



25 January 2012

Excellency,

The International Convention for the Protection of All Persons from Enforced Disappearance entered into force on 23 December 2010. As a result, the Committee on Enforced Disappearances comprising 10 independent experts was established and held its first session in November 2011. The Committee has requested me, as Chairperson, to write to you with a view to marking the first anniversary of the entry into force of the Convention, an historic step for each of the 30 States parties.

The Convention is foremost a legal instrument with a preventive character that fills the gaps between other human rights treaties and international criminal law. As stated in its Article 35(1), the Convention deals only with enforced disappearances which commenced after its entry into force for each State Party. Among the obligations set out in the Convention, each State party has the duty to ensure that enforced disappearance constitutes an offence under its criminal law, and to establish in its internal legislation that the widespread or systematic practice of enforced disappearance is a crime against humanity. States parties could also accept the optional mechanisms, notably for individual communications. The Committee established under the Convention has monitoring and early warning functions.

Taking into account the universal scope and the historic significance of the Convention, the Committee is eager to foster its early ratification by every Member State of the United Nations, in particular signatory States, as a priority to mark the fifth anniversary of the opening to signature of the treaty in Paris on 6 February 2012. In this regard, the Committee encourages States to consider ratification of the Convention, and in doing so, accept optional mechanisms, notably for communications (articles 31, 32).

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In the same spirit, the Committee looks forward to a constructive dialogue and fruitful cooperation with States, as well as with all stakeholders. During the second session of the Committee, in March, our intent is to open a general debate on the ways and means to facilitate the effective implementation of the Convention, both at the international and domestic level. The Committee is also ready to assist States parties through exchanges in a regional or national framework to facilitate information and awareness about the Convention.

Please accept, Excellency, on behalf of the Committee and in my personal capacity, the assurances of my highest consideration.



Emmanuel Decaux
Chair
Committee on Enforced Disappearances