



UNITED NATIONS
Press Release

**STATEMENT BY UN WORKING GROUP ON ENFORCED DISAPPEARANCES ON
OCCASION OF THE INTERNATIONAL DAY OF THE DISAPPEARED**

29 August 2007

The United Nations Working Group on Enforced or Involuntary Disappearances issued the following message on the occasion of the International Day of the Disappeared, to be celebrated on 30 August.

“On the occasion of the International Day of the Disappeared, the United Nations Working Group on Enforced or Involuntary Disappearances acknowledges the importance that the United Nations grants to the issue of enforced disappearances, by declaring a day to commemorate this terrible practice. At the same time, in view of the continuous nature of this offence, victims of enforced disappearances whose fate or whereabouts remain unknown should not only be commemorated once a year. Rather, every day is a day of the disappeared.

The Working Group expresses its concern over the increasing number of cases of enforced disappearances around the world, and reiterates its solidarity with the victims of enforced disappearances and human rights defenders working for the victims.

A disturbing trend is that in numerous post-conflict situations or democratic transitions following a period of widespread human rights violations disappearances frequently remain unresolved. The Working Group reminds States of their obligations under the Declaration for the protection of all persons against enforced disappearances to conduct effective investigations regarding all cases of disappearances.

The Working Group expresses its particular concern that amnesty laws or other measures that produce de facto amnesties lead to impunity and are contrary to article 18 of the Declaration. States should refrain from making or enacting amnesty laws that would exempt the perpetrators of enforced disappearance from criminal proceedings and sanctions. Also, whenever such laws or similar measures are already in place, they should be aligned with the principles of article 18 of the Declaration, as construed by the Working Group in its general comment on such provision.

The Working Group notes that in some regions, non-governmental organizations (NGOs) are not present, organized or well-funded enough to be able to deal effectively with the problem of disappearances, leading to the underreporting of cases. The Working Group calls upon the international community to continue to provide support for the development of associations of families and NGOs that are dealing with this issue.

The Working Group expresses particular concern about the practice of disappearances of short duration in some parts of the world. Regardless of the duration of the deprivation of liberty, a detention, followed by an extrajudicial execution, is an enforced disappearance, as long as such detention or deprivation of liberty is carried out by governmental agents, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government; and, when, subsequent to the detention, or even after the execution was carried out, State officials refuse to disclose the fate or whereabouts of the persons concerned or refuse to acknowledge the act having been perpetrated at all.

In an effort to fulfil the important task of monitoring States' observance of the principles contained in the Declaration, the Working Group reiterates its commitment to promptly attend to allegations received from family members or NGOs with regard to obstacles encountered in the implementation of the Declaration.

The Working Group welcomes the adoption of the International Convention to Protect all Persons from Enforced Disappearances, as a significant step forward in the protection of persons from enforced disappearances. The Working Group is confident that the Convention will help prevent future disappearances, and calls on all States to ratify it.”

The Working Group was established by the United Nations Commission on Human Rights in 1980 as one of its special procedures, mandated to assist the relatives of disappeared persons in ascertaining their fate and whereabouts and to act as a channel for communication between the families and governments concerned. The Working Group is composed of five independent experts: Santiago Corcuera (Chairperson-Rapporteur), J. 'Bayo Adekanye, Darko Göttlicher, Saied Rajaie Khorasani, and Stephen J. Toope.

For more information on the WGEID, please refer to the following website:
<http://www.ohchr.org/english/issues/disappear/index.htm>.