



General Assembly

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Human Rights Council Working Group on Enforced or Involuntary Disappearances

Communications, cases examined, observations and other activities conducted by the Working Group on Enforced or Involuntary Disappearances

109th session (9 – 18 May 2016)

I. Introduction

1. The present document reflects the communications and cases examined, the observations made and other activities carried out by the Working Group on Enforced or Involuntary Disappearances at its 109th session, held in Geneva, from 9 to 18 May 2016.

II. Communications

2. Between its 108th and 109th sessions, the Working Group transmitted 203 cases under its urgent action procedure, to Colombia (1), Egypt (72), Jordan (2), Mexico (1), Morocco (1), Pakistan (124), Rwanda (1) and the United Arab Emirates (1).

3. At its 109th session, the Working Group decided to transmit 113 newly reported cases of enforced disappearance to 20 States. The Working Group also clarified 90 cases, in Argentina (25), Chile (2), Egypt (24), Indonesia (1), Iran (Islamic Republic of) (1), Mexico (1), Morocco (1), Pakistan (32), Turkey (1) and the United Arab Emirates (2). Thirty-eight cases were clarified on the basis of the information provided by Governments, and 52 on the basis of the information provided by sources.

4. Between its 108th and 109th sessions, the Working Group transmitted four communications: two prompt intervention letters jointly with other special procedure mechanisms, to Iraq and Venezuela (Bolivarian Republic of); and two other letters, to the Governments of the Gambia and of Guatemala.

5. At its 109th session, the Working Group reviewed two general allegations concerning Egypt and Cameroon.

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III. Other activities

6. During the session, the Working Group met with relatives of victims of enforced disappearances, and also with representatives of non-governmental organizations working on the issue. The Working Group also held formal meetings with representatives of the Governments of Egypt, Japan, Maldives, Pakistan, the Sudan and Ukraine, and a meeting with representatives from the Western European and Others Group of the Human Rights Council. It also met the President of the Council and the United Nations High Commissioner for Human Rights.

7. The Working Group discussed the report on its visit to Turkey (A/HRC/33/51/Add.1), conducted from 14 to 18 March 2016, and discussed future visits. It also approved the two reports following its visit to Sri Lanka (A/HRC/33/51/Add.2) and Peru (A/HRC/33/51/Add.3), and reviewed the progress report on the study on migration and enforced disappearances.

IV. Information concerning enforced or involuntary disappearances in States reviewed by the Working Group

Albania

Information from the Government

8. A source provided information on one outstanding case.

Algeria

Standard procedure

9. The Working Group transmitted 15 cases to the Government of Algeria, concerning:

(a) Sid Ali Bouyahiaoui, allegedly arrested on 3 September 1994 in Audin Square, Algiers;

(b) Hocine Chaouche, allegedly arrested in July 1995 in Awalbane, El Kadiria commune, by military officers;

(c) Mohamed Idjallidaine, allegedly abducted on 17 February 1995 in Messelmoun by communal police officers;

(d) Brahim Ouzeri, allegedly abducted on 24 July 1994 in his residence by officers of the Algerian People's National Army;

(e) Miloud Bougherara, allegedly arrested by policemen on 1 August 1994 at his workplace, pharmacie Chetibou, Oran;

(f) Lounes Boukhalifa, allegedly arrested on 12 April 1995 by police officers of Tizi Ouzou;

(g) Ahmed Boussoubel, allegedly arrested on 27 December 1993 in El Allia, Bab Ezzouar by military security agents;

(h) Abdelkader Aroussi, allegedly arrested in 1996 by plain-clothed State agents in Oran;

(i) Abdelhamid Djerrar, allegedly arrested on 28 May 1999 at a road block in Algiers by communal guard officers;

Carvajal, who was allegedly abducted on 9 January 2016 by paramilitary agents in Puerto Claver, el Bagre municipality, in Antioquia.

Information from the Government

22. On 20 August 2015, the Government of Colombia transmitted information concerning 971 outstanding cases. The Working Group thanks the Government for the replies on a large number of cases, which demonstrated the Government's commitment to engage with the Working Group. During its session, the Working Group reviewed 166 of the 971 cases. The information provided was, however, considered insufficient to lead to a clarification. The remaining cases will be submitted for the consideration of the Working Group at forthcoming sessions.

On 19 May 2016, the Government replied to a general allegation sent by the Working Group, following its 108th session, regarding the enforced disappearances of women. While the information received refers to the measures taken by the State to address enforced disappearances, in general, the reply does not refer to the specific queries raised by the Working Group on any measures taken to address enforced disappearances from a gender perspective, and considering the different patterns in which women have disappeared in Colombia. The Working Group recalls its General comment on women affected by enforced disappearances, which stresses that a gender perspective should be incorporated in all measures, including legislative, administrative, judicial and others, taken by States, when dealing with enforced disappearance. Gender equality requires that all individuals – regardless of their sex or gender – enjoy without discrimination the rights enshrined in the Declaration for the Protection of All Persons against Enforced Disappearances.

Democratic People's Republic of Korea

Standard procedure

23. The Working Group transmitted 13 cases to the Government of the Democratic People's Republic of Korea, concerning:

- (a) Jung Hyeon Ahn, allegedly arrested on 29 May 2008, in Shenyang, China, and repatriated to the Shinuiju City Security Agency in the Democratic People's Republic of Korea on 1 June 2008;
- (b) Nam-seok Hong, allegedly abducted by the army of the Democratic People's Republic of Korea in Samgye-ri, Democratic People's Republic of Korea, on 22 July 1950;
- (c) Yeon-cheol Jeong, allegedly abducted on 28 August 1950 by agents of the Democratic People's Republic of Korea, in Seoul;
- (d) Geun-ho Kim, allegedly abducted on 26 July 1950 from his home in Seoul by agents of the Democratic People's Republic of Korea;
- (e) Gyeong-do Kim, allegedly abducted in July 1950 in Seoul by agents of the Democratic People's Republic of Korea;
- (f) Man Gil Ji, allegedly abducted in Changbai County, China, in April 2003, by officers of the National Security Agency of the Democratic People's Republic of Korea;
- (g) Cheol Soo Kim, allegedly abducted in Changbai County, China, in April 2003, by officers of the National Security Agency of the Democratic People's Republic of Korea;

(h) Cheol Soo Kim, allegedly arrested by Chinese police officers in March 2011, and repatriated to the North Pyongan Provincial Security Agency, in the Democratic People's Republic of Korea;

(i) Pong-pin Chon, allegedly abducted on 7 August 1950 from his home in Seoul by agents of the Democratic People's Republic of Korea;

(j) Gyeok-hong Ha, allegedly abducted on 2 August 1950 from his home in Seoul by agents of the Democratic People's Republic of Korea;

(k) Se Ryul Jeong, allegedly abducted on 6 January 1971 on the Yellow Sea, near the Northern Limit Line, by agents of the Democratic People's Republic of Korea;

(l) Dong Soon Park, allegedly abducted on 6 January 1971 on the Yellow Sea, near the Northern Limit Line, by agents of the Democratic People's Republic of Korea;

(m) Hae Young Park, allegedly abducted on 16 August 1975, on the East Sea, by agents of the Democratic People's Republic of Korea.

Democratic Republic of the Congo

Information from sources

24. A source provided information on one outstanding case. The information provided was considered insufficient to lead to a clarification.

Observation

25. During the session, the Working Group reviewed the reply from the Government of the Democratic Republic of the Congo dated 29 January and 2 March 2016 concerning the joint communication from the special procedures (A/HRC/32/53, AL COD 5/2015) transmitted on 10 December 2015 on alleged human rights violations committed in the context of the Likofi operation conducted in January 2015. The Working Group thanks the Government for its replies, which however did not specifically address the general allegation transmitted by the Working Group on 26 March 2015 (A/HRC/WGEID/105/1, paras. 38-43). While the Working acknowledges the various steps taken by the Government to investigate the allegations, it remains concerned that the identity of the 421 bodies buried in Maluku has not been determined yet.

El Salvador

Standard procedure

26. The Working Group transmitted two cases to the Government of El Salvador, concerning:

(a) Bryan Alexander Juarez, allegedly last seen on 30 July 2014, in Santa María neighbourhood, Municipality of San Martín, in the custody of the armed forces;

(b) William Ernesto Hernández, allegedly last seen on 30 July 2014, in Santa María neighbourhood, Municipality of San Martín, in the custody of the armed forces.