Committee on Enforced Disappearances

Eighteenth Session

 Opening online session – 4 May 2020

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Opening address by

Mohammed Ayat

Chair of the Committee on Enforced Disappearances

Videoconference

Monday, 4 May 2020, 2pm

*Dear colleagues,
Ladies and gentlemen,*

Welcome to the 18th session of the United Nations Committee on Enforced Disappearances.

This session was originally going to take place in Geneva from 30 March to 11 April 2020. In line with the measures adopted to face the Covid-19 pandemic, we had to postpone the session for a few weeks. Also and above all, we have to meet virtually, by videoconference, in order to adopt without delay the documents that the Committee considered possible to adopt.

Through this online session, we want to reiterate our constant commitment to support the victims of enforced disappearance, and to assist States in the implementation of the provisions of the Convention.

To organize a session in the current context was very challenging. We had to combine efforts to meet technical challenges, while ensuring compliance with our rules of procedure. We should then recall that we are all learning together to face the COVID 19 context. Indulgence is necessary from all of us. Such setting is not ideal, of course. In the first place, it puts lots of limits to the interaction we need with States, civil society organizations, national human rights institutions, victims and stakeholders in general. However, we do the best we can in the circumstances.

Then, this setting requires additional efforts from all. And in this connection, I want to thank each member of the Committee for the special efforts they have made to allow this session to take place. Our colleague Koji Terraya is in Japan, while our colleague Carmen Rosa Villa is in Peru. At this very moment, we are therefore navigating between time zones that are difficult to reconcile, from 7am to 9pm. Thanks a lot for your efforts.

Thanks also to all the members for agreeing to work exceptionally without interpretation. This is of course contrary to the principle of multilingualism that must prevail in all the activities of the United Nations, whatever the circumstances. However, we adapted ourselves, to the extent possible, without forgetting the limitations that the lack of interpretation imposes on the execution of our mandate. For example, the interactive dialogues with States that were planned for the 18th session had to be postponed. It is also worth highlighting the extra work that the lack of interpretation has imposed on the experts and Secretariat to enable us to carry out our debates in a responsible manner. For all this, once again, thank you.

In any case, as usual, we go on pursuing our work on a daily basis since the last session including during the crisis. Work to prepare this session and the following ones. Work to respond to the requests for Urgent Actions. Work that adapts to the realities of the world, as shown by the adoption of the exceptional working modalities that you are witnessing today.

The Committee lives and evolves constantly. In this context, I wish to share two important pieces of information.

The first relates to the appointment of Mrs. Albane Prophette-Pallasco as Secretary of the Committee. Dear Albane, I would like, personally, and on behalf of all my colleagues, to wish you all the success you deserve. We are happy and very fortunate that you are already a member of the Committee family, having very efficiently coordinated the management of Urgent Actions since 2013. I wish to recall that you have a rich work-experience in the field, as well as with all the other treaty bodies. Welcome to your new role and thank you for your constant commitment.

I also want to warmly thank our colleague Jorge Araya for his work as Acting Secretary of our Committee. A job he did with great seriousness and commitment. Personally and on behalf of all the colleagues, I wish him all the best for this new page of his career.

The second piece of information I want to share concerns our colleague Horacio Ravena. As you know, Mr. Ravena was unfortunately ill. We regret that he cannot be with us today, but we are happy to know that he is gradually recovering. We wish him a quick and full recovery. I must also express the Committee’s deep gratitude since, despite his illness, Mr. Ravena has continued working over the past weeks for the preparation of the 18th session.

*Dear colleagues,*

*Ladies and gentlemen,*

2019 was a busy year. I do not pretend to make an exhaustive list of the activities carried out. They will all be reflected in the Annual Report to the General Assembly that we will adopt online during this session.

However, let me inform you that, to date, the Committee has conducted thirty-three (33) interactive dialogues with States parties to the Convention, and that we are about to adopt the thirty-sixth (36th) Committee’s list of issues. This total includes a list of issues in the absence of a report.

In this connection, I wish to emphasize that, unfortunately, nineteen (19) States parties have not yet submitted their initial reports on the implementation of their treaty obligations. To remedy this situation, the Committee decided, as other treaty bodies did before, to examine States in the absence of a report. This is done whenever a State fails to submit its initial report five (5) years after the entry into force of the Convention to it.

The Convention also allows the Committee to request a State already examined to provide additional information. The Committee applied this procedure once and is gradually developing it. Whenever it considers it necessary, the Committee can therefore request a State to provide information on a specific issue or situation of concern.

These measures are essential to ensure that the implementation of the Convention remains a reality in the long term everywhere.

The Committee also dedicates large part of its work to Urgent Actions. Through this procedure, the Committee can request States parties to take immediate action to search for a disappeared person. As of today, the Committee has registered close to 900 Urgent Actions, with an increase by 79% of submissions between 2018 and 2019. I take this opportunity to thank the Secretariat and the members of the Committee for their continued efforts to respond to this large number of requests.

The work of the Committee therefore continues to increase. But the means put at our disposal remain short. Following the General Assembly Resolution of 2014, the Committee was allocated an additional week of session. The aim of this additional week was simply to enable us to do our work. Unfortunately, we could not use it because we did not get the necessary human resources to support our work. This is objectively unacceptable.

Let’s hope that the 2020 review process referred to by Mr. Ibrahim Salama provides effective solutions to allow us fulfilling our mandate properly.

Another important challenge remains the ratification of the Convention.
In 2019, three states ratified the Convention. The Committee highly welcomes their initiative. As of today, 62 States have therefore ratified the Convention. This remains insufficient. The strategy adopted so far to encourage the universalization of the Convention must be urgently consolidated.

International human rights treaties such as the Convention are indeed a necessary guiding tool for everyone. They are here to guide States to define and implement their policies and plans of actions. They are here to help victims assert their rights, and to prevent the repetition of human rights violations. The context of COVID 19 shows us daily the high relevance of these guiding tools.

Yes, the COVID 19 pandemic threatens all of us. It is an invisible and omnipresent danger that no State or authority was prepared to confront. In response, borders were closed. And measures taken to deal with the emergency suspend many of our fundamental rights. Our freedom of movement, and not only this freedom, was dramatically limited. Almost everywhere, people are confined.

Yet, despite the fact that people are more distant than ever, more physically separated than ever, they had never realized so much how their fates are intertwined. Several observers believe that after the Corona crisis the world will become more focused on human values rather than on unrestrained material growth. Personally, I do not think that the conditions prone to such radical change exist for the time being. I however stay on the side of those who are optimistic and actively back their cause.

For now, we must remain vigilant to ensure that human rights are respected, both during the crisis and when it comes to an end. The United Nations and Treaty Bodies have a primary role to play in this regard.

Access to health for all, without exception, is an absolute priority. States also have a duty to ensure the security of people under their jurisdiction. Definitely, we must welcome all the efforts made in order to ensure the safety of people and take care of their wellbeing.

By the same token, it remains paramount to ensure respect for all fundamental rights, particularly those that cannot suffer any derogations. In this way, no one should ever be victim of an enforced disappearance.

In the current context, I particularly think about the victims of enforced disappearance. I think about disappeared persons, waiting somewhere for their release, with no contact with the outside world.

I think about the families and relatives who are no longer allowed to go out to search for their loved ones, or to earn something to eat. Some still do so to survive, at the risk of being infected.

I think about those who, since the beginning of the crisis, find closed doors when seeking support from the authorities in charge of searching for their loved ones.

In some countries, to respond to the pandemic, bodies might have been burnt in a hurry without prior identification. I think of families who fear that their disappeared ones may have suffered such fate.

The challenges raised by Covid 19 are manifold and their dimensions are still difficult to measure. However, one thing is certain. These challenges recall States of their obligation under international human rights treaties. Obligations that must constantly and imperatively guide their actions.

Thanks a lot for your attention.