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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*

114th session (5–9 February 2018)

I. Communications

1. Between its 113th and 114th sessions, the Working Group transmitted 122 cases under its urgent action procedure to Bangladesh (1), Burundi (2), the Democratic Republic of the Congo (1), Egypt (82), Libya (1), Mauritania (1), Pakistan (26), Saudi Arabia (1), the Sudan (2), the Syrian Arab Republic (1), Turkey (3) and the United Arab Emirates (1).

2. At its 114th session, the Working Group decided to transmit 208 newly reported cases of enforced disappearance to 16 States: Algeria (20), Burundi (2), China (1), the Democratic People's Republic of Korea (16), Egypt (4), the Gambia (1), India (16), Iraq (1), Libya (2), Mauritania (1), Morocco (16), Pakistan (49), Sri Lanka (27), the Sudan (2), the Syrian Arab Republic (49) and Turkmenistan (1).

3. The Working Group also clarified 309 cases, in Argentina (157), Bahrain (3), the Democratic Republic of the Congo (1), Egypt (17), Iran (Islamic Republic of) (1), Mexico (6), Pakistan (121), Spain (1), the Sudan (1) and the Syrian Arab Republic (1). Two hundred and eighty-seven cases were clarified on the basis of information provided by the Governments and 23 on the basis of information provided by sources.

4. Between its 113th and 114th sessions, the Working Group also transmitted 11 communications, either individually or jointly with other special procedure mechanisms: 5 urgent appeals, to Afghanistan, Burundi, the Democratic Republic of the Congo, Egypt and Libya; 3 allegation letters, to Egypt, Lebanon and Peru; 2 prompt intervention letters, to Egypt and Iran (Islamic Republic of); and 1 "other letter" to Mexico.

5. At its 114th session, the Working Group also reviewed and adopted four general allegations, concerning Algeria, Burundi, the Russian Federation and Uruguay.

II. Other activities

6. During the session, the Working Group met with relatives of victims of enforced disappearances and with non-governmental organizations working on the issue. The

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Working Group also held meetings with representatives of the Governments of Japan, Mexico, Morocco and Portugal.

III. Information concerning enforced or involuntary disappearances in States reviewed by the Working Group during the session

Afghanistan

Joint urgent appeal

7. On 15 January 2018, the Working Group transmitted, jointly with six other special procedure mandate holders, a joint urgent appeal concerning the reported detention of Mesut Vardak, Önder Akkuşçi and Yunus Demirci, the ongoing house arrest of Sami Yavuz and Yılmaz Aytan, and the potential risk of deportation of all five individuals to Turkey, which would put them at risk of serious human rights violations, including torture and other cruel inhuman or degrading treatment or punishment, and of threats to their lives.

Algeria

Standard procedure

8. The Working Group transmitted 20 cases to the Government of Algeria, concerning:

(a) Abdelwahab Messaadia, allegedly abducted on 19 March 1995 by two armed civilians believed to be from the military in Annaba;

(b) Ahmed Ben Abdellah, allegedly arrested on 1 March 1978 by members of the Algerian gendarmerie at the Colonel Lotfi border post on the Algeria-Morocco border;

(c) Belkacem Amaieur, allegedly arrested on 23 March 1995 by the National Gendarmerie at the police station of Sig City, Wilaya of Mascara;

(d) Hasna Khallouk, allegedly arrested on 14 November 1975 by customs officers at the Colonel Lotfi checkpoint on the Algeria-Morocco border;

(e) Amar Ould Mimoun SNP, also known as Amar Ould Mimoun Zaoui, allegedly arrested in September 1975 by Algerian police forces at his home in Douar Moulay Mustaph, Wilaya of Aïn Témouchent;

(f) Abderrahmane Mouzaoui, last seen on 29 April 1991 in downtown Béjaïa, and allegedly abducted by the Algerian authorities;

(g) Louisa Chaouch, allegedly arrested on 15 December 1975 by the Algerian police forces in front of her home in Tlemcen;

(h) Noureddine Belarbi, allegedly abducted on 2 September 1995 by armed police officers in uniform in Bouira;

(i) Nasser Benhammadi, allegedly abducted on 10 October 1994 by plain-clothes police officers in the annex to the City Hall in Constantine;

(j) Boulanouar Belaicha, allegedly abducted on 15 June 1994 by military personnel and police officers from his house in Berrouaghia, Wilaya of Medea;

(k) Ali Kertali, allegedly arrested on 26 September 1996 by members of the Direction générale de la sûreté nationale at his home in L'Arbaa City, Wilaya of Blida;

(l) Bachir Kouicem, allegedly arrested on 24 April 1995 by members of the National Gendarmerie of Messad at his home in Messad, Wilaya of Djelfa;

(m) Boualem Aissa Koridak, allegedly arrested on 3 January 1995 by the police of Hai Enahda at his home in Hai Enahda, Wilaya of Aïn Témouchent;

disappearance in any territory under its jurisdiction (art. 3). It also reiterates article 7 of the Declaration, which provides that no circumstances whatsoever may be invoked to justify an enforced disappearance.

China

Standard procedure

31. The Working Group transmitted one case to the Government of China, concerning Suli Zhao, allegedly abducted on 9 January 2015 from No. 7, Building 4, Neighbourhood 17, Honggangcheng, Qingshan District, Wuhan City, Hubei Province, by officers of the Domestic Security Brigade and the Public Security Bureau.

Information from the Government

32. On 20 January and 30 November 2017, the Government of China transmitted information concerning two outstanding cases, which was considered insufficient to clarify them.

Information from sources

33. Sources provided updated information on two outstanding cases, which was considered insufficient to clarify them.

Reply to two joint urgent appeal

34. On 18 April and 13 October 2017, the Government of China transmitted a reply to the joint communications sent on 22 March and 12 September 2017, in which it provided information regarding the prosecution by the Chinese judicial authorities of three individuals, and on an ongoing investigation concerning another individual.

Colombia

Information from the Government

35. On 4 September 2017, the Government of Colombia provided information concerning two outstanding cases, which was considered insufficient to clarify them.

36. In accordance with its methods of work, the Working Group transmitted a copy of one of the cases also to the Government of Spain.

Democratic People’s Republic of Korea

Standard procedure

37. The Working Group transmitted 16 cases to the Government concerning:

(a) Jong-ryong Lee, allegedly arrested on 10 July 1950 by two men from the North Korean State Political Security Department and taken to the current national library building;

(b) Nak-gyo Lee, allegedly abducted from his residence in 15–64 Hyehwa-dong, Jongno-gu, Seoul, Republic of Korea on 27 September 1950 by a soldier of the Korean People’s Army (KPA);

(c) Hong-gyu Lee, allegedly abducted from his home in Donam-dong 56–2 Seongbuk-gu, Seoul, Republic of Korea on 26 September 1950 by an armed North Korean policeman;

(d) Seung-gyu Lee, allegedly abducted from his home in Donam-dong 56–2 Seongbuk-gu, Seoul, Republic of Korea on 26 September 1950 by an armed policeman;

(e) Jung-wook Kim, allegedly arrested on 8 October 2013 by members of the National Security Agency, in Pyongyang;

(f) Guk-gi Kim, allegedly abducted on 1 October 2014 by the National Security Agency on the Aprok River;

(g) Gyung-Sub Shin, allegedly disappeared on 30 September 2014 from Political Prison Camp 18, South Pyeongan Province, Pukchang County;

(h) Seun Gil Son, allegedly arrested on 1 June 1997 by seven members of the National Security Agency in Huichon, Yangkang Province;

(i) Gye Song Lee, allegedly arrested on 1 June 1997 by seven members of the National Security Agency in Huichon, Yangkang Province;

(j) Hyun Soon Kim, allegedly disappeared after being detained on 1 August 2011 in a holding facility in Chongjin;

(k) Se-il Lee, allegedly arrested by members of the national security service and the Pyongyang National Security Agency after being repatriated from China in July 2009;

(l) Kyoung-Il Kim, allegedly disappeared after being detained on 1 August 2011 in a holding facility in Chongjin;

(m) Ok-Hwa Ko, allegedly arrested on 1 September 2004 by the Ministry of State Security in Hoeryong;

(n) Chung-Sik Choe, allegedly arrested on 1 September 2004 by the Ministry of State Security in Hoeryong;

(o) Jeong Cheol Park, allegedly arrested after being repatriated from China in December 2004 and detained in the custody of the Chongjin City State Security Department;

(p) Chung Seong Ra, allegedly abducted after being repatriated from China in July 2012.

38. In accordance with its methods of work, the Working Group transmitted a copy of six of the case files also to the Government of the Republic of Korea a, a copy of three of the case files to the Government of China and a copy of one of the case files to the Government of Sweden.

Information from the Government

39. On 9 October 2017, the Government of the Democratic People's Republic of Korea transmitted information concerning 27 outstanding cases, which was considered insufficient to clarify them.

Information from sources

40. A source provided updated information on an outstanding case, which was considered insufficient to clarify it.

Democratic Republic of the Congo

Urgent action

41. On 11 December 2017, the Working Group, under its urgent action procedure, transmitted to the Government of the Democratic Republic of the Congo a case concerning John Luhiriri, allegedly arrested in Tshikapa, capital of Kasai province, by national police officers and four plain-clothes officers, recognized by witnesses as members of the National Intelligence Agency. No authority acknowledged that Mr. Luhiriri had been arrested. The case was later clarified by the source (see para. 42 below).