

Joint Statement of National, Regional and International Non Governmental Organizations.

Geneva, February 21st 2003-02-20

We warmly greet the initiative of the International Committee of the Red Cross in convening this International Conference on *The Missing* and their families. We wish to highlight the importance of the Conference's operative approach to better address the problem from the perspective of both humanitarian and international human rights law. It is in fact extremely important to have identified practical measures to address the anguish and uncertainty suffered by the families, provide empowerment and help resolve the grave consequences and pain caused by the phenomenon of *The Missing*.

The concept of *The Missing* used by this Conference refers to a wide range of different situations which occur both in the context of armed conflict and internal violence, including: people missing in action or held in secret or some forms of *incommunicado* detention, some internally displaced people and the victims of enforced disappearances. All share the uncertainty, trauma and immense suffering caused to the families of the victims and the universally recognized right of these families to know the fate and whereabouts of their loved ones. That is: the right to truth.

We cannot ignore that norms and standards which have to be observed already exist for each one of these categories of missing persons in International Humanitarian Law and in the International Law of Human Rights.

The practical and operative measures proposed by this Conference to better address the problem of missing persons must, therefore, be interpreted as a contribution to the effective implementation of existing international standards and norms. We believe that the Conference's "Observations and Recommendations" should be interpreted in such a way as to reinforce existing norms and standards. Doing so will also support current efforts of the International Community to develop new legally binding instruments of protection and be consistent with the spirit and purpose of this Conference.

We therefore believe it is necessary for an appropriate consideration and clarification to be included in the President's Report, in order to ensure that the extraordinary effort of this Conference can best contribute to the protection of *The Missing* and their relatives, as well as to the efforts of the international community to apply existing norms and develop new means of protection.

International Commission of Jurists (ICJ)
Latin American Federation of Associations of Families of the Disappeared (FEDEFAM)
International Service for Human Rights (ISHR)
World Organisation Against Torture (OMCT)
Physicians for Human Rights (PHR)
Argentine Team of Forensic Anthropology (EAAF)
Guatemalan Foundation of Forensic Anthropology (FAFG)
Peruvian Team of Forensic Anthropology (EPAF)
FASIC
Fundación Rigoberta Menchú
PROBUSQUEDA