



## A NEW CHAPTER FOR HUMAN RIGHTS

A handbook on issues of transition  
from the Commission on Human Rights  
to the Human Rights Council



### Annex 3.1

#### Working Group on Enforced or Involuntary Disappearances

**Current chairperson:** Stephen Toope

**Term of chairperson:** 2002-2007

**Mandate started:** 1980

**Mandate up for renewal:** 2007

#### Areas of focus

- Assist families in determining the fate and whereabouts of disappeared relatives, mainly by establishing communication between the families and Governments concerned;
- Monitor States' compliance with obligations deriving from the *Declaration on the Protection of all Persons from Enforced or Involuntary Disappearances*;
- Pay special attention to children, human rights defenders and ill-treatment or intimidation of witnesses to and relatives of enforced disappearances;
- The legal framework includes the *Declaration on the Protection of all Persons from Enforced or Involuntary Disappearances* and the *Rome Statute of the International Criminal Court*;
- Enforced disappearances occur when persons are deprived of their liberty against their will by Government officials or by groups or individuals acting on behalf of, or with the support, consent or acquiescence of the Government, followed by a refusal to disclose the fate of the persons concerned or refusal to acknowledge the deprivation of their liberty.

#### Differing working methods and reporting obligations

- The Working Group consists of five members and holds three private sessions a year to consider the information brought to its attention;
- The Working Group also submits reports to the General Assembly (1998, 2000, 2004).

#### Country visits

Colombia (2005)

The Philippines (1990)

Yemen (1998)

El Salvador (1995)

Sri Lanka (1991, 1992 and 1999)

Yugoslavia (1993)

Nepal (2004)

Turkey (1998)

#### Outstanding requests

Algeria

India (2005)

Iraq (1995)

Morocco (2005)

Sudan (1995)

#### Visits agreed upon in principle

Argentina (November 2006)

**Pending reports:** Annual report and Mission to Colombia (E/CN.4/2006/56 and Add.1).

#### Thematic research

- General comment on impunity and amnesty (2006);
- General comment on statutes of limitation (2001);
- General comment on the right to compensation (1998);
- General comment on the State obligation to prevent and terminate practices of enforced disappearances (1996).

**Communications (2005)**

- 535 newly reported cases of disappearances were transmitted to 22 Governments, 91 of which allegedly occurred during the last year;
- 132 were urgent actions and 15 of these were joint urgent actions;
- There is a model questionnaire for submitting information to the Working Group<sup>1</sup>.

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<sup>1</sup> <http://www.ohchr.org/english/issues/disappear/WGEID%20submission%20formAp06.doc>.