



International Convention for the Protection of All Persons from Enforced Disappearance

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Item 6 of the provisional agenda

Implementation of article 27 of the Convention

Functioning of the Committee on Enforced Disappearances

Note by the Secretary-General

I. Establishment of the Committee on Enforced Disappearances

1. The first meeting of the States parties to the International Convention on the Protection of All Persons from Enforced Disappearance was held in New York on 31 May 2011. The purpose of the meeting was to elect 10 members of the Committee on Enforced Disappearances to carry out the functions provided for under the Convention, in accordance with article 26 (1) of the Convention.
2. The Committee held its first session in Geneva in November 2011. To date, the Committee has held 11 sessions and 197 meetings.

II. Cooperation with relevant organs (art. 28)

3. In compliance with article 28 of the Convention, since its establishment the Committee has held formal meetings with the Human Rights Committee, on 31 October 2012; the Working Group on Arbitrary Detention, on 14 November 2013; the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, on 15 September 2014; the Committee on the Rights of the Child, on 18 September 2014. It has held yearly meetings with the Working Group on Enforced or Involuntary Disappearances, on 9 November 2011, 1 November 2012, 7 November 2013, 17 September 2014, 15 September 2015 and 5 October 2016. The Committee met informally with the Committee against Torture and the International Committee of the Red Cross, on 30 October 2012 and 11 November 2013, respectively.
4. The Committee organized thematic discussions on the following topics: women and children and enforced disappearances, on 29 March 2012; trafficking and enforced disappearances, on 7 November 2012; non-State actors and enforced disappearances, on 28 March 2012; responsibility of States and the role of non-State actors, on 8 November 2012; and military justice and enforced disappearances, on 12 November 2013 and 25 March 2014. The thematic discussions benefited from the participation of members of other

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Committees, special procedure mandate holders, experts and representatives of United Nations agencies, intergovernmental organizations, civil society and academia.

5. At each session, the Committee held meetings with States Members of the United Nations, national human rights institutions and civil society actors, including associations of families of disappeared persons.

6. Information on all of the above-mentioned meetings can be found in the annual reports submitted to the General Assembly in compliance with article 36 of the Convention (A/67/56, A/68/56, A/69/56, A/70/56 and A/71/56).

III. Consideration of reports submitted by States parties (art. 29)

7. Since its establishment, the Committee has considered 18 reports submitted under article 29 (1) of the Convention, from Argentina, Armenia, Belgium, Bosnia and Herzegovina, Burkina Faso, Colombia, France, Germany, Iraq, Kazakhstan, Mexico, Montenegro, the Netherlands, Paraguay, Serbia, Spain, Tunisia and Uruguay, and adopted corresponding lists of issues and concluding observations. At its eleventh session, held in October 2016, the Committee adopted lists of issues in respect of Cuba, Ecuador and Senegal. The dialogue with those States parties is scheduled for March 2017. All the lists of issues and concluding observations adopted by the Committee are available, under the respective session, on the Committee's website (www.ohchr.org/EN/HRBodies/CED/Pages/CEDIndex.aspx).

8. The Committee also adopted three reports on follow-up to concluding observations (CED/C/7/2, CED/C/9/2 and CED/C/11/2), in respect of Uruguay, France, Spain, Argentina, Germany, the Netherlands, Belgium, Paraguay, Mexico, Armenia and Serbia. Information on the reports on follow-up to concluding observations are available at http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Lang=En&TreatyID=2.

IV. Urgent action (art. 30)

9. As at 26 October 2016, the Committee had received 435 requests for urgent actions, of which 348 have been registered. Of the 348 registered requests, 1 relates to events in Brazil, 1 to events in Cambodia, 9 to events in Colombia, 70 to events in Iraq, 266 to events in Mexico and 1 to events in Morocco. The Committee has discontinued two urgent actions relating to disappeared persons who have been located but who remain in detention and closed four urgent actions relating to disappeared persons who were located alive and have been released, or were located dead. The list of registered urgent actions is available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCED%2fJUR%2f10%2f25096&Lang=en.

V. Individual communications (art. 31)

10. The Committee received, considered and adopted views relating to one individual communication (CED/C/10/D/1/2013).

VI. Visits (art. 33)

11. The Committee has requested to visit two States parties and is awaiting their replies.

VII. General Assembly (art. 34)

12. The Committee has never brought any situation to the attention of the General Assembly.

VIII. Other work

Adoption of reference documents

13. At its second session, held in March 2012, the Committee adopted its rules of procedure (CED/C/1) as well as the guidelines on the form and content of reports under article 29 to be submitted by States parties to the Convention (CED/C/2).

14. At its fifth session, held in November 2013, the Committee adopted the document entitled “The relationship of the Committee on Enforced Disappearances with civil society actors” (CED/C/3). The first draft of the document had been posted on the Committee’s website for three months, with a view to facilitating consultations with all stakeholders.

15. At its sixth session, held in March 2014, the Committee adopted the guidance for the submission of a request for urgent action to the Committee (CED/C/4) and the guidance for the submission of an individual communication or complaint to the Committee (CED/C/5), with the aim of facilitating the implementation of articles 30 and 31 of the Convention, respectively.

16. At its seventh session, held in September 2014, the Committee adopted the document entitled “The relationship of the Committee on Enforced Disappearances with national human rights institutions” (CED/C/6). The draft of the document had been posted on the Committee’s website for three months, with a view to facilitating consultations with all stakeholders.

Substantive statements

17. The Committee has adopted two substantive statements. At its fifth session, the Committee adopted a statement on the *ratione temporis* element in the review of reports submitted by States parties under the Convention. The statement is available at http://tbinternet.ohchr.org/Treaties/CED/Shared%20Documents/1_Global/INT_CED_SUS_7250_E.pdf.

18. At its eighth session, held in February 2016, the Committee adopted a statement on enforced disappearance and military jurisdiction. The statement is available at http://tbinternet.ohchr.org/Treaties/CED/Shared%20Documents/1_Global/INT_CED_SUS_7639_E.pdf.

Commemoration of the tenth anniversary of the adoption of the Convention

19. On 11 March 2016, the Committee, together with the Permanent Missions of Argentina, France, Japan and Morocco to the United Nations Office and other international organizations in Geneva, and in collaboration with the Office of the United Nations High Commissioner for Human Rights, organized an event entitled “Contemporary challenges” to commemorate the tenth anniversary of the adoption of the Convention.

IX. Reports to the General Assembly (art. 36)

20. In compliance with article 36 of the Convention, the Committee has submitted five reports to the General Assembly (A/67/56, A/68/56, A/69/56, A/70/56 and A/71/56).