacy of the criminal provision on enforced disappearance as a crime against humanity with the Convention and the Rome Statute;
- Criminal responsibility of superiors;
- Mitigating circumstances in relation to cases of enforced disappearance;
- Adequacy of the penalties and statutes of limitations provided for by the law with regard to the offences that would apply in the absence of an autonomous offence of enforced disappearance;
- Investigations into cases of enforced disappearances that may have occurred in the past;

- Structure of the judiciary and existence of specialised structures dealing with crimes such as enforced disappearances;
- Legal framework concerning extraterritorial jurisdiction, including double criminality requirement and universal jurisdiction for crimes against humanity;
- Measures taken to ensure protection of witnesses and other persons who may participate in investigations;
- Measures taken to guarantee that persons accused of committing enforced disappearances cannot influence investigations, including suspension of officials and separation of an entire force or unit from investigations;
- Legal framework for ensuring that enforced disappearance shall not be regarded as a political offence;
- International legal assistance and cooperation;
- Existing legal framework for the prevention of refoulement, including concerns related to the possibility of accepting diplomatic assurances and declaration made by Germany in relation to art. 16 of the Convention;
- Immediate notification of relatives and other interested persons, including consular representatives, upon arrest/detention;
- National Preventive Mechanism, including access to places of deprivation of liberty and available resources;
- Registers of persons deprived of liberty, including their regular verification and sanctions in case of irregularities;
- Training of State officials on the provisions of the Convention;
- Rights and definition of victim in domestic law;
- Legal situation of disappeared persons, in particular declaration of absence or death;
- Reparations according to domestic law vis-à-vis reparations according to the Convention, and declaration made by Germany in relation to article 24.4 of the Convention concerning State immunity;
- Criminalisation of wrongful removal of children and other related crimes in accordance with art. 25 of the Convention;
- System of adoption of children under domestic law, including possibility of annulment.

B. The Netherlands

19. On 18 and 19 March 2014, the Committee considered the report of The Netherlands in public session. The Netherlands was represented by a delegation headed by His Excellency Mr. Wijnand Stevens, Deputy Director, Department of European and International Affairs, Ministry of Security and Justice, The Hague, and composed by several representatives of the State Party, including Mr. Wietske Dijkstra, Senior Policy Officer, Department International Legal Aid in Criminal Cases, Ministry of Security and Justice, The Hague; Mr. Thijs Berger, Prosecutor, Public Prosecution Service, Rotterdam; Mr. Joël van Andel, Senior Policy coordinator, Directorate-General Youth, Sanctions and Preventions, Ministry of Security and Justice, The Hague; Mr. Jeroen de Jong, Coordinator/Deputy Head Legal Affairs Service of the Office of Judicial Institutions, Ministry of Security and Justice, The Hague; Mr. Dirk Klaasen, Senior Legal Officer, Ministry of Foreign Affairs, The Hague; Mr. Maurits ter Kuile, First Secretary, Permanent Representation of the Kingdom of the Netherlands, Geneva.

20. During the dialogue, the main issues discussed were:

- Plans to ratify the Convention in the autonomous territories within the Kingdom of the Netherlands of Aruba, Curaçao and Saint-Martin;

- Application of the Convention within the Caribbean part of the Netherlands, namely the islands of Bonaire, Sint Eustatius and Saba;
- Direct applicability of the Convention;
- The discretionary principle applied by the Prosecution Office with regard to enforced disappearance;
- Definition of enforced disappearance as an autonomous crime and its compliance with the Convention;
- Possibility of imposing penalties for the crime of enforced disappearance and compatibility with the Convention;
- Military jurisdiction with regard to the crime of enforced disappearance;
- Competence of the International Crimes Team of the National Police Services Unit vis-à-vis the Royal Netherlands Marechaussee to investigate enforced disappearances;
- Measures taken to ensure protection of witnesses and other persons who may participate in investigations;
- Measures taken to guarantee that persons accused of committing enforced disappearances cannot influence investigations;
- Suspensive effect of the appeal procedure in extradition and surrender proceedings and guarantees in the asylum procedure for the prevention of refoulement, including concerns related to the possibility of accepting diplomatic assurances;
- Notification of relatives upon arrest/detention and guarantees to ensure that relatives or other persons with legitimate interest may have access to information of persons deprived of their liberty;
- Access to lawyer from the outset of the deprivation of liberty;
- Financial and operational independence of the National Preventive Mechanism and unrestricted access of the National Human Rights Institution to places of detention;
- Registers of persons deprived of liberty and methods of inspection and sanctions in case of failure to record;
- Training of State officials on the provisions of the Convention;
- Legal situation of disappeared persons: legal presumption of death;
- Right to the truth of victims of enforced disappearance;
- Reparations according to domestic law vis-à-vis reparations according to the Convention;
- Criminalization of wrongful removal of children and other related crimes in accordance with art. 25 of the Convention;
- Existence of illegal adoptions in the State and procedure to annul them.
- Progress on the investigation of cases of unaccompanied children who have left reception centres for asylum seekers without a trace.

C. Adoption of Concluding Observations

21. The Committee adopted the concluding observations on Germany and The Netherlands on 26 March 2014 and 27 March 2014.
22. The concluding observations on Germany can be found under the reference CED/C/DEU/CO/1.
23. The concluding observations on The Netherlands can be found under the reference CED/C/NLD/CO/1.

IV. ADOPTION OF LIST OF ISSUES

A. Belgium

24. On 24 March 2014 the Committee adopted the List of Issues on Belgium.

B. Paraguay

25. On 25 March 2014 the Committee adopted the List of Issues on Paraguay.

V. THEMATIC DISCUSSION

Enforced disappearance and military justice

26. On 25 March 2014, the Committee held a public thematic discussion on “enforced disappearance and military justice”, with the collaboration of representatives of several human rights mechanisms. Participants in the panel included: Emmanuel Decaux, Chairperson Committee on Enforced Disappearances; Federico Andreu-Guzmán, Representative for South America of the International Commission of Jurists; Ariel Dulitzky, Chairperson-Rapporteur of Working Group on Enforced or Involuntary Disappearances; Gabriela Knaul, Special Rapporteur on the Independence of Judges and Lawyers; Sir Nigel Rodley, Chairperson of Human Rights Committee; Gabriella Citroni, Professor International Human Rights Law; Alvaro Garcé García y Santos, Rapporteur Committee on Enforced Disappearances; and Alex Conte, Director of International Law and Protection Programmes of International Commission of Jurists.

27. During the interventions and the sessions of questions and answers, it was recalled how the omission of an explicit reference in the International Convention for the Protection of All Persons from Enforced Disappearance to prohibit of the competence military courts for cases of enforced disappearance was the consequences of diplomatic negotiations aimed at having the text adopted by consensus. It was thought the existing declarations, legal instruments and previous jurisprudence were clear enough on this point. Moreover article 37 of the Convention explicitly affirmed that nothing in its text could affect any provisions, contained in the law of States parties or in international law, which were more conducive to the protection of all persons from enforced disappearances. The Declaration on the Protection of All Persons from Enforced Disappearance explicitly provides, in art. 16.2, that alleged perpetrators of enforced disappearances shall be tried only by ordinary courts. The Inter-American Court on Human Rights is clear that military courts are not competent for cases of enforced disappearances. The jurisprudence of the Treaty Bodies and of the European Court of Human Rights is still limited for the time being. All participants were clear in affirming that, inter alia, military courts must be established by law and in charge only of strictly military matters relating to military functions; cannot be competent for cases of human rights violations and, considering the nature of the crime, in particular of cases of enforced disappearances; cannot trial civilians; and that the fight against impunity requires that strict limitations be imposed on military courts.

VI. RELATIONS WITH STAKEHOLDERS

A. Meeting with Member States

28. On 20 March 2014, the Committee held a public meeting with Member States of the United Nations including Argentina, Brazil, Burkina Faso, Colombia, Mexico, Paraguay, Qatar and Spain which includes 7 States parties and 1 State which has neither signed nor ratified the Convention. The Chairperson gave a brief presentation of the activities of the Committee since the last session, Member States praised the Committee for its work and expressed their support to the work of the Committee and to the universal ratification of the Convention. Argentina, Burkina Faso, Mexico and Paraguay also briefed the Committee on the measures taken for the implementation of the Convention. In particular, H. E. Gomez Robledo of Mexico recognized the importance of the work of the Committee and expressed its willingness to cooperate with it. He stressed the importance of coordination among treaty bodies and the importance of technical assistance to States parties in order for them to meet their obligations. He reiterated that Mexico maintains a policy of openness to human rights monitoring mechanisms. The representative of Argentina stressed the State's commitment to the work of the Committee and the presentation of the report in November 2013. She highlighted the progressive adoption of a system of integral reparation in the country. She further stressed that Argentina actively promotes the ratification of the Convention for the Protection of All Persons from Enforced Disappearance in the context of Universal Periodic Review as well as the recognition of the competence of Committee under articles 31 and 32 of the Convention. Burkina Faso announced that, following the training organized by OHCHR in Tunis on the reporting to the Committee, it will present its report in 2014. The Chairperson welcomed the exchange of information and stressed that the importance of the coherence of the international human rights system, the efficiency of the Convention and the cooperation of States. A list of participants is included in Annex VI.

B. Meeting with non-governmental organizations and civil society

29. On 20 March 2014, the Committee held a public meeting with non-governmental organizations (NGOs) and civil society, including Alkarama and NGOs from Mexico. Alkarama commented on the document on the relationship between the Committee and civil society actors in terms of reprisals, input to general comments and webcasting that should be ensured by OHCHR. The NGOs from Mexico concentrated their interventions on the situation in the country and the importance for Latin American of the choice of public discussion on enforced disappearances and military justice. The Chairperson thanked for the comments received and informed, inter alia, on the modalities and time to contribute to the examination of reports by the Committee. A list of participants is included in Annex VI.

ANNEXES

Annex I

States parties to the Convention at the time of the sixth session and deadline for reporting

	State Party	Ratification	Entry into force	Deadline for reporting under Art. 29(1)	Reports submitted
1	Albania*	8 Nov. 2007	23 Dec. 2010	23 Dec. 2012	
2	Argentina*	14 Dec. 2007	23 Dec. 2010	23 Dec. 2012	21 Dec 2012
3	Mexico	18 Mar. 2008	23 Dec. 2010	23 Dec. 2012	11 March 2014
4	Honduras	1 Apr. 2008	23 Dec. 2010	23 Dec. 2012	
5	France*	23 Sept. 2008	23 Dec. 2010	23 Dec. 2012	21 Dec 2012
6	Senegal	11 Dec. 2008	23 Dec. 2010	23 Dec. 2012	
7	Bolivia	17 Dec. 2008	23 Dec. 2010	23 Dec. 2012	
8	Cuba	2 Feb. 2009	23 Dec. 2010	23 Dec. 2012	
9	Kazakhstan	27 Feb. 2009	23 Dec. 2010	23 Dec. 2012	
10	Uruguay*	4 Mar. 2009	23 Dec. 2010	23 Dec. 2012	4 Sept 2012
11	Mali*	1 Jul. 2009	23 Dec. 2010	23 Dec. 2012	
12	Japan*	23 Jul. 2009	23 Dec. 2010	23 Dec. 2012	
13	Nigeria	27 Jul. 2009	23 Dec. 2010	23 Dec. 2012	
14	Spain*	24 Sep. 2009	23 Dec. 2010	23 Dec. 2012	26 Dec. 2012
15	Germany*	24 Sep. 2009	23 Dec. 2010	23 Dec. 2012	25 Mar 2013
16	Ecuador*	20 Oct. 2009	23 Dec. 2010	23 Dec. 2012	
17	Burkina Faso	3 Dec. 2009	23 Dec. 2010	23 Dec. 2012	
18	Chile*	8 Dec. 2009	23 Dec. 2010	23 Dec. 2012	
19	Paraguay	3 Aug. 2010	23 Dec. 2010	23 Dec. 2012	28 Aug 2013
20	Iraq	23 Nov. 2010	23 Dec. 2010	23 Dec. 2012	
21	Brazil	29 Nov. 2010	29 Dec. 2010	29 Dec. 2012	
22	Gabon	19 Jan. 2011	19 Feb. 2011	19 Feb. 2013	
23	Armenia	24 Jan. 2011	24 Feb. 2011	24 Feb. 2013	14 Oct 2013
24	Netherlands*	23 Mar. 2011	23 Apr. 2011	23 Apr. 2013	11 Jun 2013
25	Zambia	4 Apr. 2011	4 May 2011	4 May 2013	
26	Serbia*	18 May 2011	18 Jun. 2011	18 Jun. 2013	30 Dec 2013
27	Belgium*	2 Jun. 2011	2 Jul. 2011	2 Jul. 2013	8 Jul 2013
28	Panama	24 Jun. 2011	24 Jul. 2011	24 Jul. 2013	
29	Tunisia	29 Jun. 2011	29 Jul. 2011	29 Jul. 2013	
30	Montenegro*	20 Sept. 2011	20 Oct. 2011	20 Oct. 2013	30 Jan 2014
31	Costa Rica	16 Feb. 2012	16 Mar. 2012	16 Mar. 2014	
32	Bosnia and Herzegovina*	30 Mar. 2012	30 Apr. 2012	30 Apr. 2014	
33	Austria*	7 Jun. 2012	7 Jul. 2012	7 Jul. 2014	
34	Colombia	11 Jul. 2012	11 Aug. 2012	11 Aug. 2014	
35	Peru	26 Sept. 2012	26 Oct. 2012	26 Oct. 2014	
36	Mauritania	3 Oct. 2012	3 Nov. 2012	3 Nov. 2014	
37	Samoa	27 Nov. 2012	27 Dec. 2012	27 Dec. 2014	
38	Morocco	14 May 2013	13 Jun 2013	14 Jun 2015	
39	Cambodia	27 Jun 2013	27 Jul 2013	27 Jul 2015	
40	Lithuania*	14 Aug 2013	13 Sept 2013	14 Sept 2015	
41	Lesotho	6 Dec 2013	5 Jan 2014	6 Jan 2016	
42	Portugal	27 Jan 2014	26 Feb 2014	27 Feb 2016	

States marked with an asterisk (*) have made declarations recognizing the competence of the Committee under articles 31 and/or 32 of the Convention. The full text of declarations and reservations made by States Parties can be found at the following link:

http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=IV-16&chapter=4&lang=en

Annex II

Membership of the Committee on Enforced Disappearances

Name	Nationality	Term expires
Mr. Mohammed AL-OBAIDI	Iraq	30 June 2017
Mr. Mamadou Badio CAMARA	Senegal	30 June 2015
Mr. Santiago CORCUERA CABEZUT	Mexico	30 June 2017
Mr. Emmanuel DECAUX	France	30 June 2015
Mr. Alvaro GARCÉ GARCÍA Y SANTOS	Uruguay	30 June 2015
Mr. Luciano HAZAN	Argentina	30 June 2017
Mr. Rainer HUHLE	Germany	30 June 2015
Ms. Suela JANINA	Albania	30 June 2015
Mr. Juan José LÓPEZ ORTEGA	Spain	30 June 2017
Mr. Kimio YAKUSHIJI	Japan	30 June 2017

Annex III

Adopted agenda of the sixth session of the Committee on Enforced Disappearances

1. Opening of the sixth session.
2. Minute of silence in remembrance of victims of enforced disappearances.
3. Adoption of the agenda.
4. Communications, requests for urgent actions and information received by the Committee.
5. Matters related to the methods of work of the Committee:
 - a. Methods of work related to articles 32, 33 and 34 of the Convention;
 - b. Interaction with relevant stakeholders;
 - c. Ratification strategy and other matters.
6. Consideration of reports of States parties to the Convention.
7. Thematic discussion on “enforced disappearance and military justice”.
8. Meeting with Member States of the United Nations.
9. Meeting with non-governmental organizations and other stakeholders.
10. Provisional agenda for the seventh session.
11. Treaty body strengthening update.

Annex IV

Items to be included in the provisional agenda of the seventh session of the Committee

1. Opening of the seventh session.
2. Minute of silence in remembrance of victims of enforced disappearances.
3. Adoption of the agenda.
4. Communications, requests, including requests for urgent actions, and other information received by the Committee.
5. Matters related to the methods of work of the Committee:
 - a. arts. 31, 32, 33 and 34;
 - b. interaction with stakeholders;
 - c. strategy for ratification.
6. Consideration of reports of States parties to the Convention:
 - a. Belgium
 - b. Paraguay
7. Consideration of follow-up reports.
8. Consideration of the list of issues related to the report of Armenia, Serbia and Mexico.
9. Meeting with United Nations Member States.
10. Meeting with United Nations agencies and mechanisms, and intergovernmental organizations.
11. Yearly meeting with the Working Group on Enforced or Involuntary Disappearances.
12. Meeting with National Human Rights Institutions.
13. Meeting with non-governmental organizations and other stakeholders, including associations of families of victims.
14. Treaty-body strengthening update.
15. Provisional agenda for the eighth session.

Annex V

Programme of the thematic discussion on “Enforced Disappearance and Military Justice”

Tuesday, 25 March 2014, 3:00 - 6:00 pm
Room XXV, Palais des Nations, Geneva

Introductory Remarks

Mr. Emmanuel Decaux

Chairperson, Committee on Enforced Disappearances

Military Justice in the “Travaux préparatoires” of the Convention on the Protection of All Persons from Enforced Disappearance

Mr. Federico Andreu-Guzmán

Representative for South America, International Commission of Jurists

Military Justice in the Declaration on the Protection of All Persons from Enforced Disappearance and the work of the WGEID

Mr. Ariel Dulitzky

Chair-Rapporteur, Working Group on Enforced or Involuntary Disappearances

Administration of Justice through Military Tribunals

Ms. Gabriela Knaul

Special Rapporteur on the Independence of Judges and Lawyers

Military Justice and the Jurisprudence of Human Rights Committee

Sir Nigel Rodley

Chairperson, Human Rights Committee

Session of Q & A

Draft Principles Governing the Administration of Justice through Military Tribunals, by the Sub-Commission on Human Rights

Mr. Emmanuel Decaux

Chairperson, Committee on Enforced Disappearances

Military Justice and the Jurisprudence of the Committees and the Court of Europe

Ms. Gabriella Citroni

Professor, International Human Rights Law
University Milano-Bicocca

Hierarchy from the perspective of the Independence of Military Justice

Mr. Alvaro Garcé García y Santos

Rapporteur, Committee on Enforced Disappearances

Military Justice and Impunity: Jurisdictional Competence over Cases of Human Rights Abuses

Alex Conte

Director of International Law and Protection Programmes,
International Commission of Jurists

Session of Q & A

Concluding Remarks

Mr. Emmanuel Decaux

Chairperson, Committee on Enforced Disappearances

Annex VI

List of participants

Meeting with Member States

Argentina

Brazil

Burkina Faso

Colombia

Mexico

Paraguay

Qatar

Spain

Meeting with NGOs

Alkarama

Centro Diocesano para los Derechos Humanos Fray Juan de Larios AC - (Coahuila)

Ciudadanos en Apoyo a los Derechos Humanos CADHAC (Nuevo León)

Centro de Derechos Humanos de las Mujeres (CEDEHM) (Chihuahua)

Centro de Derechos Humanos de las Mujeres (CEDEHM) (Chihuahua)

JASS, Asociadas por lo Justo

Consortio para el Diálogo Parlamentario y la Equidad Oaxaca A.C.

Centro de Derechos Humanos Miguel Agustín Pro Juárez AC

Red por los Derechos de la Infancia en México - REDIM