



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

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## **Third Committee of The General Assembly of the United Nations adopts Convention On Enforced Disappearances:**

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### **A Historical Moment In The Promotion And Protection Of Human Rights**

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Yesterday November 13<sup>th</sup>, the Third Committee of the General Assembly of the United Nations adopted, by consensus, the *Convention for the Protection of All Persons from Enforced Disappearances*. The General Assembly should confirm this resolution and adopt the Convention during the following weeks. "The adoption of the Convention constitutes a historical step of high importance in the fight against enforced disappearances. This odious crime cannot be tolerated and should be struggled against and eradicated", said Federico Andreu-Guzmán, Deputy Secretary General of the International Commission of Jurists (ICJ). Now, it falls upon the Member States of the United Nations to reaffirm their commitment in the fight against enforced disappearances by adopting this significant Convention.

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The Convention is the result of immense and sustained efforts by associations of relatives of disappeared persons and non-governmental organizations, worldwide since 1981, when the first conference on a United Nations treaty on enforced disappearance took place and in which the ICJ participated.

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"The Convention fills an immense and intolerable gap: the absence of an international treaty to fight against this international crime, which constitutes a serious and massive human rights violation. This is a Convention with teeth that will permit an efficient fight against this horrendous crime", said Federico Andreu-Guzmán. The Convention states that enforced disappearance is an international crime and establishes an absolute right not to be subjected to enforced disappearance, as well as it sets out several obligations in terms of prevention, such as: prohibition on secrets detentions, that deprivation of liberty shall only take place in officially recognized and supervised facilities that maintain records of all detainees and the non-derogable right of *habeas corpus* and to obtain information on detainees.

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Moreover, The Convention reaffirms the right to truth and to reparation for victims and their relatives, as well as the right to form associations and organizations to fight against enforced

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The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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disappearance. The treaty also deals with wrongful removal of children whose parents were victims of enforced disappearance, the falsification of children's identities and their adoption. The Convention provides for a Committee on enforced disappearances that, in addition to functions of monitoring and consideration of individual and inter-state complaints, has a humanitarian urgent procedure, the power to undertake field inquiries and the ability to bring to the attention to the UN General Assembly situations of widespread and systematic practice of enforced disappearance.

"Enforced disappearance is one of the most odious human rights violations and a crime under international law. The victim is deprived of all of his or her rights and relegated to a situation of total vulnerability at the hands of the perpetrators of the crime. The struggle against this crime and the protection of victims and their families shall be a priority for all States", said Federico Andreu-Guzmán.

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