



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*
116th session (10–14 September 2018)
I. Communications

1. Between its 115th and 116th sessions, the Working Group transmitted 77 cases under its urgent action procedure, to: Bahrain (2), Bangladesh (2), China (2), Egypt (52), Jordan (2), Kuwait (1), Libya (1), Pakistan (2), Saudi Arabia (8) and Venezuela (Bolivarian Republic of) (5).
2. At its 116th session, the Working Group decided to transmit 156 newly reported cases of enforced disappearance to 17 States: Algeria (8), Burundi (8), China (1), Democratic People's Republic of Korea (12), Egypt (10), Iraq (1), Libya (4), Mauritania (1), Myanmar (1), Nigeria (7), Oman (1), Pakistan (49), Sri Lanka (21), Syrian Arab Republic (28), Turkmenistan (1), Ukraine (2) and Yemen (1).
3. The Working Group also clarified 149 cases, in: Angola (2), Argentina (16), Bahrain (2), Bhutan (1), China (1), Egypt (50), Iran (Islamic Republic of) (4), Iraq (1), Jordan (2), Libya (1), Mexico (2), Pakistan (64), Peru (1), Russian Federation (1) and Venezuela (Bolivarian Republic of) (1). Some 112 cases were clarified on the basis of information provided by the Governments and 36 on the basis of information provided by sources.
4. Between its 115th and 116th sessions, the Working Group also transmitted 18 communications, either individually or jointly with other special procedure mechanisms: 9 urgent appeals, to Bangladesh (1), China (1), Egypt (2), Nicaragua (1), Pakistan (1), Saudi Arabia (2) and Venezuela (Bolivarian Republic of) (1); 4 prompt intervention letters, to Iran (Islamic Republic of) (1), Libya (1), Sri Lanka (1) and Venezuela (Bolivarian Republic of) (1); 4 allegation letters, to Myanmar (1), Turkey (1), the United Arab Emirates (1) and the United States of America (1); and 1 "other letter" to China.
5. On 12 June 2018, a press release concerning the United Arab Emirates was issued together with other special procedure mechanisms.
6. On 27 June 2018, a press release concerning Saudi Arabia was issued together with other special procedure mechanisms.
7. On 4 July 2018, a press release concerning China was issued together with other special procedure mechanisms.

* The annexes to the present document are reproduced as received, in the language of submission only.



8. On 25 July 2018, a press release concerning Spain was issued together with other special procedure mechanisms.
9. On 26 July 2018, a press release concerning Egypt was issued together with other special procedure mechanisms.
10. On 9 August 2018, a press release concerning Nicaragua was issued together with other special procedure mechanisms.
11. At its 116th session, the Working Group also reviewed and adopted three general allegations, concerning Bahrain, Libya and Turkmenistan.

II. Other activities

12. During the session, the Working Group met with relatives of victims of enforced disappearances and with non-governmental organizations working on the issue. The Working Group also held meetings with representatives of the Governments of Angola, Egypt, El Salvador, Morocco, Portugal, Saudi Arabia and Ukraine.
13. On 10 September, the Working Group held an expert consultation on standards and public policies for an effective investigation of enforced disappearances, receiving inputs and contributions to inform its next thematic report to the Human Rights Council in September 2019.
14. On 12 September 2018, the Working Group also presented its annual report to the Human Rights Council and the reports on its visit to the Gambia and the follow-up report to the recommendations it made following its visits to the Western Balkans.
15. The Group also reappointed Bernard Duhaime as Chair-Rapporteur and Tae-Ung Baik as Vice-Chair.

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

Algeria

Standard procedure

16. The Working Group transmitted eight cases to the Government, concerning:
 - (a) Miloud Amari, allegedly arrested on 1 February 1995 by uniformed police outside his home in Oran and never seen again;
 - (b) Tahar Bait, allegedly arrested on 28 August 1996 by the military security at his home in Laghouat and taken to the Laghouat military sector. Reportedly, he was never seen again;
 - (c) Nacer Bellamine, allegedly arrested on 25 May 1994 by members of the military security at his home in Medea and never seen again;
 - (d) Said Hemmache, allegedly last seen on 17 October 1995. It is believed that he was abducted by the army at the Berrouaghia barracks in Medea where he was performing his national service;
 - (e) Nadji Haimed, allegedly last seen on 13 March 1998 at his home in Medea. It is believed that the gendarmes, soldiers or the communal guards may be responsible for his disappearance as reference is made to previous episodes in which he was allegedly persecuted and detained;
 - (f) Amer Mouaz, allegedly arrested by gendarmes at the Mimouza barracks in Oran between 27 June and 2 July 2004, and never seen again;

Joint other letter

44. On 22 August 2018, the Working Group transmitted, with other special procedure mechanisms, a joint other letter concerning the use of residential surveillance in a designated location, as amended in article 73 of the Criminal Procedure Law, in relation to persons without permanent domicile, suspected of endangering State security, of terrorist activities or major bribery and in cases in which confinement in their own home may “impede the investigation”.²

Observation

45. The Working Group wishes to recall article 10 (1) and (2) of the Declaration, according to which 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. Accurate information on the detention of such persons and their place or places of detention, including transfers, shall be made promptly available to their family members, their counsel or to any other persons having a legitimate interest in the information.

Colombia**Information from sources**

46. Sources provided updated information on one outstanding case, which was considered insufficient to clarify it.

Information from the Government

47. On 29 May 2018, the Government transmitted information concerning two outstanding cases, which was considered insufficient to clarify them.

48. The Working Group also considered information transmitted on 29 June 2018 by the Government of Spain, concerning one of those cases. The information provided was considered insufficient to clarify it.

Democratic People’s Republic of Korea**Standard procedure**

49. The Working Group transmitted 12 cases to the Government concerning:

- (a) Jong-mo An, allegedly abducted from his residence between July and August 1950 by members of the Korean People’s Army;
- (b) Dae-young Kim, allegedly abducted from Chungwon Primary School in Seoul in August 1950 by members of the Korean People’s Army;
- (c) Deok-yeong Lee, allegedly abducted near his residence in July 1950 by members of the Korean People’s Army;
- (d) Gi-seol Lee, allegedly abducted from his residence in August 1950 by officials of the Internal Affairs Department;
- (e) Jeong-geun Lee, allegedly abducted from his residence on 28 June 1950 by members of the Korean People’s Army;
- (f) Geun-yong Lee, allegedly abducted from his residence on 30 June 1950 by members of the Korean’s People’s Army;
- (g) Gyu-ho Lee, allegedly abducted on 20 August 1950 from a town near his residence in Geunnam-myeon, Uljin, Gyeongsangbuk-do, by officials of the Internal Affairs Department or the Political Security Bureau;

² <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23997>.

(h) Cheol Ho Seung, allegedly abducted on 26 June 2016 from his residence by security agents of the Ryanggang Province State Security Department;

(i) Man-gyo Lee, allegedly arrested on 25 September 1950 from a house located in Sinheung-dong, Incheon-si, by members of the Korean People's Army;

(j) Hae-mun Yu, allegedly abducted on 20 August 1950 from his residence by a member of the Korean People's Army;

(k) Si-cheol Choi allegedly abducted on 15 August 1950 from his residence by officials of the Internal Affairs Agency;

(l) Jeong Nam Hwang, allegedly abducted in February 1988 by agents of the Social Safety Agency.

50. In accordance with its methods of work, the Working Group also transmitted a copy of 10 of the case files to the Government of the Republic of Korea and a copy of 2 others to the Government of China.

Information from the Government

51. On 6 June 2018, the Government of the Democratic People's Republic of Korea transmitted information concerning 23 outstanding cases, which was considered insufficient to clarify them.

Observation

52. The Working Group continues to be disappointed regarding the standard replies provided by the Government. It wishes to bring the Government's attention to Human Rights Council resolution 21/4, in which the Council urged States to cooperate with the Working Group to help it to carry out its mandate effectively.

Ecuador

Information from the Government

53. On 14 August 2018, the Government of Peru transmitted information concerning one outstanding case under the records of Ecuador. The information provided was considered insufficient to clarify the case.

54. On 29 May 2018, the Government of Colombia transmitted information concerning one outstanding case under the records of Ecuador. The information provided was considered insufficient to clarify it.

Egypt

Urgent action

55. The Working Group, under its urgent action procedure, transmitted 52 cases to the Government of Egypt (see annex II). In accordance with its methods of work, the Working Group transmitted copies of the cases of the 18 individuals listed in (g) to (x) in annex II to the Government of the Russian Federation.

Standard procedure

56. The Working Group transmitted 10 cases to the Government of Egypt under its standard procedure, concerning:

(a) Osama Ibrahim Fathi Ali Mubarak, allegedly abducted from Mansoura II, Dakahlia Governorate, on 3 January 2018 by members of the National Security Agency;

(b) Ahmed Mohamed El-Sayed Mohamed El-Sawah, allegedly abducted from Nasr City, Cairo, on 13 February 2018 by members of the National Security Agency;