



General Assembly

Distr.: Limited
1 November 2013

Original: English

Sixty-eighth session
Third Committee

Agenda item 69 (b)

**Promotion and protection of human rights: human rights
questions, including alternative approaches for improving the
effective enjoyment of human rights and fundamental freedoms**

**Albania, Argentina, Austria, Belgium, Bolivia (Plurinational State of), Brazil,
Bulgaria, Chile, Cyprus, Finland, France, Germany, Greece, Guatemala, Haiti,
Hungary, Italy, Japan, Kazakhstan, Lithuania, Luxembourg, Morocco,
Netherlands, Paraguay, Poland, Slovenia, Spain, Sweden, Switzerland and
United Kingdom of Great Britain and Northern Ireland: draft resolution**

**International Convention for the Protection of All Persons from
Enforced Disappearance**

The General Assembly,

Reaffirming its resolution [61/177](#) of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution [47/133](#) of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Recalling also its resolution [67/180](#) of 20 December 2012, as well as relevant resolutions adopted by the Human Rights Council, including resolution [21/4](#) of 27 September 2012,¹

Recalling further that no one shall be subjected to enforced disappearance,

Recalling that no exceptional circumstance whatsoever may be invoked as a justification for enforced disappearance,

Recalling also that no one shall be held in secret detention,

Deeply concerned, in particular, by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and

¹ See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.



abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling that the Convention sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard,

Recalling also that the Convention defines the victim of enforced disappearance as the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance,

Acknowledging that acts of enforced disappearance are recognized in the Convention as crimes against humanity, in certain circumstances,

Stressing the importance of the work of the Working Group on Enforced or Involuntary Disappearances, and welcoming in this regard the holding of its 100th session in New York from 15 to 19 July 2013,

Acknowledging the valuable work of the International Committee of the Red Cross in promoting compliance with international humanitarian law in this field,

1. *Recognizes* the importance of the International Convention for the Protection of All Persons from Enforced Disappearance,² the ratification and the implementation of which will be a significant contribution to ending impunity and to promoting and protecting all human rights for all;

2. *Welcomes* the fact that 93 States have signed the Convention and 41 have ratified or acceded to it, and calls upon States that have not yet done so to consider signing, ratifying or acceding to the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

3. *Also welcomes* the holding of the second meeting of the States parties to the Convention on 28 May 2013, and welcomes the panel discussion held on that occasion;

4. *Further welcomes* the report of the Secretary-General;³

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to increase their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence;

6. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on Enforced or Involuntary Disappearances, to continue making efforts to disseminate information on the Convention, to promote understanding of it and to assist States parties in implementing their obligations under this instrument;

7. *Welcomes* the work achieved by the Committee, and in particular the consideration, during its fourth session, of the first reports submitted by States parties under article 29 of the Convention, and encourages all States parties to the

² Resolution 61/177, annex.

³ A/68/210.

Convention to submit their report, to support and promote the work of the Committee and to implement its recommendations;

8. *Recognizes* the importance of the Declaration on the Protection of All Persons from Enforced Disappearance⁴ as a body of principles for all States designed to punish enforced disappearances, to prevent their commission and to help victims of such acts and their families to seek fair, prompt and adequate reparation;

9. *Welcomes* the cooperation established between the Working Group and the Committee, within the framework of their respective mandates, and encourages further cooperation in the future;

10. *Takes note with interest* of all the general comments of the Working Group, including the most recent ones on children⁵ and women⁶ affected by enforced disappearances, and recognizes in this regard that enforced disappearance has special consequences for women and vulnerable groups, especially children, as they most often bear the serious economic hardships that usually accompany a disappearance and, when they are subjected to disappearance themselves, they may become particularly vulnerable to sexual and other forms of violence;

11. *Invites* the Chair of the Committee and the Chair of the Working Group to address and engage in an interactive dialogue with the General Assembly at its sixty-ninth session under the item on the promotion and protection of human rights;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-ninth session a report on the status of the Convention and the implementation of the present resolution.

⁴ Resolution 47/133.

⁵ A/HRC/WGEID/98/1 and Corr.1.

⁶ A/HRC/WGEID/98/2.