



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances Twenty-first session

Summary record of the first part (public)* of the 361st meeting

Held at the Palais Wilson, Geneva, on Monday, 13 September 2021, at 10 a.m.

Chair: Mr. Ayat

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* The summary record of the second part (closed) of the meeting appears as document [CED/C/SR.361/Add.1](#).

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The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Chair** declared open the twenty-first session of the Committee on Enforced Disappearances.

2. **Mr. Salama** (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. Juan Pablo Albán-Alencastro and Ms. Suela Janina. He also wished to welcome those members who had been re-elected, namely, Mr. Mohammed Ayat, Mr. Horacio Ravenna and Ms. Milica Kolaković-Bojović, and to pay tribute to the time and energy that Mr. Ayat had devoted to the Committee in his capacity as Chair. His dedication during the recent period, which had been exceptionally difficult, had ensured that the Committee was able to continue its work and to take numerous decisions that would reinforce its procedures and jurisprudence.

3. Ten years after the Convention had entered into force, much remained to be done to eradicate and prevent enforced disappearance; to date in 2021, the Committee had already registered 400 urgent action requests, which was double the total number registered in 2020. He therefore wished once again to highlight the work that the Working Group on Urgent Actions and the secretariat carried out on a daily basis in that connection. The numbers, which represented only a tiny proportion of the hundreds of thousands of victims of enforced disappearance worldwide, showed yet again how important it was for all States Members of the United Nations to demonstrate their commitment to eradicating enforced disappearance by ratifying the Convention. In that context, he welcomed the recent ratification of the Convention by Sudan, which had brought the number of States parties to 64.

4. Various other positive steps to promote the rights and obligations enshrined in the Convention had been taken by States in recent months. In Mexico, the Supreme Court had decided to recognize the binding nature of urgent actions and the Government had at last officially agreed to a visit by the Committee. The National Assembly of the Republic of Korea had called for the country to ratify the Convention, while Argentina and France had launched the third ratification campaign. What was still urgently needed in addition, however, was for member States to join forces to provide the Committee with the meeting time and human resources that it desperately needed to fulfil its mandate.

5. The ongoing 2020 treaty body review process would play a key role to that end. At their thirty-third annual meeting in June 2021, the Chairs of the human rights treaty bodies had discussed options for action including: the development of a predictable review calendar in which every other review would be a focused review; the ongoing harmonization of working methods; and the digital transition to facilitate treaty bodies' work. Comprehensive proposals had been put forward for consideration by all treaty bodies and the Committee's own contribution would be essential, especially considering the specificities of its procedures.

6. Given the prevailing sanitary conditions necessitated by the coronavirus disease (COVID-19) pandemic, the Committee's partners would only be able to participate in the current session by remote means, which was not ideal. Not all the problems of the hybrid meeting format had been resolved, and patience and understanding would be needed when difficulties arose. However, he and the staff of OHCHR would do their utmost to provide the required support.

7. **The Chair** said that he was particularly pleased to be able to welcome Committee members to the meeting in person for the first time in many months. However, the health measures necessitated by the COVID-19 pandemic meant that the States parties' delegations, the NGOs and the national human rights institutions would still be participating remotely. He appreciated the efforts that they had made to adjust and wished to thank all involved for their unwavering commitment.

8. His term of office as Chair would end with the current session and, looking back, he could see that, despite the difficulties, much had been achieved. At its seventeenth session, the Committee had adopted its first list of issues in the absence of a report. Subsequently,

having clarified the procedure to be used and the criteria to be applied in such situations, it had gone on to adopt two more such lists of issues, and it had been gratifying to note that the States parties concerned had both submitted reports after receiving them.

9. When the pandemic had forced the world into lockdown, the Committee had been the first treaty body to hold an online meeting and, at its nineteenth session in September 2020, the first to begin conducting online dialogues with States parties. In the light of those experiences, it had drawn the difficulties of online working to the High Commissioner's attention, thereby launching a discussion among the treaty bodies that was still ongoing. The Committee had also made progress in implementing the procedure for considering additional information submitted by States parties under article 29 (4) of the Convention. The procedure needed to be flexible and effective and should never lose sight of the ultimate goal, namely, to improve the protection of the victims of enforced disappearance.

10. Thanks to the efforts of the secretariat, the Committee's work was becoming more and more visible. The Committee now had a presence in the social media and produced a newsletter that was shared with an ever-growing list of subscribers. In addition, steps had been taken to maximize the participation of victims and non-governmental organizations (NGOs) in its work, notably by means of international webinars, and the Committee had strengthened its ties with regional human rights mechanisms, most notably the African Commission on Human and Peoples' Rights and the Inter-American Commission on Human Rights. He wished to express his gratitude to the secretariat for the untiring support that it provided on a daily basis despite the severe shortage of human resources.

11. His two years as Chair had spanned the tenth anniversary of the Convention's entry into force and, in that connection, he was particularly honoured to announce the publication of a report entitled *The work of the Committee on Enforced Disappearances: Achievements and jurisprudence ten years after the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance*. He wished to thank the author of the report, Ms. María Clara Galvis Patiño, a former member of the Committee, Ms. Lochbihler, who had had overall responsibility for the project, and all members of the secretariat who had helped with revision. He was also grateful to Germany, the organization Brot für die Welt (Bread for the World) and the Geneva Academy of International Humanitarian Law and Human Rights for their financial and technical support.

12. The report described the Committee's daily work in support of the efforts of States parties, victims, NGOs and national human rights institutions to eradicate and prevent enforced disappearance. It also gave an account of the development of the Committee's jurisprudence under various thematic headings. He hoped that it would serve to make all actors more familiar with the Committee's recommendations and as a tool for use in their work.

13. Lastly, he too wished to draw attention to the heavy workload imposed on the secretariat and the Committee by the unrelenting stream of requests for urgent action. All in all to date, 1,410 requests had been received, providing a constant reminder of the difficult situation of victims of enforced disappearance.

Solemn declaration by the newly elected members of the Committee

14. In accordance with rule 11 of the Committee's rules of procedure, **Mr. Albán-Alencastro** and **Ms. Janina** 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."

Tribute to victims of enforced disappearance

15. *At the invitation of the Chair, Ms. Amina Masood Janjua, the wife of a victim of enforced disappearance in Pakistan, joined the meeting.*

16. **Ms. Masood Janjua**, speaking via video link from Pakistan, said that, in 2005, her husband, Masood Janjua, had been forcibly disappeared while travelling by bus to Peshawar. His disappearance had had a devastating impact on her family, leaving her grieving and

emotionally broken, disrupting the home and school life of their children and driving his business to ruin. Her husband had disappeared during the presidency of Pervez Musharraf, at a time when, in the context of the War on Terror, households across the country had been indiscriminately raided, citizens had been killed and even sent to the United States of America in exchange for cash bounties, and enforced disappearances had become rife. Nonetheless, she had begun protests before key government and judicial buildings and authorities, alongside her children and the families of other victims, as part of a movement that they had called “Defence of Human Rights”. She had also participated in international speaking tours and had secured the movement’s affiliation with the Asian Federation Against Involuntary Disappearances. In 2017, she had participated in the pre-sessions of the twenty-eighth session of the Human Rights Council, which had included the third universal periodic review of Pakistan, following which a number of States had recommended that its Government should ratify the Convention. Thus far, Defence of Human Rights had received reports of nearly 3,000 disappeared persons, of whom more than 1,300 had since reappeared and 77 had been found dead in custody.

17. The Convention constituted the most concrete and formidable tool for putting an end to enforced disappearance but, unfortunately, Pakistan had yet to ratify it, despite public pressure. She called on the Government of Pakistan to ratify the Convention, particularly as the legislature was currently considering a bill that would criminalize enforced disappearance.

18. The report on the work of the Committee and its achievements and jurisprudence since the Convention’s entry into force that had been published to mark its tenth anniversary was important, as it would help to give victims, States and NGOs a better understanding of its potential. With that end in mind, she urged the Committee to meet with human rights defenders active in her country, and also with the authorities, whether in person or online, to share its knowledge of the Convention. Such knowledge was essential to equip victims and NGOs to lobby for ratification of the Convention and to ensure that non-States parties were aware of its importance and role.

19. In the absence of justice, forums such as the Committee and the Working Group on Enforced or Involuntary Disappearances were uniquely positioned to support victims and human rights defenders. She urged both bodies to continue to do their utmost to help all victims of enforced disappearance.

20. **Ms. Lochbihler** said that the Committee was grateful to Ms. Masood Janjua for sharing her experience. Enforced disappearance was a heinous crime that prevented victims’ families from living normal lives. Ms. Masood Janjua’s successful efforts to establish a network of solidarity, bring the issue of enforced disappearance to the attention of the public and secure the return of many victims, despite the pain, doubt and threats that she had personally experienced, had affected the members of the Committee deeply.

21. Many aspects of Ms. Masood Janjua’s case were typical: men were the primary victims of enforced disappearance and, as they were frequently the family’s sole breadwinner, their wives and children were often left with no support and facing social stigma. It was thus mostly women who, despite having no relevant training, had to take it upon themselves to establish organizations, build networks and fight the necessary legal and political battles. Change usually took years to achieve, however; accordingly, victims and their families rightly had expectations of the United Nations and its human rights treaty body system in that connection.

22. The Committee needed to convince States that had not yet ratified the Convention that, rather than imposing an insurmountable burden, it should be seen as a tool that would support them in combating enforced disappearance. The report on the achievements and jurisprudence of the Committee would serve to demonstrate the extent to which the Convention could help States to achieve that aim. While its impact was limited in the absence of political will within a country, the Committee nonetheless planned to increase its outreach efforts, in particular in Asia and with the authorities of Pakistan, in order to encourage ratification of the Convention.

Adoption of the agenda (CED/C/21/1)

23. *The agenda was adopted.*

The public part of the meeting rose at 11 a.m.