



International Convention for the Protection of All Persons from Enforced Disappearance

Distr.: General
27 April 2022

Original: English

Committee on Enforced Disappearances

Report on follow-up to the concluding observations of the Committee on Enforced Disappearances under article 29 (1) and (4) of the Convention*

I. Introduction

1. The present report reflects the information received by the Committee between its twenty-first and twenty-second sessions in follow-up to its concluding observations on Peru,¹ under article 29 (1) of the Convention, and Iraq,² under article 29 (4), and the assessments and decisions that the Committee adopted at its twenty-second session. The States parties appear in chronological order by the deadline for the submission of their follow-up information.

2. The assessments contained in the present report refer only to the recommendations that were selected for the follow-up procedure and in relation to which the States parties were requested to submit information within one year of the adoption of the concluding observations. The present report does not constitute an assessment of the implementation of all the recommendations made to the State party in the concluding observations, nor a comparison between States parties.

3. To carry out its assessment of the information provided by the States parties concerned, the Committee uses the criteria described below:

Assessment of replies

A Reply/action satisfactory

The State party has provided evidence of significant action taken towards implementing the Committee's recommendation.

B Reply/action partially satisfactory

The State party has taken steps towards implementing the recommendation, but additional information or action is necessary.

C Reply/action not satisfactory

The State party has sent a reply, but action taken or information provided is not relevant or does not implement the recommendation.

* Adopted by the Committee at its twenty-second session (28 March–8 April 2022).

¹ [CED/C/PER/FCO/1](#).

² [CED/C/IRQ/FOAI/1](#).



*Assessment of replies***D No reply regarding a recommendation**

The State party has provided no information on implementation of the recommendation.

E Information or measures taken are contrary to or reflect rejection of the Committee's recommendation

The reply reveals that the measures taken are contrary to or have results or consequences that are contrary to the recommendation of the Committee or reflect rejection of the recommendation.

II. Assessment of follow-up information submitted under article 29 (1) of the Convention

Peru

Sixteenth session (April 2019)

Peru

Concluding observations: [CED/C/PER/CO/1](#), adopted 17 April 2019

Recommendations to be followed up: Paragraphs 15 (definition of enforced disappearance and appropriate penalties), 29 (definition of “victim” and the right to obtain reparation) and 33 (search for disappeared persons)

Reply: [CED/C/PER/FCO/1](#), due 18 April 2020, received 14 October 2021

Paragraph 15: The Committee recommends that the State party take all necessary legal and other measures to ensure that:

(a) The definition of enforced disappearance is fully consistent with article 2 of the Convention and refers to acts committed by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, as established in article 2 of the Convention;

(b) There are no legal provisions, including Supreme Court plenary decision No. 9-2009/CJ-116, that might hinder the investigation and prosecution of all alleged perpetrators of enforced disappearance;

(c) The offence of enforced disappearance is defined in both of its forms, as a separate offence (art. 2) and as a crime against humanity (art. 5);

(d) The offence of enforced disappearance is punished, in practice, with appropriate penalties that take due account of its extreme seriousness;

(e) The necessary measures are taken to make it impossible for pardons to be granted in respect of international crimes, including enforced disappearance.

State party's reply

The reply of the State party is provided in [CED/C/PER/FCO/1](#), paragraphs 4 to 16.

Committee's evaluation

[C]: The Committee notes the information provided by the State party recalling the definition of enforced disappearance contained in article 320 of the Criminal Code, the content of which was amended in 2017. However, it regrets that the State party has not taken any steps to implement the Committee's recommendation to ensure that the definition of enforced disappearance contained in that article is fully consistent with article 2 of the

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Convention and refers to acts committed by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State.

The Committee also regrets that it has received no information on the measures taken to implement the Committee's recommendations that the State party ensure that there are no legal provisions, including Supreme Court plenary decision No. 9-2009/CJ-116, that might hinder the investigation and prosecution of all alleged perpetrators of enforced disappearance; that the offence of enforced disappearance is defined in both its forms, as a separate offence (art. 2) and as a crime against humanity (art. 5); and that the offence of enforced disappearance is punished, in practice, with appropriate penalties that take due account of its extreme seriousness.

In addition, the Committee notes the information provided concerning a decision of the Supreme Court of Justice – while noting that the decision predates the Committee's concluding observations – in which the Court concluded that humanitarian pardons granted to individuals who have been tried and convicted of offences considered crimes against humanity are subject to review. The Committee also notes with interest that Supreme Decree No. 004-2020-JUS, which establishes special criteria and sets out the procedures for evaluating and putting forward recommendations for presidential pardons during the coronavirus disease (COVID-19) health emergency, states that even when the relevant criteria have been met (that the sentence handed down does not exceed four years and that the prisoner in question is over 60 years of age), a presidential pardon should not be recommended for prisoners who have been sentenced for any offences set out in, inter alia, article 320 of the Criminal Code. However, the Committee considers that this exceptional and temporary measure, adopted in the context of the health emergency declared because of the COVID-19 pandemic, is not sufficient to implement its recommendation that the State party take the necessary measures to make it impossible for pardons to be granted in respect of international crimes, including enforced disappearance.

In view of the above, the Committee reiterates the recommendation contained in paragraph 15 of its concluding observations and requests the State party to provide updated information in that regard when submitting the additional information requested by the Committee in paragraph 40 of its concluding observations.

Paragraph 29: The Committee recommends that the State party take the necessary measures to:

(a) **Ensure that the definition of a victim in domestic law is consistent with article 24 (1) of the Convention, in order to ensure that any individual, without exception, who has suffered harm as the direct result of an enforced disappearance can exercise the rights set forth in the Convention;**

(b) **Ensure that all victims of enforced disappearance have access to full reparation and that all obstacles and restrictions hindering their registration in the Comprehensive Reparations Programme are eliminated;**

(c) **Ensure that the system for awarding reparations takes into account the personal circumstances of the victims, such as their sex, sexual orientation, gender identity, age, ethnic origin, social status and disability, and is fully in line with the provisions of article 24 (4) and (5);**

(d) **Ensure that full reparation is available to victims of enforced disappearances that have taken place subsequent to the period 1980–2000.**

State party's reply

The reply of the State party is provided in [CED/C/PER/FCO/1](#), paragraphs 17 to 23.

Committee's evaluation

[C]: The Committee appreciates the updated information provided by the State party on the number of victims of enforced disappearance registered in the Central Register of Victims and on the reparations provided to victims of human rights violations perpetrated between May 1980 and November 2000, including victims of enforced disappearance. It also welcomes the adoption of guidelines on the use of differential measures for women and members of the lesbian, gay, bisexual, transgender and intersex community in the implementation of the Comprehensive Reparations Plan, while noting that the guidelines'

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adoption predates the Committee's concluding observations. It further welcomes the information that the services of the Central Register of Victims and the High-level Multisectoral Commission were not interrupted during the COVID-19 pandemic.

However, the Committee regrets that it has not received precise information on the measures taken to ensure that the definition of a victim in domestic law is consistent with article 24 (1) of the Convention, that all obstacles and restrictions hindering the registration of victims of enforced disappearance in the Comprehensive Reparations Programme are eliminated, and that full reparation is available to victims of enforced disappearances that have taken place subsequent to the period 1980–2000.

In view of the above, the Committee reiterates the recommendation contained in paragraph 29 of its concluding observations and requests the State party to provide updated information in that regard when submitting the additional information requested by the Committee in paragraph 40 of its concluding observations, as well as:

(a) Updated statistical information on the number of applications for registration in the Central Register of Victims by reason of enforced disappearance, and the number of victims actually registered;

(b) Information on the steps that the Ombudsman's Office recommended be taken to put into effect initiatives to ensure that victims of the violence that occurred between 1980 and 2000 receive comprehensive reparations, and on the measures taken in that regard and their results.³

Paragraph 33: The Committee recommends that the State party intensify its efforts to search for, locate and release all disappeared persons and, in the event that they are found dead, to arrange for the dignified return of their remains. In particular, it should:

(a) Ensure in practice that, when a disappearance is reported, a search is initiated automatically, without delay;

(b) Ensure that the search is conducted by the competent authorities and that the relatives of the person concerned may take part in it if they so wish;

(c) Provide for effective coordination, cooperation and cross-checking of data between the agencies responsible for searching for disappeared persons and, in the event that such persons are found dead, for identifying their remains;

(d) Provide the agencies responsible for such searches with the necessary human, financial and technical resources;

(e) Ensure that the investigations continue until the fate of the disappeared person has been clarified.

State party's reply

The reply of the State party is provided in [CED/C/PER/FCO/1](#), paragraphs 24 to 40.

³ [CED/C/PER/FCO/1](#), para. 23.

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Committee's evaluation

[B]: The Committee notes with satisfaction the steps taken by the State party since the adoption of the Committee's concluding observations to intensify efforts to search for persons who may have been subjected to enforced disappearance between 1980 and 2000, including:

(a) The preparation of a stocktaking report on the National Plan for the Search for Disappeared Persons, with contributions from State entities, relatives of disappeared persons and human rights organizations, in which one of the conclusions reached was that the Plan needed to be updated;

(b) The adoption of the National Plan for the Search for Disappeared Persons through 2030 under Supreme Decree No. 011-2021-JUS and the repeal of the previous Plan. In particular, it notes with appreciation the State party's affirmation that the Plan through 2030 takes its direction from the Committee's guiding principles for the search for disappeared persons,⁴ and notes with interest the five priority objectives of the Plan through 2030, which include increasing the effectiveness of humanitarian investigations into the fate and/or whereabouts of persons who disappeared during the violence that occurred between 1980 and 2000, and taking an intercultural and gender-sensitive approach to increasing the participation of relatives of disappeared persons in the search process;

(c) The adoption of a new directive setting out the rules for conducting searches using a humanitarian approach, under Vice-Ministerial Decision No. 009-2021-JUS;

(d) The signing in February 2020 of an inter-institutional cooperation agreement between the Attorney General's Office and the Ministry of Justice and Human Rights, with the aim of establishing coordination mechanisms to facilitate the exchange of information under Act No. 30470;

(e) The increase in the budget of the Directorate General for the Search for Disappeared Persons for 2021.

While regretting that elements of the humanitarian searches carried out by the Directorate General for the Search for Disappeared Persons were restricted as a result of the COVID-19 pandemic, the Committee welcomes the State party's assertion that the services that the Directorate General provides were not interrupted.

The Committee also welcomes:

(a) The adoption under Supreme Decree No. 002-2020-IN of an inter-institutional protocol for responding to disappearances of vulnerable persons and other disappearances, the purpose of which is, inter alia, to ensure promptness, objectivity and effectiveness in responding to reports and in the dissemination of information, the conduct of investigations and searches and the locating of disappeared vulnerable persons and other disappeared persons;

(b) The launch on 15 October 2020 of a national system for searching for disappeared persons.

The Committee, while reiterating the recommendation contained in paragraph 33 of its concluding observations, encourages the State party to continue and intensify its efforts to search for, locate and release all disappeared persons and, in the event that they are dead, to arrange for the dignified return of their remains. The Committee requests the State party to provide updated information in that regard when submitting the additional information requested by the Committee in paragraph 40 of its concluding observations, including:

(a) Progress in the implementation of the National Plan for the Search for Disappeared Persons through 2030, including updated statistical information on the number of persons subjected to enforced disappearance between 1980 and 2000 who have been found and, in the event that they were found dead, their remains identified and returned in a dignified manner;

(b) Updated information on the effectiveness of measures taken to search for persons who disappeared subsequent to the period 1980–2000.

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Committee's decision

The Committee decides to send a letter to the State party communicating its evaluation. The letter will emphasize that the State party, when implementing the Committee's recommendations and when submitting additional information under article 29 (4) of the Convention, should take into account the specific guidance and request for information contained in the present report, together with the Committee's guiding principles for the search for disappeared persons.

Deadline for the submission by the State party of additional information under article 29 (4) of the Convention: 18 April 2025

III. Assessment of follow-up information submitted under article 29 (4) of the Convention

4. Unlike the other human rights treaty bodies, the Committee does not have a system of periodic reports. Under article 29 (4) of the Convention, however, the Committee may request States parties to provide additional information on the implementation of the Convention. In 2018, Mexico became the first State party to submit additional information at the Committee's request under this procedure.⁵ The Committee is in the process of analysing various options to ensure that the procedure is as flexible, nimble, efficient and effective as possible.

5. By this procedure, the Committee aims to ensure thorough monitoring of implementation by all States parties of their obligations under the Convention and of the Committee's recommendations. The frequency and extent of such monitoring is determined by the specific situation in each State party.

6. The procedure is also aimed at enabling the Committee to fulfil its mandate to the extent possible despite its limited resources. In that connection, the Committee wishes to highlight the backlog, as at the date of the present report, of nine reports submitted under article 29 (4) of the Convention. Pursuant to General Assembly resolution 68/268 and subsequent Assembly resolutions, however, the Committee's allocation of meeting time allows it to examine only five reports per year, including both reports submitted under article 29 (1) of the Convention and reports containing additional information submitted under article 29 (4).

7. In that context, the Committee decided on the following modalities for its consideration of additional information:

(a) Desk review of the additional information and a short dialogue with the State party on selected issues (three hours);

(b) Full dialogue with the State party on selected issues (four to six hours).

8. Following the adoption by the Committee of its concluding observations on the additional information, the Committee may ask the State party to provide further information with respect both to the recommendations adopted and to issues not addressed during the dialogue.

9. In some cases, such as that of Iraq, the Committee may consider it necessary to request the State party to submit additional information on a number of priority recommendations within one year, without prejudice to the Committee's entitlement to request additional information on the other recommendations at a later date.

⁴ CED/C/7, annex.

⁵ See CED/C/MEX/CO/1/Add.2 and CED/C/MEX/OAI/1.

Iraq

Nineteenth session (September–November 2020)

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Concluding observations:	CED/C/IRQ/OAI/1 , adopted 25 November 2020
Areas of focus during the dialogue:	<p>Progress in the process of adoption of the bill on enforced disappearance</p> <p>Development by the State party of strategies to prevent enforced disappearance, to search for disappeared persons and to investigate alleged enforced disappearance</p> <p>Interaction by the State party with the Committee in the context of its urgent action procedure</p>
Recommendations to be followed up:	<p>(As requested by the Committee in CED/C/IRQ/OAI/1, para. 32, and in a note verbale dated 13 October 2021)</p> <p>Paragraphs 5 (statistical information on enforced disappearance), 7 (definition of enforced disappearance and appropriate penalties), 13 (protection of complainants and of persons participating in the investigation of an enforced disappearance), 17 (secret detention), 25 (definition of victims and reparations) and 31 (dissemination)</p> <p>Legislation and practices concerning the wrongful removal of children (para. 32): to be addressed in detail during the next dialogue with the State party</p>
Reply:	CED/C/IRQ/FOAI/1 , due 25 February 2022 (extended from 25 November 2021), received 30 November 2021

Paragraph 5: The Committee recommends that the State party establish a consolidated nationwide database in which all cases of disappearance in Iraq since 1968 are registered. To this effect, the information from different sources must be compiled and systematized so that it can be incorporated into the database. The database should be systematically and promptly updated so that the authorities may generate reliable statistics. The database should include at least:

- (a) The total number and identity of all disappeared persons;
- (b) The sex, gender identity, age, nationality and, if applicable, ethnic group or religious affiliation of the disappeared person;
- (c) The status of the search procedure and investigation, including detailed information, where applicable, on exhumation and identification procedures and autopsy results;
- (d) The place, date and circumstances of the disappearance, including all elements relevant to determine whether the case is an enforced disappearance.

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The State party has provided no information on the implementation of this recommendation.

Committee's comments

The Committee, conscious of the confusion that arose with regard to the information to be provided in the context of this phase of the procedure, has decided not to include in the present report an evaluation of the State party's implementation of the recommendation contained in paragraph 5 of its concluding observations on the additional information. The Committee reiterates that recommendation and requests the State party to provide information in that regard when submitting its next report under article 29 (4) of the Convention.

Paragraph 7: The Committee recommends that the State party revise the bill on enforced disappearance, in consultation with all relevant stakeholders, including specialized civil society organizations, and expedite its adoption. Such revision should ensure, inter alia, that the offence of enforced disappearance is incorporated into domestic criminal legislation as an autonomous offence in conformity with articles 2 and 4 of the Convention, and as a crime against humanity in accordance with article 5 of the Convention, regardless of the date of perpetration of the crime. The bill should also include appropriate penalties that take into due account the extremely serious nature of the crime, while avoiding the imposition of the death penalty.

State party's reply

The reply of the State party is provided in [CED/C/IRQ/FOAI/1](#), paragraphs 2 to 7.

Committee's evaluation

[C]: The Committee notes the information provided by the State party that a review of Iraqi legislation, in particular the Code of Criminal Procedure, was under way, and that a new criminal code was being drafted, which would include a reference to the crime of enforced disappearance. The Committee also notes the information provided on steps taken towards the adoption of a bill on enforced disappearance. However, it regrets the lack of clarity as to whether any steps were taken subsequent to the Committee's adoption of its concluding observations on the additional information to implement the recommendation contained in paragraph 7, and the lack of information as to whether consultations were held with relevant stakeholders such as specialized civil society organizations. It also regrets the lack of information as to whether the committee that was set up to review some articles of the bill has taken account of the Committee's recommendation.

In view of the above, the Committee reiterates the recommendation contained in paragraph 7 of its concluding observations on the additional information and requests the State party to provide information in that regard when submitting its next report under article 29 (4) of the Convention, including about:

- (a) The review of Iraqi legislation, in particular the Code of Criminal Procedure, that is being undertaken with a view to making amendments in line with human rights standards, and specifically how such amendments are in conformity with the Convention;
- (b) The new criminal code that is being drafted, including the definition of the offence of enforced disappearance contained therein, the penalties imposed, the way in which this offence will coexist with the offence contained in the bill on enforced disappearance and the differences between them, if any, and any other efforts aimed at aligning legislation with the State party's obligations under the Convention and the Committee's recommendations in its concluding observations on the additional information;
- (c) The committee that was set up to review some articles of the bill, including its composition, the date on which it was set up, the activities that it has carried out and the results thereof.

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Paragraph 13: The Committee requests that the State party take all measures necessary to:

- (a) Prevent all acts of intimidation and reprisal and protect the persons referred to in articles 12 (1) and 30 (1) of the Convention, including by ensuring that the bill on enforced disappearance includes a provision for that purpose;
- (b) Investigate all allegations of intimidation and reprisal and ensure that those responsible are prosecuted and punished appropriately.

State party's reply

The reply of the State party is provided in [CED/C/IRQ/FOAI/1](#), paragraphs 16 and 17.

Committee's evaluation

[C]: The Committee notes of the affirmation by the State party that Iraqi legislation provides for the protection of the families of victims, their legal representatives and civil society from any attacks to which they might be subjected for taking a case before the courts or pursuing investigations into violations, including violations covered by the Convention. However, the Committee regrets that it has received no information on measures taken subsequent to the Committee's adoption of its concluding observations on the additional information, including on steps taken to ensure that the bill on enforced disappearance includes a provision to prevent all acts of intimidation and reprisal and protect the persons referred to in articles 12 (1) and 30 (1) of the Convention.

In view of the above, the Committee reiterates the recommendation contained in paragraph 13 of its concluding observations on the additional information and requests the State party to provide information in that regard when submitting its next report under article 29 (4) of the Convention.

Paragraph 17: The Committee urges the State party to adopt all measures necessary to ensure that no person is held in secret detention. In that context, the State party must guarantee that all persons deprived of liberty are afforded, de jure and de facto, from the outset of their deprivation of liberty, all the fundamental safeguards provided for by article 17 of the Convention. The State party should also:

- (a) Carry out an urgent, independent and impartial investigation into all allegations of secret detention, including those relating to the existence of 420 secret places of detention, ensuring that all such places are officially identified; that all persons deprived of their liberty therein are released if the deprivation of liberty is not lawful; that the relatives of the said persons, or the persons of their choice, are immediately informed about their location; and that those responsible for such secret detention are brought to justice and punished in accordance with the gravity of their acts;
- (b) Close any secret detention facilities or convert them into regular registered and supervised detention centres in compliance with the Convention and relevant international standards.

State party's reply

The reply of the State party is provided in [CED/C/IRQ/FOAI/1](#), paragraphs 8 and 9.

Committee's evaluation

[C]: The Committee notes the affirmation by the State party that no evidence has been provided to indicate that secret detention is still used, especially in Camp Justice, Al-Muthanna Airport prison, Baghdad airport prison and the city of Jurf al-Sakhar. It also notes the affirmation that a team from the International Report Writing Committee paid an inspection visit to Al-Muthanna Airport prison, although it regrets the lack of clarity as to the date on which the inspection visit was conducted. The Committee also regrets that it has received no information as to whether any steps have been taken to carry out an urgent, independent and impartial investigation into all allegations of secret detention, including those relating to the existence of 420 secret places of detention. The Committee recalls that the United Nations Assistance Mission for Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) have documented allegations of

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individuals being held in locations that did not appear to be official places of detention and/or where the identity of the detaining authority was not immediately made known to the detainee.⁶

In view of the above, the Committee reiterates the recommendation contained in paragraph 17 of its concluding observations on the additional information and requests the State party to provide information in that regard when submitting its next report under article 29 (4) of the Convention.

Paragraph 25: The Committee recommends that the State party take the measures necessary to ensure that:

(a) **The definition of victim in domestic law is fully consistent with article 24 (1) of the Convention, including for any individual who has suffered harm as the direct result of enforced disappearance;**

(b) **A comprehensive system of reparation and compensation is provided in domestic law in accordance with article 24 (4) and (5) of the Convention, for which the State is responsible and which is applicable even if no criminal proceedings have been initiated;**

(c) **The system for awarding reparations takes into account the personal circumstances of victims, such as their sex, gender identity, age, ethnic origin, social status and disability.**

State party's reply

The reply of the State party is provided in [CED/C/IRQ/FOAI/1](#), paragraphs 10 to 12.

Committee's evaluation

[C]: The Committee notes the information provided by the State party concerning the existing procedure for victims of kidnapping or enforced disappearance to obtain compensation, which remains conditional on the criminal conviction of the perpetrator. It also notes the affirmation that article 60 of the Federal Budget Act of 2021 stipulates that the provisions of Act No. 20 of 2009, as amended, apply to persons who went missing in liberated areas between 2014 and 2017, after security screening, and their families.

However, the Committee regrets that it has not received specific information on measures taken to implement the recommendation contained in paragraph 25 of its concluding observations on the additional information. The Committee reiterates that recommendation and requests the State party to provide information in that regard when submitting its next report under article 29 (4) of the Convention. The Committee requests the State party include further information about the mechanism set out in article 60 of the Federal Budget Act of 2021, including the measures taken to ensure that the process of obtaining compensation is simple and expeditious, the number of victims of enforced disappearance that have requested compensation under the mechanism and the number that have received it, the amount of compensation awarded to the victims, and the other forms of reparation that are provided for in the Act and have been awarded.

Paragraph 31: The State party is encouraged to disseminate widely the Convention, the additional information submitted under article 29 (4) of the Convention and the present observations, in order to raise awareness among all governmental authorities, civil society organizations and the public at large.

State party's reply

The reply of the State party is provided in [CED/C/IRQ/FOAI/1](#), paragraph 18.

Committee's evaluation

[B]: The Committee appreciates the information provided by the State party about the measures taken to raise awareness of the Convention and to disseminate its concluding observations, although it notes the lack of reference to the dates on which the activities

⁶ UNAMI and OHCHR, "Human rights in the administration of justice in Iraq: legal conditions and procedural safeguards to prevent torture and ill-treatment", August 2021, p. 19.

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described were carried out. Furthermore, the Committee recalls with appreciation the two-day training organized by UNAMI at the request of the State party and held in November 2021 for Iraqi security and judicial officials, which was conducted by two members of the Committee and during which the Committee's concluding observations were disseminated and discussed.

The Committee encourages the State party to redouble its efforts to disseminate widely the Convention, the additional information submitted under article 29 (4) of the Convention and the Committee's concluding observations thereon, in order to raise awareness among all governmental authorities, civil society organizations and the public at large. The State party is requested to update the Committee on the measures taken in that regard, specifying the dates on which they were taken, when submitting its next report under article 29 (4) of the Convention.

Paragraph 32: The Committee requests the State party to submit specific, up-to-date information on legislation and practices concerning the wrongful removal of children.

State party's reply

The reply of the State party is provided in [CED/C/IRQ/FOAI/1](#), paragraphs 13 to 15.

Committee's comments

The Committee appreciates the information provided by the State party on legislation concerning the wrongful removal of children, in response to the Committee's request in paragraph 32 of its concluding observations on the additional information. In this respect, it notes with interest that articles 10 and 11 of the bill on combating enforced disappearance establishes penalties for the removal of children who are subjected to enforced disappearance or whose mother, father or legal guardian is subjected to enforced disappearance, and for the falsification, concealment or destruction of documents attesting to the true identity of those children. The Committee requests the State party to provide further information about the criminalization of the conduct described in article 25 (1) of the Convention when submitting updated information on its implementation of all the recommendations contained in the concluding observations on the additional information.

Committee's decision

The Committee decides to send a letter to the State party communicating its evaluation. The letter will emphasize that the State party, when implementing the Committee's recommendations and when submitting its next report under article 29 (4) of the Convention, should take into account the specific guidance and request for information contained in the present report, together with the Committee's guiding principles for the search for disappeared persons.

Deadline for the submission by the State party of its next report under article 29 (4) of the Convention: 25 September 2024
