



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances Seventeenth session

Summary record (partial)* of the 294th meeting

Held at the Palais des Nations, Geneva, on Monday, 30 September 2019, at 10 a.m.

Chair: Mr. Ayat (Vice-Chair)

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* No summary record was prepared for the rest of the meeting.

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Pending the election of the new bureau, Mr. Ayat (Vice-Chair) took the Chair.

The meeting was called to order at 10.40 a.m.

Opening of the session

1. **The Chair** declared the seventeenth session of the Committee on Enforced Disappearances open.

Statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Walker** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that he wished to extend his warm congratulations to the newly elected members of the Committee: Mr. Olivier de Frouville (France), Ms. Barbara Lochbihler (Germany), Mr. Juan José López Ortega (Spain), Mr. Cheikh Ahmed Tidiane Coulibaly (Senegal) and Ms. Carmen Rosa Villa Quintana (Peru).

3. He had been encouraged to learn that, since the Committee's sixteenth session, Dominica and Norway had ratified the International Convention for the Protection of All Persons from Enforced Disappearance, bringing the total number of States parties thereto to 62. Although the goal of universal ratification was still far from being achieved and the rate of ratification of the Convention still remained quite slow, the Committee's work nonetheless continued to have an impact. Following the adoption of the guiding principles for the search for disappeared persons in April 2019, the national authorities in charge of searching for disappeared persons in Colombia and Mexico had decided to use them in their daily activities. Moreover, a judge in Argentina had referred to the principles in a decision requesting the cooperation of the courts of another country in conducting DNA testing in a disappearance case. In September 2019, the International Committee of the Red Cross and the Swiss Peace Foundation had organized a two-day workshop in Amman, Jordan, at which experts from different regions, including two Committee members, had discussed how best to disseminate and implement the guiding principles in the context of enforced disappearance and in that of missing persons.

4. On 30 August 2019, the Secretary-General of the United Nations, in his message to mark the International Day of the Victims of Enforced Disappearances, had called on countries to cooperate fully with the Committee and the Working Group on Enforced or Involuntary Disappearances. The same day, on the instructions of the President of Mexico, the Ministry of the Interior of Mexico had announced several related measures, including the decision to recognize the Committee's competence to consider individual communications and to receive a visit from the Committee, which had been pending since 2013. In addition, other treaty bodies had recently considered cases involving enforced disappearances. In July 2019, the Human Rights Committee had adopted Views in relation to a case of enforced disappearance in a State party to the Optional Protocol to the International Covenant on Civil and Political Rights, in which it had called on the national authorities to conduct a thorough, rigorous, impartial, independent and effective investigation into the circumstances of the disappearance and to prosecute and punish those responsible.

5. As a testament to the importance that OHCHR attached to the Committee's work, during her visit to Mexico in April 2019, the High Commissioner had signed an agreement with the national authorities for the provision of technical support and guidance to the Presidential Commission responsible for seeking truth and providing the victims in the Ayotzinapa case with access to justice. Since then, OHCHR Mexico had been supporting the activities of the Presidential Commission and helping the families of the disappeared persons to participate fully in the search for their loved ones, and had been actively engaged in disseminating the guiding principles. In a joint effort to promote the International Day of the Victims of Enforced Disappearances, the secretariats of the Committee and the Working Group, along with the OHCHR Regional Office for South America and families of disappeared persons in El Salvador, had produced outreach material to highlight the struggle of relatives in searching for disappeared persons in the context of migration.

6. The 2020 review of the treaty body system would take place against the backdrop of the funding crisis currently affecting the United Nations system. The need to cancel the treaty body sessions scheduled for the latter part of 2019 had happily been averted thanks, in large part, to the coordinated response from the treaty bodies, the High Commissioner and the Secretary-General. However, the overall cash flow situation remained critical, as did the significant staff shortages in the Human Rights Treaties Branch. The situation for 2020 and beyond – whether in relation to funding for treaty body sessions or staffing – remained uncertain. OHCHR was aware that the Committee was struggling to secure the staff needed to process requests for urgent action, which only underscored the importance of seizing the opportunity provided by the 2020 review to bring the required stability and resourcing to the treaty body system. Against that backdrop, the Chairs of the human rights treaty bodies had adopted a common vision at their thirty-first annual meeting, held in New York in June 2019. A non-paper coordinated by Costa Rica and endorsed by close to 50 States had also been submitted at that meeting. Both documents referred to the need to address the resource gap as a priority and highlighted the importance of closer engagement in regions and with regional mechanisms, increased compliance with reporting obligations by States and encouraging predictability and harmonization among the treaty bodies. The High Commissioner had welcomed the common vision adopted by the Chairs before the forty-second regular session of the Human Rights Council and had referred to the 2020 review as an opportunity to improve the impact of the treaty bodies' work on the ground, including through streamlining and harmonizing procedures.

Solemn declaration by the newly elected members of the Committee

7. In accordance with rule 11 of the Committee's rules of procedure, **Ms. Lochbihler, Mr. López Ortega, Mr. Tidiane Coulibaly and Ms. Villa Quintana** made the following solemn declaration:

“I solemnly declare that I shall perform my duties and exercise my powers as a member of the Committee on Enforced Disappearances independently, objectively, honourably, faithfully, impartially and conscientiously.”

The meeting was suspended at 11 a.m. and resumed at 11.30 a.m.

Adoption of the agenda

8. *The provisional agenda (CED/C/17/1) was adopted.*

Remembrance of victims of enforced disappearance

9. **The Chair**, accompanying his remarks with the screening of a short documentary entitled *Never Lose Hope* recounting a Salvadoran mother's search for her disappeared son, said that, going forward, the Committee, instead of remembering victims of enforced disappearance by observing a minute of silence, would focus on the possibility that disappeared persons might be found, as that hope was an important premise of the Committee's work.

Tribute to the memory of Mr. Louis Joinet, human rights defender and promoter of the International Convention for the Protection of All Persons from Enforced Disappearance.

10. *At the invitation of the Chair, the members of the Committee observed a minute of silence.*

The discussion covered in the summary record ended at 11.35 a.m.