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Report of the Chair of the Working Group on Enforced or Involuntary Disappearances
Interactive Dialogue*

Joint Oral Intervention of Human Rights Watch, the Colombian Commission of Jurists and the International Commission of Jurists

Mr President,

Human Rights Watch, the Colombian Commission of Jurists and the International Commission of Jurists welcome the update by the Chair of the Working Group on Enforced or Involuntary Disappearances.

In Sri Lanka, allegations of disappearances in Colombo and in the North and East of Sri Lanka continue to be received. Since its establishment in 1980, the Working Group has received over 13,000 cases from Sri Lanka. We welcomed the efforts by the Government of Sri Lanka in the 1990s to resolve many of these cases. However, there have been very few prosecutions of those responsible. In 2006, the national Human Rights Commission documented over 1000 cases of abductions and disappearances, and has already recorded over 100 cases this year. The Civil Monitoring Committee has documented 12 killings and 50 abductions in the last three months alone outside the North and East. Today, the Working Group has 5,749 outstanding cases.

We urge Sri Lanka to invite the Working Group to visit the country.

Mr President,

In Thailand, allegations of disappearances in the three southern border provinces, where emergency and martial laws apply, and in the North and North-East have continued to be received. We welcome initiatives already begun by the Government, such as the establishment of the National Legislative Assembly's committee to examine human rights violations in the southern border provinces. However, prosecutions have yet to take place.

We are deeply concerned that in both Thailand and Sri Lanka, with continuing impunity, far-reaching Emergency Regulations and an escalation of violence, enforced disappearances will continue to take place.

Mr President,

Nepal was the source of the largest number of urgent action cases transmitted by the Working Group to one country in 2004. Of the 2028 cases received by the National Human Rights Commission between May 2000 and 13 January 2007, the whereabouts of people involved in 645 of these cases remains unknown. We acknowledge the provision in the Interim Constitution recognising past enforced disappearances and requesting that

relief be provided to the families of victims, but encourages the Government to ensure justice is available to those affected.

We encourage a follow up visit by the Working Group to assist Nepal in dealing with past disappearances.

Mr President,

Colombia is plagued with a continuing pattern of disappearances, as characterized by the Working Group (paragraph 147, A/HRC/4/41). Despite the positive judgment of the Constitutional Court regarding the Peace and Justice Law, the Government issued a decree that hinders the application of the Court's decision by making new concessions and further reducing already very short reduced sentences for perpetrators of forced disappearances and other crimes. Despite the existing domestic legal framework and mechanisms to search for disappeared persons, the implementation remains to be seen.

We urge the Colombian government to comply with the recommendations of the Working Group following their visit to the country in July 2005.

Thorough and effective investigations of enforced disappearances and bringing those responsible to justice, would not only bring justice for past victims, but help deter future enforced disappearances. These governments should take urgent steps to prevent this heinous crime, investigate allegations of disappearances and bring to justice before ordinary criminal courts those responsible.

Mr President,

At the first session of this Council, member states adopted the *International Convention for the Protection of All Persons from Enforced Disappearance* and the General Assembly adopted it last December. We strongly encourage all member states of the United Nations to ratify and implement this convention, reaffirming their commitment to eradicate this heinous crime.