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## **Human Rights Council**

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## Enforced or involuntary disappearance

## **Report of the Working Group on Enforced or Involuntary Disappearances**<sup>\*, \*\*</sup>

## Summary

The Working Group on Enforced or Involuntary Disappearances was established pursuant to Commission on Human Rights resolution 20 (XXXVI). The mandate of the Working Group was most recently extended by the Human Rights Council in its resolution 45/3.

The mandate of the Working Group is to assist families of disappeared persons to ascertain the fate and whereabouts of their disappeared relatives, to assist States and monitor their compliance with their obligations deriving from the Declaration on the Protection of All Persons from Enforced Disappearance and to provide States with assistance in the prevention and eradication of enforced disappearances.

Since its inception in 1980, the Working Group has transmitted a total of 59,600 cases to 112 States. The number of cases under active consideration that have not yet been clarified, closed or discontinued stands at 46,751 in a total of 97 States. During the reporting period, 104 cases were clarified.

The present report reflects the activities of and communications and cases examined by the Working Group on Enforced or Involuntary Disappearances from 22 May 2021 to 13 May 2022.

<sup>\*\*</sup> The annexes to the present report are reproduced as received, in the language of submission only.



<sup>\*</sup> Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.

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## I. Introduction

1. The Working Group on Enforced or Involuntary Disappearances, the first United Nations human rights thematic mechanism constituted with a universal mandate, was established by the Commission on Human Rights pursuant to its resolution 20 (XXXVI). The mandate was most recently extended by the Human Rights Council in its resolution 45/3.

2. The primary task of the Working Group is to assist families in determining the fate and whereabouts of their relatives who have reportedly been disappeared. In that humanitarian capacity, the Working Group serves as a channel of communication between family members of victims of enforced disappearance, other sources reporting cases of disappearances and the Governments concerned.

3. Following the adoption of the Declaration on the Protection of All Persons from Enforced Disappearance (General Assembly resolution 47/133), the Working Group was entrusted with monitoring the progress of States in fulfilling their obligations deriving from the Declaration. The Human Rights Council, in its resolution 7/12, encouraged the Working Group to provide assistance in the implementation by States of the Declaration and of existing international rules.

4. The present report contains information on the activities of, and communications and cases examined by, the Working Group from 22 May 2021 to 13 May 2022. A summary of the decisions on individual cases taken by the Working Group and communications transmitted to the States concerned during the reporting period is presented in section III below.

5. Since its inception in 1980, the Working Group has transmitted a total of 59,600 cases to 112 States. The number of cases under active consideration that have not yet been clarified, closed or discontinued stands at 46,751 in a total of 97 States. During the reporting period, 104 cases were clarified.

## II. Activities of the Working Group from 22 May 2021 to 13 May 2022

## A. Activities

6. During the period under review, the Working Group held three sessions: its 125th session, from 20 to 29 September 2021,<sup>1</sup> its 126th session, from 7 to 11 February 2022,<sup>2</sup> and the 127th session from 9 to 13 May 2022.<sup>3</sup> The reports on the sessions should be considered as complementary to the present report.

7. On 21 September 2021, Henrikas Mickevičius, Vice-Chair of the Working Group, presented the annual report for the period from 16 May 2020 to 21 May 2021,<sup>4</sup> which included a thematic section on enforced disappearances in the context of transnational transfers, and its addendum<sup>5</sup> to the Human Rights Council at its forty-eighth session and participated in an interactive dialogue with States.

8. At the 125th session, Luciano Hazan was reappointed Chair-Rapporteur of the Working Group and Aua Baldé was selected Vice-Chair.

9. During the reporting period, Gabriella Citroni replaced Bernard Duhaime for the Western European and Other States Group and Angkhana Neelapaijit replaced Tae-Ung Baik for the Asia-Pacific Group. The members welcomed Ms. Citroni and Ms. Neelapaijit and thanked Mr. Baik and Mr. Duhaime for their service and contributions to the mandate.

<sup>&</sup>lt;sup>1</sup> See A/HRC/WGEID/125/1.

<sup>&</sup>lt;sup>2</sup> See A/HRC/WGEID/126/1.

<sup>&</sup>lt;sup>3</sup> See A/HRC/WGEID/127/1.

<sup>&</sup>lt;sup>4</sup> A/HRC/48/57.

<sup>&</sup>lt;sup>5</sup> A/HRC/48/57/Add.1.

10. On 18 October 2021, the Chair-Rapporteur addressed the General Assembly at its seventy-sixth session and participated in an interactive dialogue with Member States.

11. During the reporting period, the Working Group discussed its special initiative to commemorate the thirtieth anniversary of the adoption of the Declaration on the Protection of All Persons from Enforced Disappearance.<sup>6</sup> The initiative aims at taking stock of the progress of international law on the subject of enforced disappearance and identifying the obstacles encountered in the implementation of the Declaration and the ways in which the Working Group could support States in overcoming them, including through technical assistance and cooperation. The Working Group is thankful for the submissions received from Member States, as well as from individuals and organizations, following its call for inputs. Those submissions included the translation of the Declaration into several languages that are not official languages of the United Nations.<sup>7</sup> The submissions received will be reflected in a study on the Declaration, which will be presented in an addendum to the present report.

12. The practice of the Working Group of holding one of its sessions each year outside Geneva was, exceptionally, suspended during the reporting period in view of the travel restrictions imposed as a result of the ongoing coronavirus disease (COVID-19) pandemic. The Working Group looks forward to resuming this practice in 2023.

13. During the reporting period, the members of the Working Group carried out a number of activities connected to enforced disappearances, which included participating in conferences, consultations, seminars, training events, workshops and lectures organized by Governments and civil society organizations.

14. During its sessions, the Working Group discussed the issue of new technologies and enforced disappearances and decided to issue a thematic report on the subject, which is to be finalized in 2023 (see paras. 34–38 below).

15. The Working Group is thankful for the continuous support, including through voluntary contributions, provided by donor States, notably France and the Republic of Korea.

## **B.** Meetings

16. During the period under review, representatives of Governments attended sessions of the Working Group, specifically, the Governments of: Algeria (126th session), Armenia (126th session), Azerbaijan (126th session), Bangladesh (126th session), Cyprus (125th and 127th sessions), Egypt (125th session), Iraq (126th session), Japan (125th, 126th and 127th sessions), Kenya (126th session), Portugal (127th session), Spain (127th session), Thailand (126th session), Türkiye (126th session) and Uruguay (126th session). A number of informal meetings were also held with representatives from various States. The Working Group expresses its appreciation to the above-mentioned Governments for their contributions to the meetings and emphasizes the importance of cooperation and dialogue.

## C. Communications

17. During the reporting period, the Working Group transmitted 375 new cases of enforced disappearance to 26 States.

18. The Working Group transmitted 54 of the above-mentioned cases under the urgent action procedure to 13 States.<sup>8</sup>

19. In September 2019, the Working Group announced that it would start documenting violations tantamount to enforce disappearance perpetrated by non-State actors that exercise

<sup>&</sup>lt;sup>6</sup> See https://www.ohchr.org/en/calls-for-input/calls-input/call-inputs-view-special-initiative-marking-30th-anniversary.

<sup>&</sup>lt;sup>7</sup> See https://owncloud.unog.ch/s/fHfDtaNLPiYgexR.

<sup>&</sup>lt;sup>8</sup> Azerbaijan, Bangladesh, Egypt, Kenya, Lebanon, Libya, Mozambique, Nicaragua, Pakistan, Russian Federation, Saudi Arabia, Türkiye and Venezuela (Bolivarian Republic of).

effective control or de facto government-like functions over a territory and population.<sup>9</sup> During the reporting period, the Working Group transmitted 11 cases tantamount to enforced disappearance, namely concerning the de facto authorities in Sana'a (7), the Restoration Council of Shan State (2), the de facto authorities in Afghanistan (1) and the Libyan National Army (1).

20. The Working Group clarified 104 cases in 15 States. Of the 104 cases, 49 were clarified on the basis of information provided by Governments and 55 on the basis of information provided by sources.

21. The Working Group transmitted eight prompt intervention communications addressing allegations of harassment of and/or threats to human rights defenders and relatives of disappeared persons in Bangladesh, El Salvador, Guatemala, Mexico (4) and Sri Lanka.

22. The Working Group transmitted 19 urgent appeals concerning persons who had been arrested, detained, abducted or otherwise deprived of their liberty or who had been forcibly disappeared or were at risk of disappearance in Algeria (1), Bangladesh (1), Egypt (2), India (1), Iran (Islamic Republic of) (2), Kenya (1), Libya (1), Nigeria (1), the Russian Federation (1), Rwanda(1), Saudi Arabia (1), the Sudan (2), Trinidad and Tobago (1), Tunisia (1), Ukraine (1) and the United Arab Emirates (1).

23. The Working Group transmitted 51 joint allegation letters, with other special procedure mandate holders, concerning Algeria (2), Argentina (1), Bahrain (1), Bangladesh (1), Brazil (1), the Central African Republic (1), China (4), Cuba (2), Cyprus (1), the Democratic Republic of the Congo (1), Egypt (4), El Salvador (1), Eritrea (1), Ethiopia (1), the Gambia (1), India (1), Iran (Islamic Republic of) (4), Iraq (1), Kazakhstan (1), Libya (1), Mexico (2), the Netherlands (1), Nicaragua (2), Pakistan (1), Peru (1), the Philippines (2), Poland (1), Qatar (1), the Russian Federation (1), Sri Lanka (1), the Syrian Arab Republic (1), Trinidad and Tobago (1), Tunisia (1) and the United Arab Emirates (2). Two joint allegation letters were transmitted to "other actors", the Executive Council of the Autonomous Administration of North and East Syria and the de facto authorities in Sana'a.

24. During the reporting period, the Working Group also transmitted 7 "other letters" to Ireland, Pakistan (2), Spain (1), Sri Lanka (2) and Uruguay (1).

25. The Working Group transmitted nine general allegations relating to obstacles in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance to the Governments of Bangladesh (1), Brazil (1), Honduras (1), India (1), the Russian Federation (1), Rwanda (1), Sri Lanka (1), Türkiye (1) and Uganda (1).

## **D.** Country visits

26. From 5 to 12 April 2022, the Working Group carried out a visit to Cyprus. The report of the visit will be issued as an addendum to the present report.

27. The Working Group thanks the Government of Uruguay, which, during the reporting period, extended an invitation to visit the country. The visit to Uruguay took place from 7 to 14 July 2022.<sup>10</sup>

28. The Working Group regrets that it has not been possible to carry out a country visit to Kenya, as tentatively agreed by the Government.<sup>11</sup> It nevertheless hopes to continue its close

<sup>&</sup>lt;sup>9</sup> A/HRC/42/40, para. 94; in documenting such violations, the Working Group acts pursuant to its humanitarian mandate to address a growing protection gap affecting disappeared individuals and their relatives who have been denied information on the fate and the whereabouts of their loved ones. In implementing this practice, the Working Group underscores that the cases transmitted to non-State actors do not in any way imply the expression of any opinion concerning the legal status of any territory, city or area or of its authorities.

<sup>&</sup>lt;sup>10</sup> See: https://www.ohchr.org/en/press-releases/2022/07/un-experts-uruguay-must-step-searchdisappeared-persons-and-fight-impunity.

<sup>&</sup>lt;sup>11</sup> A/HRC/WGEID/126/1, para. 83.

cooperation with the Government and to assist it in preventing and addressing the issue of enforced disappearances.

29. While the Working Group had hoped for an earlier date for a visit to Algeria, after many years of discussions on the subject, it nevertheless welcomes the intention expressed by the Government to invite the Working Group for a visit to the country in the second half of 2024.

30. During the reporting period, the Working Group requested a visit to Tunisia. In addition to this new request, during the reporting cycle, the Working Group reiterated its requests to Bahrain, Burundi, Brazil, Cameroon, China, the Democratic Republic of Congo, El Salvador, Egypt, Guatemala, India, Lebanon, Nicaragua, Nigeria, Pakistan, Rwanda, South Africa, the United Arab Emirates, Venezuela (Bolivarian Republic of) and Zimbabwe, to which it has still not received a positive response. The Working Group also reiterated its request to the Government of Honduras, which accepted, in principle, a visit during the first quarter of 2023.

31. The Working Group invites all States that have received a request for a visit by the Working Group to respond favourably to it, in accordance with Human Rights Council resolution 21/4.<sup>12</sup>

## E. Follow-up reports and other procedures

32. According to the schedule of the Working Group, it should have prepared a followup report in 2022 on the implementation of recommendations made following its visit to Ukraine in 2018.<sup>13</sup> The Working Group decided to postpone consideration of the follow-up report, however, in light of the prevailing situation in the country. The Government of Ukraine has been informed accordingly.

#### F. Press releases and statements

33. The relevant post-sessional documents<sup>14</sup> and the full list of press releases and statements issued by the Working Group during the reporting period are available on its website.<sup>15</sup>

<sup>&</sup>lt;sup>12</sup> See annex I of the present report for a listing of country visit requests and invitations extended.

<sup>&</sup>lt;sup>13</sup> A/HRC/42/40/Add.2.

<sup>&</sup>lt;sup>14</sup> See A/HRC/WGEID/125/1, annex IV, p. 63; A/HRC/WGEID/126/1, annex IV, p. 36; and A/HRC/WGEID/127/1, annex IV, p. 36.

<sup>&</sup>lt;sup>15</sup> See https://www.ohchr.org/en/special-procedures/wg-disappearances; see also OHCHR | Latest.

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		Governme the reporti	0	the reporting period by:	Number of cases of possible		ttion			ion		mpt er	ent		general	er
	Number of outstanding cases at the beginning of the reporting period	Urgent procedures	Standard cases	Government Sources	clarification by the Government (six-month rule)	Number of	Prompt intervention letter	Urgent appeal	Allegation letter	General allegation	Other letter	Response to promp intervention letter	Response to urgent appeal	Response to allegation letter	Response to gen allegation	Response to other letter
Afghanistan <sup>a</sup>	20					20										
Albania	1					1										
Algeria	3 253					3 286		1	2							
Argentina	3 065					3 065			1							
Armenia			6			6										
Azerbaijan	0	1	17	1		17							1			
Bahrain	0					0			1					1		
Bangladesh	76	2	3		8	81	1	1	1	1		1				
Belarus	4					4										
Bhutan	1					1										
Bolivia (Plurinational State of)	28					28										
Bosnia and Herzegovina	1					1										

# III. Decisions taken by the Working Group on individual cases and communications transmitted to the States concerned during the reporting period<sup>16</sup>

<sup>&</sup>lt;sup>16</sup> Urgent procedures relate to cases of enforced disappearance that have occurred within three months prior to the receipt of a report by the Working Group; or cases of enforced disappearance that have occurred prior to the three-month limit, but within one year prior to the receipt of a report by the Working Group, provided that there is a link with a case that occurred within the three-month period. Standard cases are cases of enforced disappearance that have occurred prior to the three-month limit. Prompt intervention letters concern cases of intimidation, persecution or reprisal against families of disappearance, or allegations regarding persons deprived of liberty who are at risk of being disappeared. Allegation letters and general allegations concern alleged obstacles encountered in the implementation of the Declaration. Other letters concern bills, laws, policies and practices that do not comply with international human rights law and standards.

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			ent during ing period	the reporti period b		Number of cases of possible		ntion		r	tion		prompt letter	gent	r	neral	her
	Number of outstanding cases at the beginning of the reporting period	Urgent procedures	Standard cases	Government	Sources	clarification by the Government (six-month rule)	Number of outstanding cases at the end of the reporting period	Prompt intervention letter	Urgent appeal	Allegation letter	General allegation	Other letter	Response to prom intervention letter	Response to urgent appeal	Response to allegation letter	Response to general allegation	Response to other letter
Brazil	13						16			1	1				1		
Burundi	250						250										
Cambodia	1						1										
Cameroon	20				2		18										
Central African Republic	3						3										
Chad	23						23										
Chile	785						785										
China	143		9				152			4					3		
Colombia	943						943			4						1	
Comoros																	
Congo	89						89										
Cuba	0						0			2					2		
Democratic People's Republic of Korea	330		32				362										
Democratic Republic of the Congo	48						48			1							
Dominican Republic	2						2										
Ecuador	5						5										
Egypt <sup>b</sup>	289	3	9	18	5	3	261		2	4							
El Salvador	2 284						2 284			1						1	
Equatorial Guinea	8						8										
Eritrea	63						63			1							
Ethiopia	113						113			1					1		
France	1						1										

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	Number of outstanding cases at the beginning of the reporting period	Urgent procedures	Standard cases	Government	Sources	clarification by the Government (six-month rule)	Number of outstanding cases at the end of the reporting period	Prompt intervention letter	Urgent appeal	Allegation letter	General allegation	Other letter	Response to promp intervention letter	Response to urgent appeal	Response to allegation letter	Response to general allegation	Response to other letter
Gambia	13						13			1							
Greece	1						1										
Guatemala	2 897						2 897	1									
Guinea	37						37										
Guyana	1						1										
Haiti	38						38										
Honduras	130						130				1				1		
India	445				2		443		1	1	1			1			
Indonesia	164		14				178										
Iran (Islamic Republic of)	548		11	1	2	2	556		2	4					3		
Iraq	16 427						16 427			1					1		
Ireland												1					1
Israel	3						3										
Jordan <sup>c</sup>	2		1			1	1										
Kazakhstan	0						0			1					1		
Kenya <sup>d</sup>	89	2					90		1								
Kuwait	1				1		0										
Lao People's Democratic Republic	6						б										
Latvia	0		2				2										
Lebanon	310	1			1		310										
Libya <sup>e</sup>	53	1					54		1	1							
Malaysia	3						3										

			r of cases ted to the	Number of ca clarified dur				Number durin			ations s g perio			er of com ring the r			ved
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	Number of outstanding cases at the beginning of the reporting period	Urgent procedures	Standard cases	Government	Sources	clarification by the Government (six-month rule)	Number of outstanding cases at the end of the reporting period	Prompt intervention letter	Urgent appeal	Allegation letter	General allegation	Other letter	Response to prompt intervention letter	Response to urgent appeal	Response to allegation letter	Response to general allegation	Response to other letter
Maldives	1						1										
Mauritania	6						6										
Mexico	357						357	4		2			1		1		
Morocco	153						153										
Mozambique	3	1					4										
Myanmar <sup>f</sup>	18		2				20										
Namibia	2						2										
Nepal	480						480										
Nicaragua	103						103			2							
Nigeria	7						7	1									
Oman	1						1										
Panama									1								
Pakistan <sup>g</sup>	718	18	104	18	22	12	799			1		2					
Peru	2 361						2 361			1					1		
Philippines	590						590		2						2		
Qatar		2					2			1					1		
Republic of Korea	4						4										
Russian Federation	896	27		2	5	1	916		1	1	1			1	1		
Rwanda	26		2				28		1		1						
Saudi Arabia <sup>h</sup>	23	6	1	4	6	8	19		1								
Serbia	1						1										
Seychelles	3						3										
Somalia	1						1										
South Africa	2						2										

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			ent during ing period	the report period		Number of cases of possible		ention		er	ution		ompt tter	tuə8.	er.	meral	her
	Number of outstanding cases at the beginning of the reporting period	Urgent procedures	Standard cases	Government	Sources	clarification by the Government (six-month rule)	Number of outstanding cases at the end of the reporting period	Prompt intervention letter	Urgent appeal	Allegation letter	General allegation	Other letter	Response to prompt intervention letter	Response to urgent appeal	Response to allegation letter	Response to general allegation	Response to other letter
South Sudan	3						3										
Spain	6						6										
Sri Lanka	6 259		5				6 264	2			1	2	1				2
Sudan	177						177		2					1			
Syrian Arab Republic	539		66				605			1							
Tajikistan	1						1										
Fhailand	75		1				76										
Fimor-Leste	428						428										
Годо	10						10										
Funisia	13						13			2							
Türkiye <sup>i</sup>	86	1		1	2	1	85				1						
Turkmenistan	4						4										
Uganda	15		3				18				1						
Ukraine	6						6		1								
United Arab Emirates	11		1				12		1	2					1		
United Republic of Tanzania	2						2										
United States of America	4						4										
Uruguay	20			1			19					1					
Uzbekistan	10			2	1		7										
Venezuela (Bolivarian Republic of)	30	1		2			29										
Viet Nam	1						1										
Yemen <sup>j</sup>	28						28										

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			er of cases itted to the	Number of clarified a				Numbe durir	0		ations g perio			er of com uring the			
			ent during ting period	the repo perio	orting od by:	Number of cases of possible		ntion		r	tion		ompt ter	gent		neral	other
	Number of outstanding cases at the beginning of the reporting period	Urgent procedures	Standard cases	Government	Sources	clarification by the Government (six-month rule)		Prompt interve letter	Urgent appeal	Allegation lette	General allega	Other letter	Response to pri intervention let	Response to ur, appeal	Response to allegation letter	Response to ge allegation	Response to oth letter
Zimbabwe	5						5										
State of Palestine	4						4										

<sup>*a*</sup> During the reporting period, a case was transmitted by the Working Group to the de facto authorities in Afghanistan. This case is not counted in the statistics of Afghanistan. The Working Group stresses that the cases addressed to the de facto authorities in Afghanistan do not in any way imply the expression of any opinion concerning the legal status of any territory, city or area, or of its authorities.

<sup>b</sup> During the reporting period the Working Group decided to discontinue 16 cases related to Egypt. Also, during its 125th session, the Working Group had decided to consider one outstanding case as a duplicate. The duplicate case was consequently deleted from the records of the Working Group.

<sup>c</sup> During the reporting period the Working Group decided to discontinue two cases related to Jordan.

<sup>d</sup> During its 125th session, the Working Group decided to transfer one case from the records of Kenya to the records of Türkiye.

<sup>e</sup> During the reporting period, a case was transmitted by the Working Group to the Libyan Liberation Army. This case is not counted in the statistics of Libya. The Working Group stresses that the cases addressed to the Libyan Liberation Army do not in any way imply the expression of any opinion concerning the legal status of any territory, city or area, or of its authorities.

<sup>*f*</sup> During the reporting period, a total of two cases were transmitted by the Working Group to the authorities of the Restoration Council of Shan State. These cases are not counted in the statistics of Myanmar. The Working Group stresses that the cases addressed to the authorities of the Restoration Council of Shan State do not in any way imply the expression of any opinion concerning the legal status of any territory, city or area, or of its authorities.

<sup>g</sup> During its 127th session the Working Group decided to consider one outstanding case as a duplicate. The duplicate case was consequently deleted from the records of the Working Group.

<sup>h</sup> During its 126th session, the Working Group decided to transfer one case from the records of Saudi Arabia to the records of Jordan, currently under the six-month rule (see A/HRC/WGEID/127/1, para 51).

<sup>*i*</sup> During its 125th session, the Working Group decided to transfer one case from the records of Kenya to the records of Türkiye.

<sup>*j*</sup> During the reporting period, a total of seven cases were transmitted by the Working Group to the de facto authorities in Sana'a. These cases are not counted in the statistics of Yemen. The Working Group stresses that the cases addressed to the de facto authorities in Sana'a do not in any way imply the expression of any opinion concerning the legal status of any territory, city or area, or of its authorities.

## IV. New technologies and enforced disappearances

34. At its 125th session, the Working Group announced its intention to conduct a thematic study on new technologies and enforced disappearances.

35. For the purposes of the study, the expression new technologies will be used in a broad sense, in reference to technological innovations that have occurred mostly over the past 20 years, including hardware and software innovations and information and communications technologies, encompassing satellite imagery, digital social networks and online datasets, the use of artificial intelligence and the development of deep learning, as well as digital forensics and biodata.

36. New technologies, which are, for the most part, cost efficient and easily accessible to the general public, have a dual relationship with human rights-related issues. On the one hand, repressive Governments, as well as other actors, such as criminal networks, armed groups and other non-State actors, can use new technologies against human rights defenders and activists to curb their fundamental rights, including through surveillance, monitoring, intrusion, disinformation campaigns and online harassment and cyberattacks. In this field, other stakeholders, such as technology corporations, also play a crucial and thus far somewhat underanalysed role through the development of hardware and software used to hamper the activity of human rights defenders. On the other hand, however, new technologies are indispensable today in documenting and investigating human rights violations, including enforced disappearances.

37. The Working Group aims at studying how new technologies: (a) are being used against human rights defenders and civil society organizations, including relatives of disappeared persons and their representatives and what kind of protective strategies are or can be put in place; (b) can be effectively applied to facilitate the search for disappeared persons, ensuring that their fate and whereabouts are established promptly and in a reliable and secure manner; and (c) can be used to obtain evidence about the commission of enforced disappearance, bearing in mind that under international law the crime is, by its very nature shrouded in secrecy and, as such, poses formidable evidentiary obstacles to identifying and bringing perpetrators to justice.

38. To inform the study, which is planned for issuance in September 2023, the Working Group held an expert meeting during its 127th session in May 2022 and plans to publish a call for written inputs from various stakeholders in late 2022.

## V. Observations

39. The Working Group remains concerned by the lack of engagement and cooperation from a number of countries and notes that it has also become increasingly difficult for the Working Group to receive positive replies to its requests for country visits (see para. 30 above).

40. In addition to these observations and those formulated in its sessional reports (see para. 6 above), the Working Group makes the following country-specific observations in relation to situations that are of particular concern.

## Algeria

41. The Working Group reiterates its call upon the Government of Algeria to fulfil its obligations to continue the search for disappeared persons and to unveil the truth about their fate and whereabouts, as well as to ensure that families of disappeared persons obtain adequate reparation. Moreover, the issuing of death or disappearance certificates does not relieve the State from such obligations. The Working Group also considers that, as such, measures of reparation, including compensation and psychosocial support, cannot be made

conditional on obtaining death certificates of disappeared persons.<sup>17</sup> The Working Group also invites the competent authorities to refer to its study on enforced disappearances and economic, social and cultural rights,<sup>18</sup> as well as the guiding principles for the search for disappeared persons.<sup>19</sup>

42. The Working Group looks forward to continuing the discussion in order to ensure that a country visit to Algeria, pending for many years, materializes in 2024, as indicated by the Government.

## Bangladesh

43. The Working Group welcomes the fact that the Government of Bangladesh provided substantive information on cases during the reporting period, which may lead to the clarification of eight outstanding cases.<sup>20</sup> At the same time, the Working Group urges the authorities to redouble efforts to provide additional information, including replying to its related general allegation transmitted after its 125th session, with a view to clarifying all outstanding cases, and to launch independent and impartial investigations into the conduct of the Rapid Action Battalion, particularly as it concerns allegations of enforced disappearances perpetrated by its agents.<sup>21</sup>

44. The Working Group further emphasizes that the Government of Bangladesh must ensure that relatives of disappeared persons and human rights defenders and civil society organizations working on their behalf are protected from any threat, intimidation or reprisals.<sup>22</sup> In this respect, the Working Group is particularly concerned that the Government has decided not to renew the registration of Odhikar, a prominent human rights organization which documents cases of human rights violations, including enforced disappearances.<sup>23</sup> The Working Group recalls article 13 of the Declaration, which stipulates that all persons involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, must be protected against ill-treatment, intimidation or reprisal.<sup>24</sup>

45. The Working Group reiterates its interest in undertaking a visit to Bangladesh, as expressed in several communications transmitted since 2013.

## Belarus

46. The Working Group is concerned about allegations that the Belarussian authorities supported or acquiesced to the transfer of Ukrainian civilians and prisoners of war through its territory to the Russian Federation, including some whose whereabouts are still unknown.<sup>25</sup> The Working Group recalls that, in accordance with article 7 of the Declaration, no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances.

<sup>&</sup>lt;sup>17</sup> A/HRC/WGEID/126/1, para. 18.

<sup>&</sup>lt;sup>18</sup> See A/HRC/30/38/Add.5.

<sup>&</sup>lt;sup>19</sup> CED/C/7, annex.

<sup>&</sup>lt;sup>20</sup> A/HRC/WGEID/126/1, para. 31.

<sup>&</sup>lt;sup>21</sup> A/HRC/WGEID/125/1, para. 22 and annex II.

<sup>&</sup>lt;sup>22</sup> A/HRC/WGEID/127/1, para. 17; see also "UN experts urge Bangladesh to end reprisals against human rights defenders and relatives of the disappeared" (see https://www.ohchr.org/en/pressreleases/2022/02/un-experts-call-end-russian-aggression-against-ukraine-and-urgent-protection).

<sup>&</sup>lt;sup>23</sup> OHCHR, press briefing notes on Bangladesh (see https://www.ohchr.org/en/press-briefing-notes/2022/06/press-briefing-notes-bangladesh). See also https://twitter.com/MaryLawlorhrds/status/1534258924773429248 and https://twitter.com/cvoule/status/1534925920703811586.

<sup>&</sup>lt;sup>24</sup> A/HRC/45/13/Add.3, paras. 63–68; and CED/C/7, annex.

<sup>&</sup>lt;sup>25</sup> A/HRC/WGEID/127/1, para. 74 and annex II; see also OHCHR, "Ukraine: Update to the Human Rights Council Special Session" (see https://www.ohchr.org/en/statements-andspeeches/2022/05/ukraine-update-human-rights-council-special-session).

47. On 30 June 2011, the Working Group requested an invitation to visit the country. No response has yet been received from the Government, in spite a number of reminders. The Working Group hopes that a positive reply will be received soon.

## China

48. The Working Group continues to be alarmed about the fact that the majority of the outstanding cases brought to its attention involve alleged enforced disappearances related to the Xinjiang Uighur Autonomous Region of China.<sup>26</sup> Without prejudice to the obligation to search and investigate, as well as to disclose the whereabouts of disappeared persons, the Working Group recalls that the State must also regulate the legal situation of the disappeared persons (by issuing a certificate of absence due to enforced disappearance) and their relatives, including with regard to financial matters, family law and property rights, and, where appropriate, provide economic and social support.<sup>27</sup>

49. The Working Group is also alarmed by what appears an increasing trend of repressive actions, including allegations of arrests, prolonged incommunicado detentions and enforced disappearances involving writers, musicians and teachers in connection with their cultural activities in favour of the Tibetan minority language and culture in the Tibetan Autonomous Prefecture.<sup>28</sup> The Working Group recalls that enforced disappearances should not be used as repressive measure or a tool to deter the legitimate exercise, defence or promotion of the enjoyment of economic, social and cultural rights.

50. While the Working Group appreciates the replies received from the Government of China on a number of cases, it reiterates that accurate information on the detention of persons deprived of liberty and their place or places of detention, including transfers, should be made promptly available to their family members, to their counsel or to any other persons having a legitimate interest in the information (art. 10, para. 2, of the Declaration) and that failure to do so amounts to an enforced disappearance.

51. On 19 February 2013, the Working Group requested an invitation to visit the country. No response has yet been received from the Government, in spite of several reminders, the last on 7 January 2022. The Working Group hopes that a positive reply will be received soon.

#### **Democratic People's Republic of Korea**

52. The Working Group again reiterates its serious concern regarding the continuing practice of forced returns of nationals of the Democratic Republic of Korea<sup>29</sup> from third countries and reiterates its call upon the authorities of the Democratic Republic of Korea to meet their international obligations and exercise their duty of care for anyone deprived of liberty in the country. In particular, the Working Group urges the Government to take into account and implement the recommendations formulated in relation to the issue of enforced disappearances in the context of transnational transfers.<sup>30</sup>

53. The Working Group also regrets the persistent lack of cooperation from the Government and emphasizes the importance of providing it with precise information on the efforts undertaken and the results of the investigations carried out, including search activities, in order to clarify the fate and whereabouts of disappeared persons.<sup>31</sup>

<sup>&</sup>lt;sup>26</sup> A/HRC/WGEID/125/1, para. 32.

<sup>&</sup>lt;sup>27</sup> See A/HRC/30/38/Add.5; and the Working Group's general comment on the right to recognition as a person before the law in the context of enforced disappearances (A/HRC/19/58/Rev.1, para. 42).

<sup>&</sup>lt;sup>28</sup> A/HRC/WGEID/126/1, para. 33; and CHN 14/2021 (all communications listed in the present report are available at: https://spcommreports.ohchr.org/TmSearch/Mandates?m=46).

<sup>&</sup>lt;sup>29</sup> A/HRC/WGEID/127/1, paras. 20–21.

<sup>&</sup>lt;sup>30</sup> A/HRC/48/57, paras. 40–49.

<sup>&</sup>lt;sup>31</sup> Ibid., para. 77.

54. On 22 May 2015, the Working Group requested an invitation to visit the country. No response has yet been received from the Government despite several reminders sent to the authorities.

## Egypt

55. The Working Group acknowledges the engagement of the Government of Egypt through its responses to the communications it has sent. It also appreciates the interest of the Government in receiving technical training from the Working Group, while at the same time emphasizing the importance of a full-fledged visit, the acceptance of which has been pending since 2011. The Working Group considers a visit very important and believes that it would be timely and beneficial for all stakeholders.

56. The Working Group is concerned that the steady decline in the number of reports of enforced disappearances received since 2021 may be related to the alleged targeting of human rights defenders and civil society activists, in addition to pandemic-related restrictions, which may have had an impact on the collection of information to document individual cases.<sup>32</sup>

## Ethiopia

57. The Working Group continues to be concerned about the allegations of enforced disappearances and the practice of prolonged incommunicado detention, especially in the context of the conflict in Tigray, while welcoming the lifting of the state of emergency and the efforts undertaken to address human rights violations in the Tigray, Afar and Amhara regions.<sup>33</sup> In this respect, the Working Group notes the information provided by the Government that it has initiated swift, impartial and transparent investigations into the alleged incidents of enforced disappearances committed by all parties in connection with the conflict in Tigray, Afar and Amhara regions.<sup>34</sup> and requests the Government to share the results thereof with the Working Group.

58. The Working Group notes that any deprivation of liberty followed by a refusal to acknowledge it or the concealment of the fate or whereabouts of disappeared persons are constitutive elements of enforced disappearance. It also notes that, in accordance with article 10 of the Declaration, any person deprived of liberty shall be held in an officially recognized place of detention and, in conformity with national law, be brought before a judicial authority promptly after detention.

## **Islamic Republic of Iran**

59. The Working Group reiterates the concerns expressed about the ongoing concealment of burial sites of those forcibly disappeared and allegedly executed between July and September 1988 across the country.<sup>35</sup> The Working Group recalls that an enforced disappearance continues until the fate and whereabouts of the individual concerned is established and repeats its support for an international investigation on the matter.<sup>36</sup>

60. The Working Group is also concerned by reports of enforced disappearances against members of the Arab ethnic minority in the Islamic Republic of Iran and the ensuing lack of investigation and search activities to clarify their fate and whereabouts.<sup>37</sup> The Working Group

<sup>&</sup>lt;sup>32</sup> A/HRC/48/28, para. 63, annex II, paras. 40–52; see also A/HRC/45/13, para. 63; OHCHR, "Egypt: human right defenders held incommunicado face spurious charges, says UN expert" (see https://www.ohchr.org/en/press-releases/2021/07/egypt-human-rights-defenders-held-incommunicado-face-spurious-charges-says); A/HRC/WGEID/125/1, para. 51; and EGY 1/2022; EGY/5/2021; and EGY/8/2021.

<sup>&</sup>lt;sup>33</sup> A/HRC/WGEID/127/1, paras. 43–44.

<sup>&</sup>lt;sup>34</sup> See reply to ETH 3/2021.

<sup>&</sup>lt;sup>35</sup> A/HRC/48/57, para. 84.

<sup>&</sup>lt;sup>36</sup> A/HRC/49/75, paras. 59 and 71.

<sup>&</sup>lt;sup>37</sup> A/HRC/WGEID/126/1, para. 67; A/HRC/WGEID/127/1, para. 48; and A/76/268, para. 5.

recalls that enforced disappearance should not be used as a repressive measure or a tool to deter the legitimate exercise, defence or promotion of the enjoyment of economic, social and cultural rights.

61. The Working Group hopes that the invitation it extended to the Government of the Islamic Republic of Iran in 2002 may soon materialize, ideally in the course of 2023, also in light of the standing invitation extended by the Government to all thematic special procedures.

## Mexico

62. In November 2021, Mexico became the first country to receive an official visit by the Committee on Enforced Disappearances. The Working Group welcomes the visit and the subsequent report on the visit by the Committee.<sup>38</sup> The Working Group calls upon the Government of Mexico to take every measure to speedily implement both the recommendations contained in the Committee's report, as well as those contained in report of the Working Group on its country visit of 2011<sup>39</sup> and the subsequent follow-up report of 2015.<sup>40</sup>

63. On 17 May 2022, the official number of victims registered in the National Register of Disappeared Persons reached 100,000 persons. Together with the Committee on Enforced Disappearances, the Working Group issued a joint statement reiterating their solidarity with the victims and their relatives and urging the Government of Mexico to implement the recommendations contained in their respective reports in order to prevent and eradicate disappearances and to combat the almost total impunity that persists.<sup>41</sup>

64. The Working Group is extremely concerned at the reports of increased attacks against relatives of disappeared persons and members of civil society organizations, particularly in the State of Guanajuato, including instances of harassment, criminalization, violence and murder of relatives and members of search collectives.<sup>42</sup> In this regard, the Working Group recalls article 13 (3) and (5) of the Declaration, which provide that steps shall be taken to ensure that "all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal" and that "any ill-treatment, intimidation or reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished". The Working Group also recalls principle 14 of the guiding principles for the search for disappeared persons issued by the Committee on Enforced Disappearances.<sup>43</sup>

## Myanmar

65. The Working Group continues to be seriously alarmed by allegations of enforced disappearances of journalists, protesters, dissidents and political figures since the military coup on 1 February 2021<sup>44</sup> and strongly urges that democracy be restored immediately. The Working Group is gravely concerned about the report by the Independent Investigative Mechanism for Myanmar that a preliminary analysis of collected information concerning

<sup>&</sup>lt;sup>38</sup> See CED/C/R.9.

<sup>&</sup>lt;sup>39</sup> See A/HRC/19/58/Rev.1.

<sup>&</sup>lt;sup>40</sup> See A/HRC/30/38/Add.4.

<sup>&</sup>lt;sup>41</sup> OHCHR, "Mexico: Dark landmark of 100,000 disappearances reflects pattern of impunity, UN experts warn" (see https://www.ohchr.org/en/statements/2022/05/mexico-dark-landmark-100000-disappearances-reflects-pattern-impunity-un-experts).

<sup>&</sup>lt;sup>42</sup> A/HRC/WGEID/125/1, para. 84; A/HRC/WGEID/125/1, paras. 92–93; and A/HRC/WGEID/127/1, para. 55; see also MEX 2/2022, MEX 16/2021, MEX 20/2021 and MEX 11/2021.

 $<sup>^{43}</sup>$  CED/C/7, annex.

<sup>&</sup>lt;sup>44</sup> OHCHR, "Myanmar: Military must restore democracy, allow people to protest and express themselves, say UN experts" (see https://www.ohchr.org/en/press-briefing-notes/2021/02/myanmarmilitary-must-restore-democracy-allow-people-protest-and?LangID=E&NewsID=26808); see also A/HRC/48/57, paras. 91–92.

events in Myanmar since the coup indicates that crimes against humanity falling within the mandate of the Mechanism, including enforced disappearance, have likely been committed.<sup>45</sup> Additionally, the Working Group expresses its deep concern over recent information provided by the Special Rapporteur on the situation of human rights in Myanmar in relation to enforced disappearances of children.<sup>46</sup> The Working Group reiterates that the failure to acknowledge a deprivation of liberty by State agents or the refusal to acknowledge detention are constitutive elements of an enforced disappearance, regardless of the duration of the deprivation of liberty or concealment concerned.

## Pakistan

66. The Working Group is concerned at the lack of reply to several communications transmitted to the Government of Pakistan during the reporting period concerning the Criminal Law (Amendment) Act, 2021.<sup>47</sup> In this regard, the Working Group has expressed concern about the inclusion of clauses that run contrary to the spirit and objectives of a law to criminalize enforced disappearances. The Working Group hopes to receive a reply to the aforementioned communications soon and reiterates its readiness to assist the State in its efforts to strengthen the country's legislative and institutional framework and to provide technical and other assistance, in compliance with its mandate.

67. The Working Group reiterates its recommendation to the Government of Pakistan to consider extending it an invitation to conduct a follow-up visit to the one carried out in September 2012, as indicated in the follow-up report<sup>48</sup> and echoed on several occasions.<sup>49</sup>

## **Russian Federation**

68. The Working Group is deeply concerned by the numerous reports it has received concerning enforced disappearances perpetrated by the Russian armed forces and affiliated armed groups against civilians, local officials, human rights defenders, journalists and priests in the occupied parts of Ukraine since the beginning of the invasion of that country in February 2022.<sup>50</sup> Prisoners of war were also reportedly subjected to enforced disappearance. It should be noted that the actual number of cases appears to be significantly higher that the number reported.<sup>51</sup>

69. It is alleged that the Russian armed forces and affiliated armed groups have held abducted persons in improvised places of detention, including in schools, buildings of Government institutions, warehouses, barns and industrial buildings in the territory of Ukraine under their control. After several days or weeks of secret detention, many of the victims were reportedly transferred to detention facilities in the Russian Federation through Belarus, the Crimea and the territory of Donetsk and Luhansk regions controlled by the Russian affiliated armed groups before 24 February 2022.

70. The Working Group emphasizes that, pursuant to customary international humanitarian law, enforced disappearance is prohibited. Similarly, each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with all available information on their fate and whereabouts. The Working Group recalls that article 7 of the Declaration stipulates that no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances.

<sup>&</sup>lt;sup>45</sup> A/HRC/48/18, paras. 30 and 35.

<sup>&</sup>lt;sup>46</sup> A/HRC/50/CRP.1, para. 75 (see https://www.ohchr.org/en/documents/thematic-reports/ahrc50crp1conference-room-paper-special-rapporteur-losing-generation).

<sup>&</sup>lt;sup>47</sup> A/HRC/WGEID/125/1, paras. 105–108; and A/HRC/WGEID/126/1, paras. 104–107; see also PAK 7/2021, PAK 11/2021, and PAK 12/2021).

<sup>&</sup>lt;sup>48</sup> A/HRC/33/51/Add.7, para. 38.

<sup>&</sup>lt;sup>49</sup> See A/HRC/45/13, para. 81.

<sup>&</sup>lt;sup>50</sup> See A/HRC/WGEID/127/1, paras. 74–85, annex II and annex III, p. 25.

<sup>&</sup>lt;sup>51</sup> See OHCHR, "Situation of human rights in Ukraine in the context of the armed attack", 2022 (see 2022-06-UkraineArmedAttack-EN.pdf (ohchr.org)), p. 21, footnote 37.

In this regard, the Working Group underlines that procedural safeguards upon arrest and during the first hours of deprivation of liberty are essential to prevent possible human rights violations. These safeguards include immediate registration, judicial oversight of the detention, notification of family members as soon as an individual is deprived of liberty and the assistance of a defence lawyer of one's choice.

71. The Working Group hopes that the Government will soon reply positively to its request to conduct a country visit transmitted on 2 November 2006 and in subsequent communications. It also hopes to be able to hold a meeting with representatives of the Government soon in order to discuss the seriousness of the situation, as highlighted above, possibly at the next session of the Working Group, to be held from 19 to 28 September 2022.

## Sri Lanka

72. The Working Group is concerned at the increasing number of allegations received concerning acts of harassment and intimidation against relatives of disappeared persons, especially in the northern provinces of the country, including through police surveillance and interference in their attempts to gather and undertake human rights-related work.<sup>52</sup>

73. The Working Group refers to article 13 (3) and (5) of the Declaration, which provide that that steps shall be taken to ensure that "all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal" and that "any ill-treatment, intimidation or reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished". In this regard, the Working Group recalls its thematic report on standards and public policies for an effective investigation of enforced disappearances<sup>53</sup> and principle 14 of the guiding principles for the search for disappeared persons issued by the Committee on Enforced Disappearances.<sup>54</sup>

## Syrian Arab Republic

74. The Working Group notes that the number of cases of enforced disappearance in Syrian Arab Republic reported to it has increased to 605 (567 men and 38 women), which represents a small fraction of the actual number of men, women, boys and girls who have been subjected to enforced disappearance since the beginning of the conflict in the country. Regrettably, the main role of the Working Group as a channel of communication between relatives and the authorities continues to be undermined by the lack of cooperation on the part of the Syrian authorities. Furthermore, there is an issue of underreporting of disappearances owing to several factors, including a fear of reprisal on the part of family members for reporting the disappearance of their loved ones.

75. The Working Group has consistently maintained that all duty bearers, including non-State actors, must ensure full transparency and accountability in relation to persons in their custody, account for their fate and whereabouts to relatives and ensure that due process and fair trial rights are respected and protected. All places of detention should be disclosed, with complete lists of names and formal registration of all those held in such facilities, and should ensure that such persons are only held in recognized facilities. The Working Group has also underlined the obligation to conduct effective searches for the disappeared and, in the event of their death, to ensure the exhumation, respect, identification and return of their remains to their relatives for dignified burial. Mass graves and burial sites must be duly secured and preserved, with a view to preventing instances of manipulation or alteration, in order to ensure, at the earliest possible opportunity, that exhumations are conducted in line with applicable international forensic standards.

<sup>&</sup>lt;sup>52</sup> A/HRC/WGEID/126, paras. 125–126; and A/HRC/WGEID/127, paras. 102–103 and annex III, p. 30; see also LKA 1/2022 and LKA 5/2021.

<sup>&</sup>lt;sup>53</sup> A/HRC/45/13/Add.3, paras. 63–68.

<sup>&</sup>lt;sup>54</sup> CED/C/7, annex.

76. The Working Group is following the discussions on how to bolster efforts to clarify the fate and whereabouts of missing people in the Syrian Arab Republic closely, including through the establishment of a new independent mechanism. <sup>55</sup> As stated previously, including during meetings with family associations, the Working Group is prepared to offer its expertise in this process, within the remit of its mandate.

77. On 19 September 2011, the Working Group requested an invitation to visit the country. No response yet has been received from the Government, in spite of several reminders. The Working Group hopes to receive a positive reply soon.

## Türkiye

78. The Working Group is concerned that, during the reporting cycle, the Government of Türkiye has continued to resort to the use of enforced disappearance in the context of transnational transfers, using such transfers as a pretext for an effective means to combat terrorism.<sup>56</sup> The Working Group recalls that no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances. It also emphasizes the importance of implementing the recommendations contained in the most recent annual report of the Working Group in relation to enforced disappearances on the grounds of protecting national security, combating terrorism and tackling extremism; conduct independent and effective investigations into possible violations, hold perpetrators accountable and provide victims and their families with the right to an effective remedy; and take all measures necessary to prevent similar cases from occurring in the future.<sup>57</sup>

#### Yemen

79. The Working Group reiterates its deep concerns about allegations of enforced disappearances, notably committed by the de facto authorities in Sana'a.<sup>58</sup> It is particularly alarmed by reports of women and girls being targeted. In this regard, it calls upon the de facto authorities to recognize the particular type of harm women and girls suffer as a result of their gender, their resulting psychological damage and social stigma and the disruption of family structures.<sup>59</sup>

## VI. Conclusions and recommendations

80. The Working Group continued to receive reports regarding countries where the deteriorated security and political situations have favoured the perpetration of enforced disappearances. In those contexts, too often, the families of disappeared persons and organizations supporting them have not been able to lodge complaints or to have access to proper remedies, including effective search activities and independent investigations. Extremely concerning are the continued reports of reprisals faced by families of victims and the human rights defenders and organizations supporting them, as well as the increasing number of reports from various countries of enforced disappearances of journalists and media workers, which is also an unacceptable attack on freedom of expression. The Working Group calls upon States to take effective measures to prevent acts of intimidation and reprisals, to protect those working on cases of enforced disappearances and to punish the perpetrators, in accordance with article 13 (1) and (3)

<sup>&</sup>lt;sup>55</sup> General Assembly resolution 76/228, para. 63.

<sup>&</sup>lt;sup>56</sup> A/HRC/WGEID/125, paras. 75–76 and 143.

<sup>&</sup>lt;sup>57</sup> A/HRC/48/57, para. 60; see also A/HRC/WGEID/127, para. 115 and annex III, p. 31.

<sup>&</sup>lt;sup>58</sup> A/HRC/WGEID/125, para. 157, and A/HRC/WGEID/126, paras. 145–146.

<sup>&</sup>lt;sup>59</sup> See general comments on the Working Group on children and enforced disappearances and women affected by enforced disappearances (A/HRC/WGEID/98/1 and A/HRC/WGEID/98/1/Corr.1 and A/HRC/WGEID/98/2); see also the Working Group study on economic, social and cultural rights (A/HRC/30/38/Add.5).

of the Declaration, as well as principle 14 of the guiding principles for the search for disappeared persons.<sup>60</sup>

81. The Working Group is also concerned at the worrying number of situations in which States try to justify the commission of enforced disappearance in the context of anti-terrorism measures or operations or to counter organized crimes. The Working Group stresses once again the absolute nature of the prohibition of enforced disappearance, which has indeed attained the status of *jus cogens*. Pursuant to article 7 of the Declaration, no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances.

82. The Working Group is also concerned that, unfortunately, impunity for enforced disappearances remains rampant, including in some cases because of amendments to the domestic legal framework that are at odds with international law. The Working Group recalls that properly investigating enforced disappearance is not only essential to combat impunity but is also as a measure of prevention to guarantee the non-recurrence of this heinous crime.

83. The Working Group reiterates its previous call to be given a role in the followup to the findings of the commissions of inquiry and other fact-finding or investigative bodies created by the Human Rights Council insofar as they relate to enforced disappearances.<sup>61</sup>

84. The Working Groups thanks all States and stakeholders that contributed inputs for the study to mark the thirtieth anniversary of the adoption of the Declaration (see para. 11). It invites States to implement the recommendations contained in the forthcoming report and to consider availing themselves of the advisory services, technical assistance and cooperation provided by the Working Group, with a view at overcoming any obstacles encountered in the implementation of the Declaration, including through the acceptance of country visits.

85. The Working Group calls upon States to contribute to the forthcoming call for written inputs from various stakeholders (foreseen for the fall of 2022) to inform the next thematic report of the Working Group on new technologies and enforced disappearances (see paras. 34–38 above).

86. The Working Group reiterates its call upon all States to ratify or accede to the International Convention for the Protection of All Persons from Enforced Disappearance without delay and to accept the competence of the Committee on Enforced Disappearances under articles 31 and 32 of the Convention. The Working Group also encourages States parties to the Convention that have received a request from the Committee to carry out a visit pursuant to article 33 of the Convention to accept the request and to engage positively with the Committee.

<sup>&</sup>lt;sup>60</sup> CED/C/7, annex; see also A/HRC/45/13/Add.3, paras. 63–68.

<sup>&</sup>lt;sup>61</sup> A/HRC/33/51, para. 119; A/HRC/36/39, para. 120; A/HRC/39/46, para. 150; and A/HRC/42/40, para. 95, A/HRC/48/57, para. 110.

## Annex I

Invitations extended to the WGEID	
Country	Date
Algeria	To be determined
Burkina Faso	Last quarter of 2019 (did not take place)
Ghana	Last quarter of 2021 (did not take place)
Iran (Islamic Republic of)	To be determined
Kenya	Last quarter of 2021 (did not take place)
Libya	To be determined, postponed
Mali	26 August-3 September 2019 (did not take place)
Senegal	To be determined
South Sudan	Last quarter of 2016 (did not take place)
Sudan	20–29 November 2017 (did not take place)

# Country visit requests and invitations extended

Visits requested by the WGEID

Country	Request sent	Last reminder sent
Afghanistan	17 April 2019	24 April 2020
Bahrain	27 October 2014	7 January 2022
Bangladesh	12 March 2013	24 April 2020
Belarus	30 June 2011	8 February 2019
Brazil	8 April 2020	7 January 2022
Burkina Faso	2 April 2019	-
Burundi	27 May 2009	7 January 2022
Cameroon	12 April 2019	7 January 2022
China	19 February 2013	7 January 2022
Colombia	22 October 2020	-
Democratic People's Republic of Korea	22 May 2015	11 March 2020
Democratic Republic of the Congo	17 May 2017	7 January 2022
Egypt	30 June 2011	7 January 2022
El Salvador	6 October 2017	7 January 2022
Guatemala	30 May 2018	7 January 2022
Honduras	30 May 2018	7 January 2022
India	16 August 2010	7 January 2022
Indonesia	12 December 2006	12 March 2020
Lao People's Democratic Republic	6 May 2020	-

Visits requested by the WGEID		
Country	Request sent	Last reminder sent
Lebanon	27 November 2015	7 January 2022
Nepal	12 May 2006	27 July 2020
Nicaragua	23 May 2006	7 January 2022
Nigeria	23 January 2019	7 January 2022
Pakistan	14 November 2019	7 January 2022
Philippines	3 April 2013	18 January 2019
Russian Federation	2 November 2006	23 January 2019
Rwanda	27 October 2014	7 January 2022
South Africa	28 October 2014	7 January 2022
South Sudan	29 August 2011	8 February 2019
Sudan	20 December 2005	8 April 2020
Syrian Arab Republic	19 September 2011	18 January 2019
Thailand	30 June 2011	11 March 2020
Tunisia	7 January 2022	
Turkmenistan	18 November 2016	18 January 2019
United Arab Emirates	13 September 2013	7 January 2022
Uzbekistan	30 June 2011	23 January 2019
Venezuela (Bolivarian Republic of)	28 November 2019	7 January 2022
Yemen	31 October 2017	-
Zimbabwe	20 July 2009	7 January 2022

# Annex II

# Statistical summary: cases of enforced or involuntary disappearance reported to the Working Group between 1980 and 2022, and general allegations transmitted

	Cases tr	ransmitted to	o the Gove	ernment	Cases clarifi	ed by:		person at da arification	te of			General A	Allegation
	Outstand	ling cases	То	tal				In		Discontinued	Closed		
States/entities	Cases	Female	Cases	Female	Government	Sources	At liberty	detention	Dead	cases	cases	GA sent	Response
Afghanistan	20		21		1	0	0	0	1		0		
Albania	1		1		0	0	0	0	0		0		
Algeria	3 286	20	3 315	23	9	20	11	10	8		0	2013/2018/2020	Yes (2013); No (2018 and 2020)
Angola	0		12	1	9	0	0	0	9		3		
Argentina	3 065	728	3 444	775	301	78	39	5	335		0		
Armenia	6		6		0	0	0	0	0		0		
Azerbaijan	17		19		1	1	1	1	0		0		
Bahrain	0		20	2	5	15	3	16	0		0	2014/2018	Yes (2014); No (2018)
Bangladesh	81	1	88	2	1	6	3	4	0		0	2011/2017/2019/2021	No
Belarus	4		5	1	1	0	0	1	0		0		
Bhutan	1		1		0	0	0	0	0		0		
Bolivia (Plurinational State of)	28	3	48	3	19	1	19	0	1		0		
Bosnia and Herzegovina	1		1		0	0	0	0	0		0	2009/2011/2014	Yes
Brazil	16	3	66	7	46	4	1	0	49		0	2019/2022	Yes
Bulgaria	0		3		3	0	0	0	3		0		
Burkina Faso	0		3		3	0	0	0	3		0		
Burundi	250	9	251	9	0	1	1	0	0		0	2018	No
Cambodia	1		3		0	0	0	0	0		2		
Cameroon	18	1	25	1	5	2	6	1	0		0	2016	No

	Cases tr	ransmitted to	o the Gove	rnment	Cases clarifi	ed by:		Status of person at date of clarification			Closed	General Allegation	
	Outstanding cases		Total					In		Discontinued			
States/entities	Cases	Female	Cases	Female	Government	Sources	At liberty		Dead	cases	cases	GA sent	Response
Central African Republic	3		3		0	0	0	0	0		0	2013	No
Chad	23		34		3	8	9	1	1		0		
Chile	785	63	908	64	101	22	2	0	121		0		
China	152	41	288	43	100	36	95	38	3		0	2010/2011/2018/2019	Yes; No (2018)
Colombia	943	96	1286	126	275	68	160	24	159		0	2012/2013/2015/2016/ 2017/2020/2021	Yes; No (2017)
Comoros	0		0		0	0	0	0	0		0		
Congo	89	3	91	3	0	0	0	0	0		2		
Côte d'Ivoire	0		0		0	0	0	0	0		0		
Cuba	0		4	1	3	1	0	3	0		0		
Czechia	0		0		0	0	0	0	0		0	2009	Yes
Democratic People's Republic of Korea	362	53	362	53	0	0	0	0	0		0		
Democratic Republic of Congo	48	11	58	11	6	4	10	0	0		0	2015/2019	Yes; No (2019)
Denmark	0		1		0	1	0	1	0		0	2009	No
Djibouti	0		1		0	1	0	0	0		0		
Dominican Republic	2		5		2	0	2	0	0		1		
Ecuador	5		27	2	18	4	12	4	6		0		
Egypt	261	9	874	10	407	178	136	427	21		28	2011/2016/2017	Yes; No (2017)
El Salvador	2 284	296	2 675	333	318	73	196	175	20		0	2015/2015	Yes
Equatorial Guinea	8		8		0	0	0	0	0		0		
Eritrea	63	4	63	4	0	0	0	0	0		0	2012/2017	No
Ethiopia	113	2	120	3	3	4	2	5	0		0		

	Cases tre	ansmitted t	to the Gove	rnment	Cases clarifi	ed by:		person at dat arification	e of	_		General Allegation	
	Outstanding cases		Total					In		Discontinued	Closed		
States/entities	Cases	Female	Cases	Female	Government	Sources	At liberty	detention	Dead	cases	cases	GA sent	Response
France	1		1		0	0	0	0	0		0		
Gambia	13	2	21	2	0	8	8	0	0		0		
Ghana	0		0		0	0	0	0	0		0		
Georgia	0		1		1	0	0	0	1		0		
Greece	1		3		0	0	0	0	0		2		
Guatemala	2 897	372	3 154	390	177	80	187	6	64		0	2011/2013	Yes
Guinea	37	2	44	2	0	7	0	0	7		0		
Guyana	1		1		0	0	0	0	0		0		
Haiti	38	1	48	1	9	1	1	4	5		0		
Honduras	130	21	210	34	37	43	54	8	18		0	2021	Yes
India												2009/2011/2013/2019/	
	443	10	527	14	68	16	51	10	23		0	2022	No
Indonesia	126	5	130	5	3	1	3	1	0		0	2011/2013/2017	No
Iran (Islamic Republic of Iran)	556	106	585	106	21	8	12	4	11		0	2017	No
Iraq	16 427	2 300	16 575	2 317	117	31	122	17	9		0	2020	No
reland	0		0		0	0	0	0	0		0	2009	No
Israel	3		4		0	1	0	0	1		0		
Japan	0		0		0	0	0	0	0		0		
Jordan	1		9		1	5	3	3	0		2		
Kazakhstan	0		2		0	2	0	2	0		0		
Kenya	90	1	90		0	0	0	0	0		0	2011/2014/2016/2017	No
Kuwait	0		3		0	2	1	1	0		1		
Lao People's Democratic Republic	6	4	15	5	0	8	0	7	1		1		
Latvia	2	4	2	5	0	0	0	1	1		1		
Latvia	2 310	19	2 320	19	2	8	9	1	0		0		
Lebanon	510	19	520	19	2	ð	9	1	0		0		

	Cases to	ransmitted to	o the Gove	ernment	Status of person at date of Cases clarified by: clarification							General Allegation		
States/entities		ling cases Female	To: Cases	tal Female	Government	Sources	At liberty	In detention	Dead	Discontinued cases	Closed cases	GA sent	Response	
Libya	54		74	1	5	13	7	10	1		2	2014/2018	No	
Madagascar	0		0	-	0	0	0	0	0		0			
Malaysia	3	1	5	1	0	1	0	1	0		1			
Maldives	1		1		0	0	0	0	0		0			
Mauritania	6		7		1	0	0	1	0		0			
Mexico	357	26	563	45	134	41	83	18	74		31	2013/2014/2017/2017/ 2017/2021	Yes; No (2014, 2017 and 2021)	
Montenegro	0	0	15	1	1	0	0	1	0		14	2012/2020		
Morocco	153	9	409	31	170	53	141	16	74		33	2013/2020	Yes	
Mozambique	4	4	4	0	0	0	0	0	0		0	2017	N	
Myanmar Namibia	20	4	27	9	7 0	0	5	2	0		0	2017	No	
	2 480	60	3 694	76	135	1 79	1 153	0 60	0 1		0	2021		
Nepal Nicaragua	480 103	2	239	70	133	79 24	45	16	75		0 0	2021		
Nigeria	103	2 1	17	3	6	4	43 10	0	0		0	2021		
North Macedonia	0	1	0	5	0	4 0	0	0	0		0	2021	No	
Oman	1		2		0	1	1	0	0		0	2009	110	
Pakistan	799	5	1565	11	595	171	489	239	18		0	2015/2017/2019	No (2017); Yes (2019)	
Panama	0		0		0	0	0	0	0		0			
Paraguay	0		23		20	0	19	0	1		3	2014	Yes	
Peru	2 361	224	3 003	284	254	388	450	85	107		0			
Philippines	590	67	779	94	142	47	133	19	37		0	2009/2012	No	
Qatar	2		2		0	0	0	0	0		0			
Romania	0		1		1	0	1	0	0		0			
Republic of Korea	4		4		0	0	0	0	0		0			
Russian Federation	916	44	938	47	5	17	16	4	2		0	2016/2018/2022	No (2018)	

	Cases tr	ansmitted t	o the Gove	rnment	Cases clarifi	ed by:		person at da arification	te of			General Allegation	
	Outstanding cases		Total					In		Discontinued	Closed		
States/entities	Cases	Female	Cases	Female	Government	Sources	At liberty	detention	Dead	cases	cases	GA sent	Response
Rwanda	28	3	31	3	0	2	1	1	0		1	2022	
Saudi Arabia	19	2	60	7	14	25	12	28	1		2	2020	Yes (2020)
Serbia	1		2		1	0	1	0	0		0		
Seychelles	3		3		0	0	0	0	0		0		
Singapore	0		0		0	0	0	0	0		0		
Somalia	1		1		0	0	0	0	0		0		
South Africa	2	1	13	2	3	2	1	1	3		6		
South Sudan	3		3		0	0	0	0	0		0		
Spain	6		9		3	0	0	0	3		0	2014	Yes
Sri Lanka	6 264	193	12 855	262	6551	40	118	27	6 4 4 6		0	2011/2014/2022	Yes
Sudan	177	5	394	39	206	11	214	3	0		0		
Switzerland	0		1		1	0	0	1	0		0		
Syrian Arab									_				Yes (2011); No (2019
Republic	605	41	668	46	17	46	33	23	7		0	2011/2011/2019/2021	2021
Tajikistan	1		8	_	5	2	1	0	6		0		
Thailand	76	6	92	9	7	1	4	1	3		8	2008/2018	No
Timor-Leste	428	29	504	33	58	18	51	23	2		0		
Togo	10	2	11	2	0	1	1	0	0		0		
Tunisia	13		30	1	12	5	2	15	0		0		
Turkey	85	4	240	15	93	61	76	36	41		1	2022	No
Turkmenistan	4		9		5	0	0	4	1		0	2018	No
Uganda	18	2	25	4	2	5	2	5	0		0	2022	
Ukraine	6		13		3	1	2	0	2		3		
United Arab Emirates	12	1	51	5	9	30	11	28	0		0		
United Kingdom of Great Britain and Northern Ireland	0		0		0	0	0	0	0		0		

A/HRC/5
51/31

No

Cases transmitted to the Government				Status of person at date of Cases clarified by: clarification							General Allegation	on
Outstanding cases Total		tal				In		Discontinued	Closed			
Cases	Female	Cases	Female	Government	Sources	At liberty	detention	Dead	cases	cases	GA sent	Response
2		4		2	0	0	2	0		0		
4		5		1	0	1	0	0		0	2019	No
19	3	34	8	14	1	5	4	6		0	2013/2015/2018	Yes
7		22		14	1	2	13	0		0		
29	3	39	4	8	2	1	6	3		0	2019	No
1	1	5	1	3	1	2	2	0		0		

States/entities

United Republic of Tanzania

United States of America

Uruguay

Uzbekistan

Venezuela (Bolivarian Republic of)

Viet Nam

Yemen

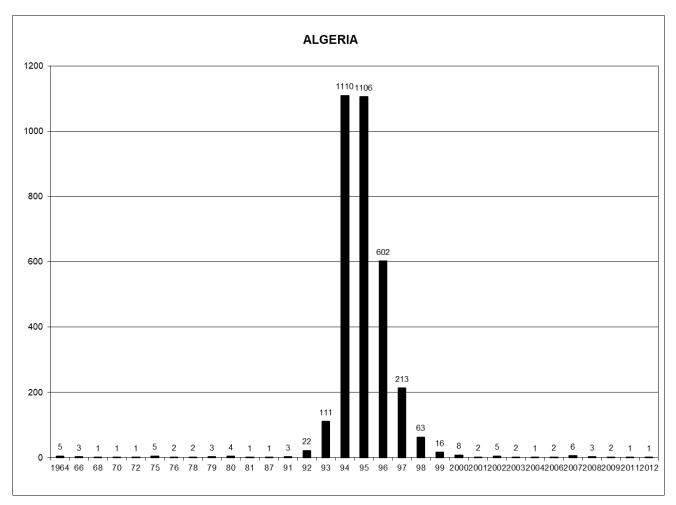
Zambia

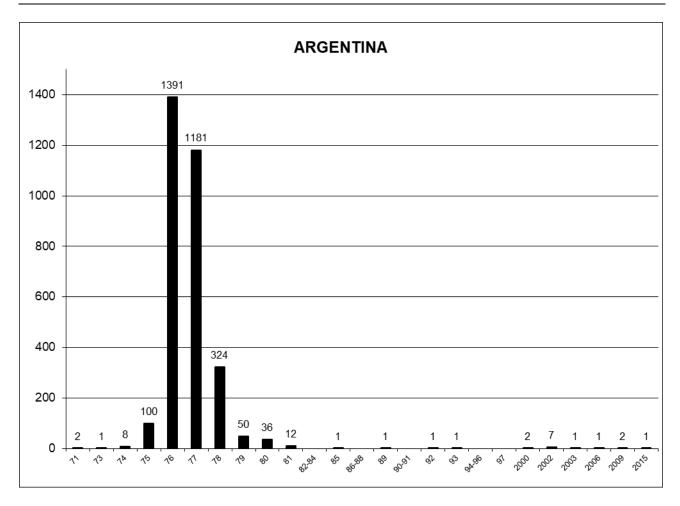
Zimbabwe

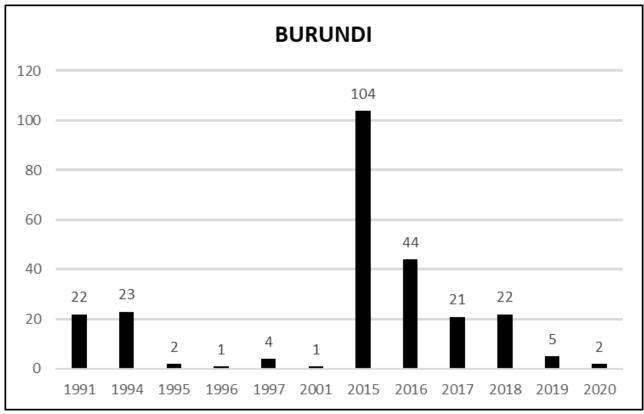
State of Palestine

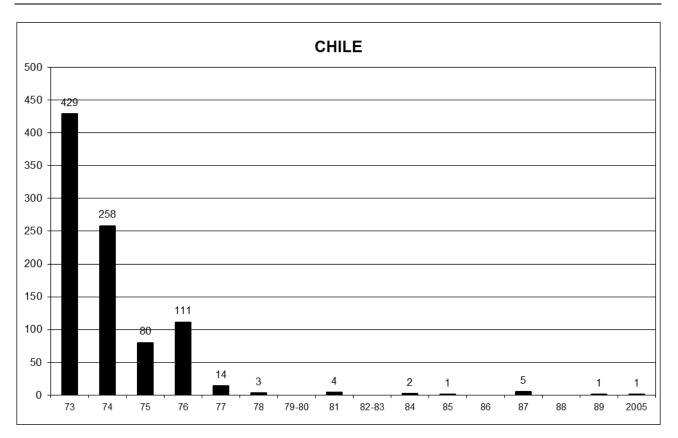
## Annex III

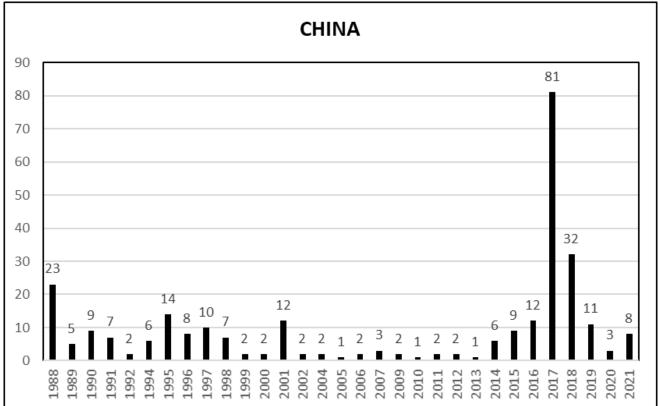
Graphs showing the number of cases of enforced disappearance by country and by year according to the cases transmitted by the Working Group between 1980 and 13 May 2022 (for countries with more than 100 cases transmitted)

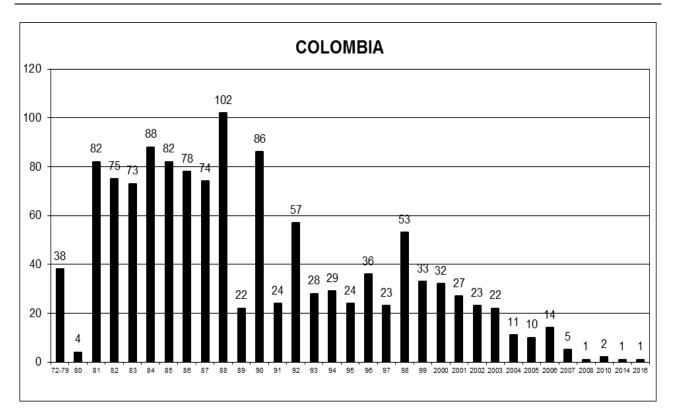


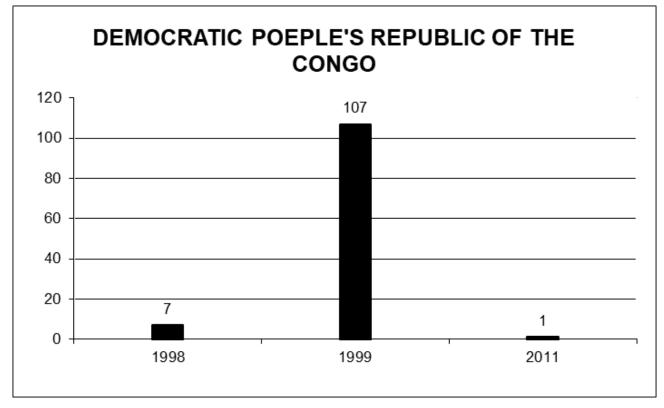


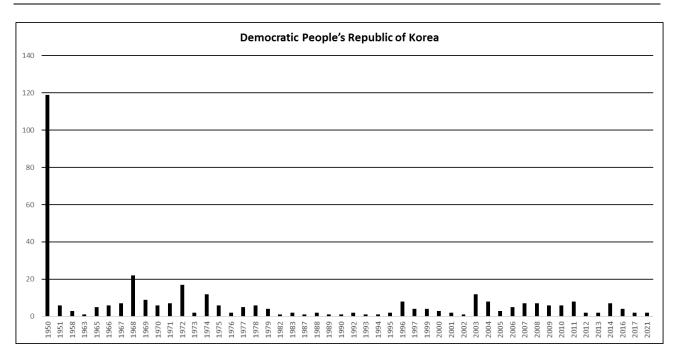


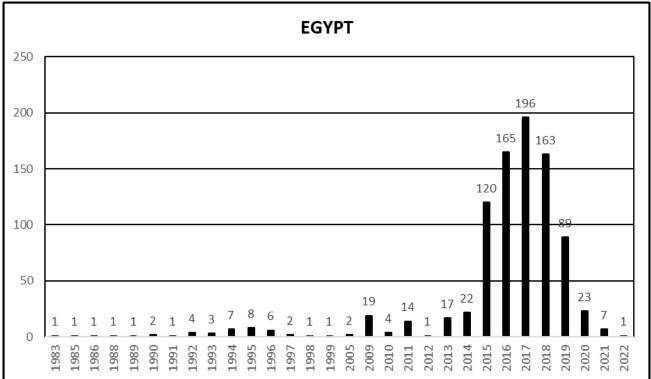


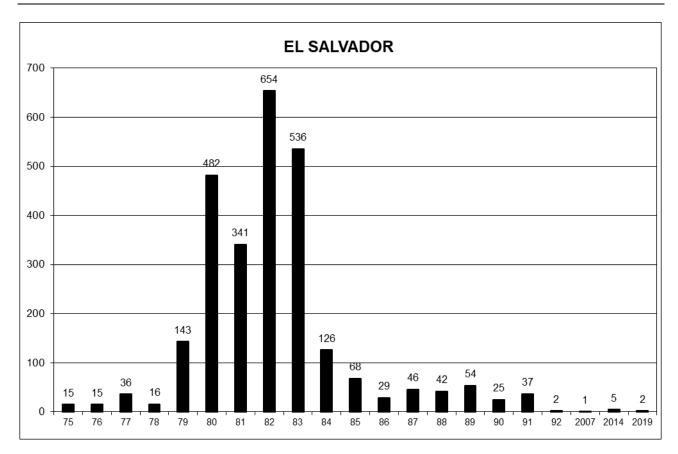


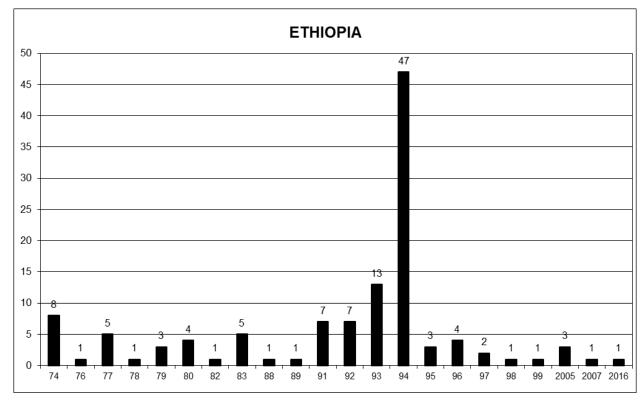


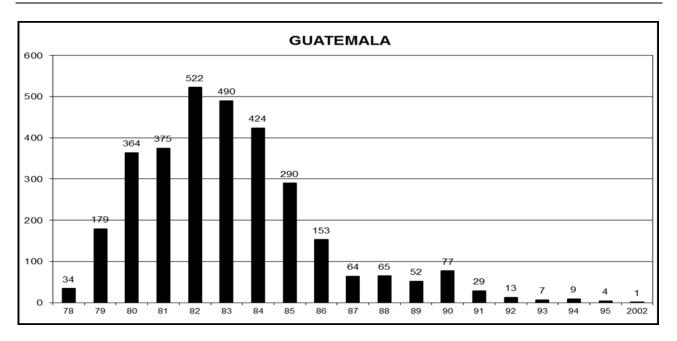


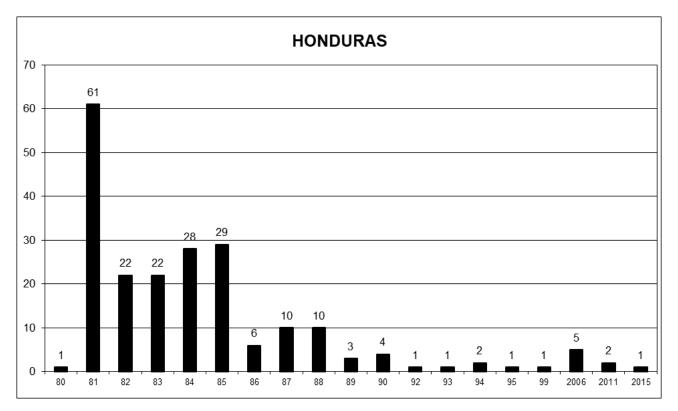


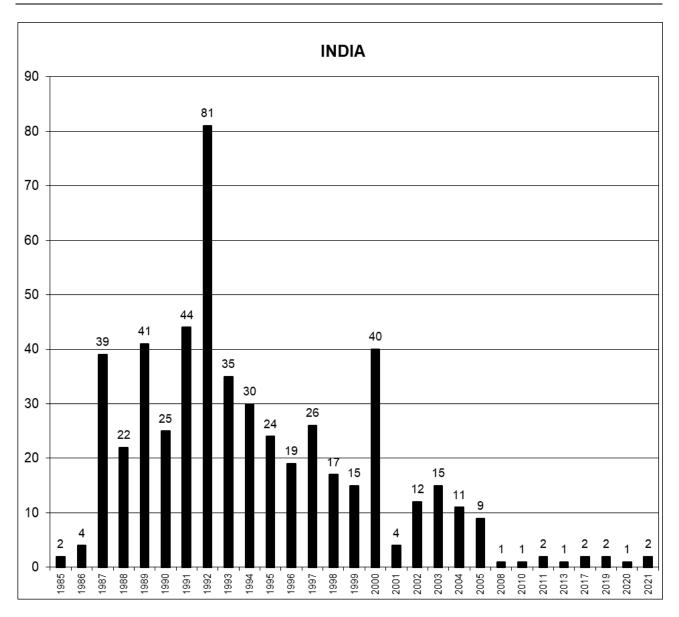


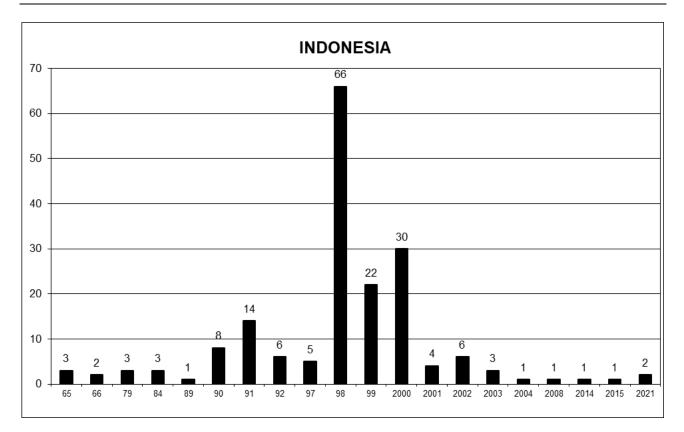


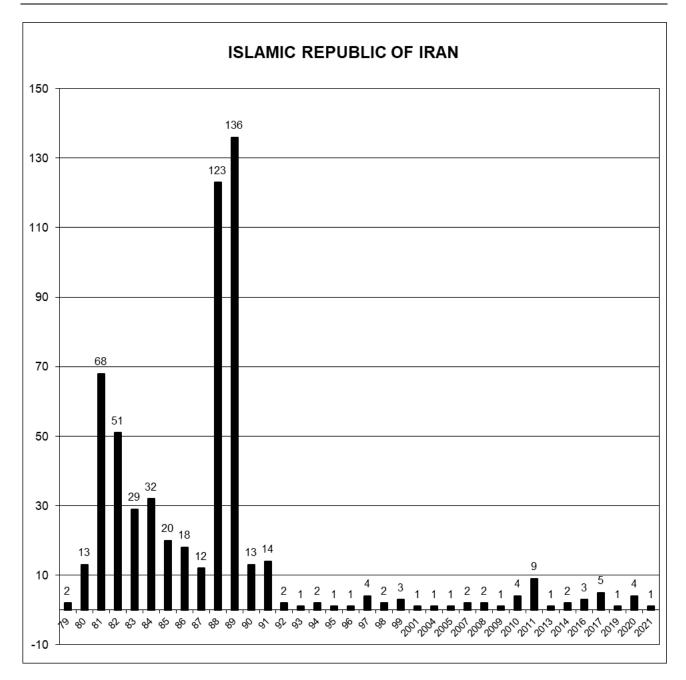


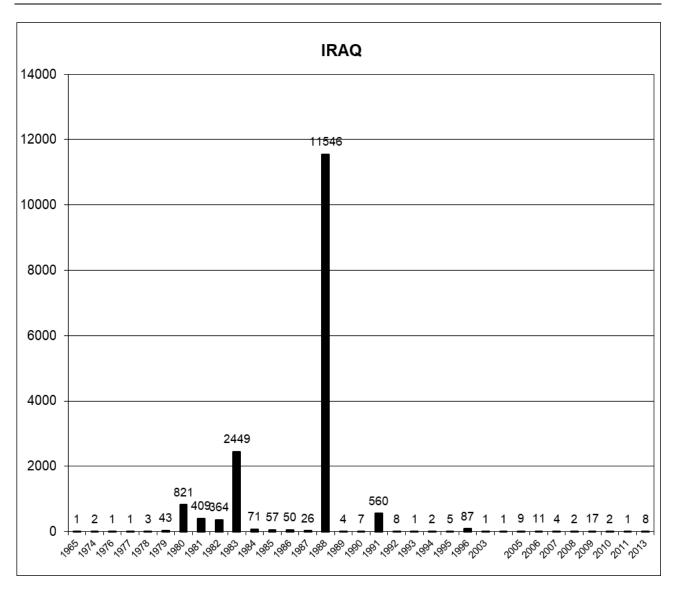


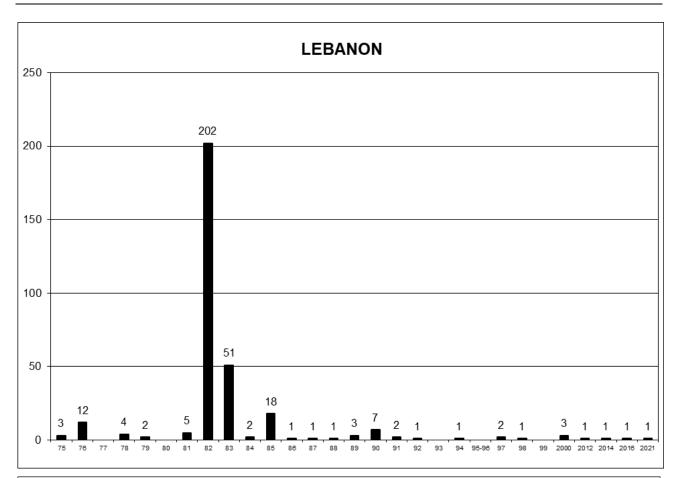


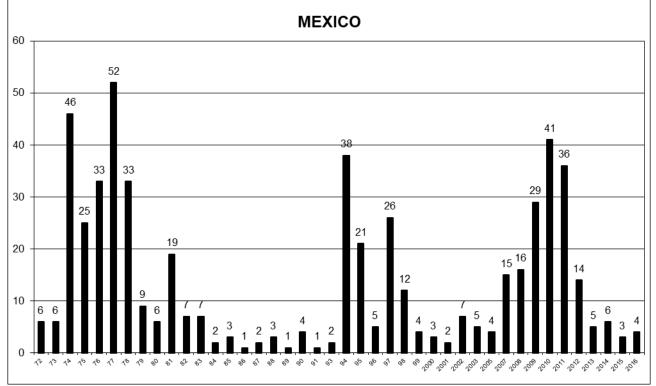




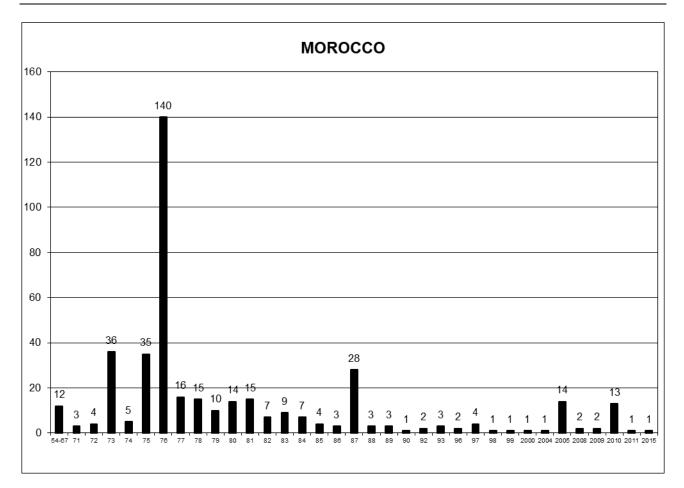


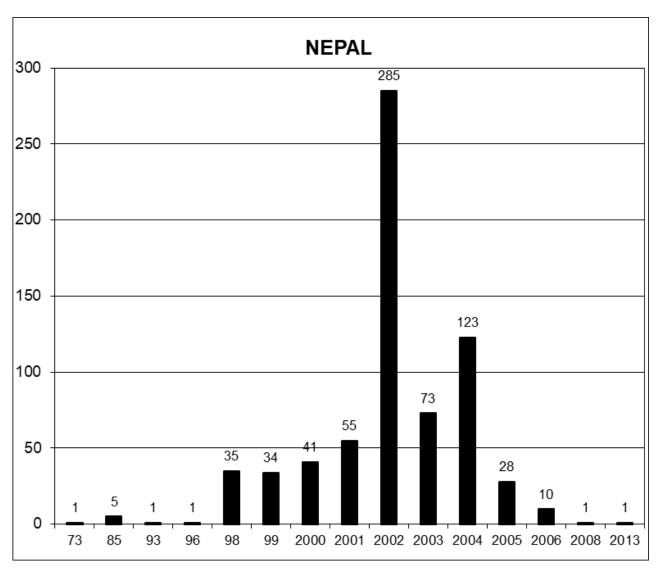


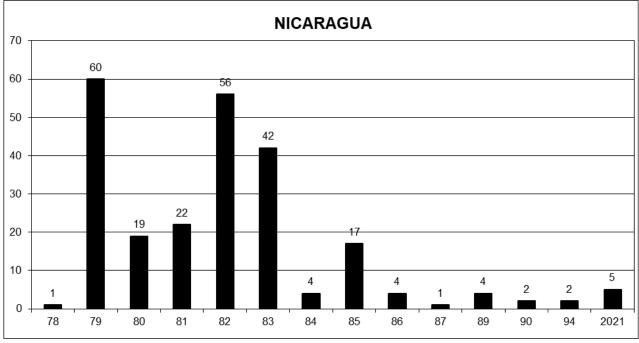


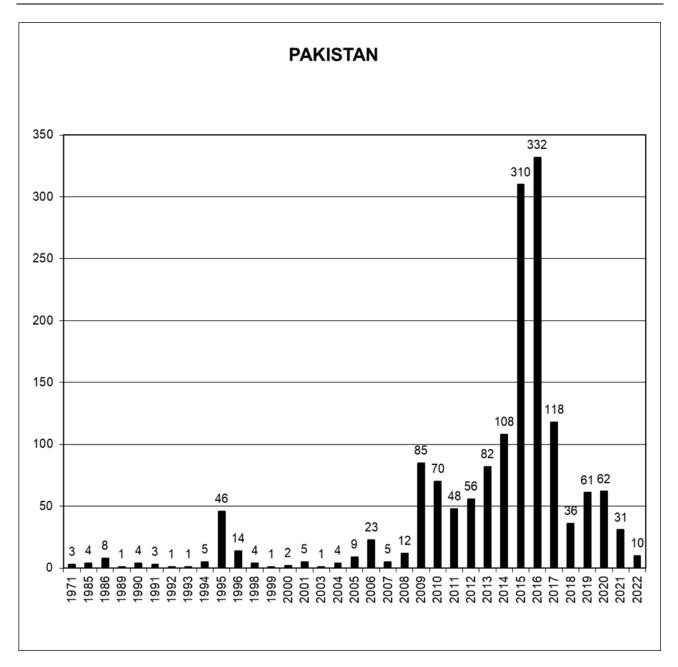


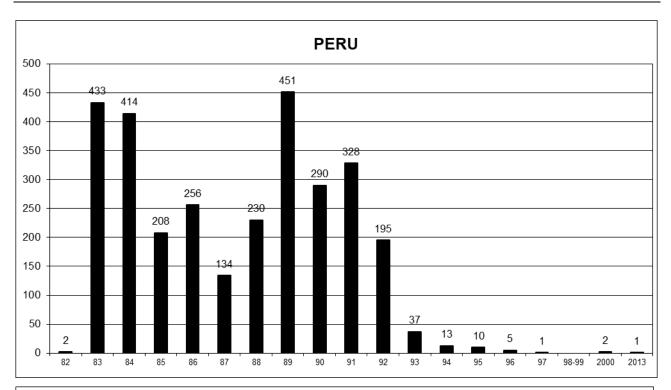
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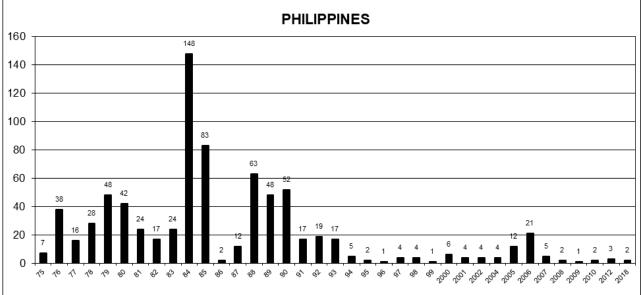


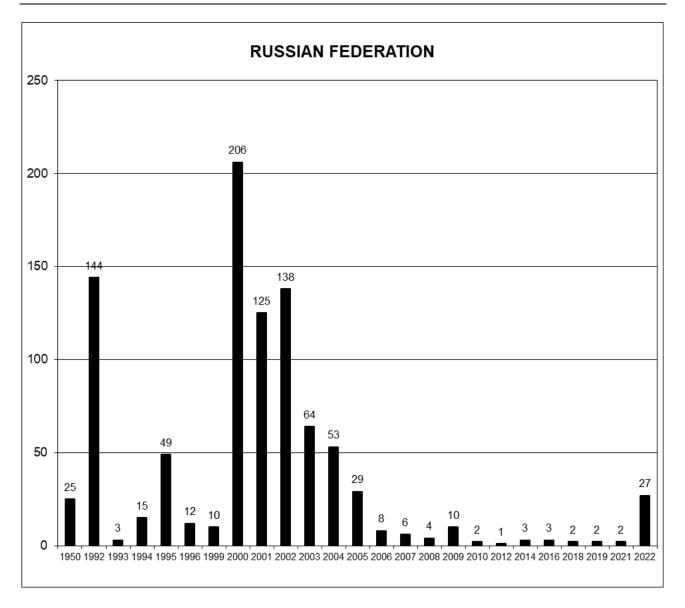


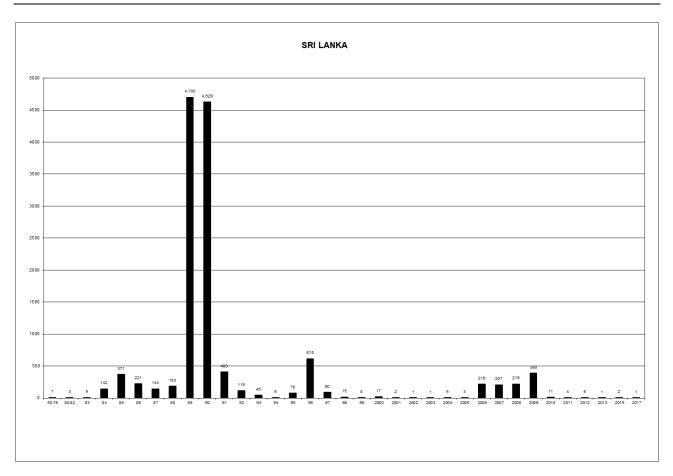


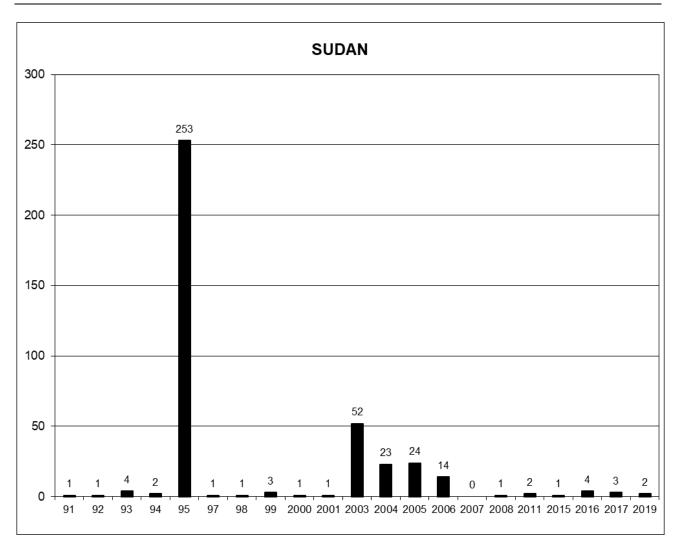












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