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**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF:  
DISAPPEARANCES AND SUMMARY EXECUTIONS  
Report of the Working Group on Enforced or Involuntary Disappearances**

## Summary

Established by resolution 20 (XXXVI) of 29 February 1980 of the Commission on Human Rights, the Working Group on Enforced or Involuntary Disappearances was the first United Nations human rights thematic mechanism to be established with a global mandate. Since its inception, the Working Group has transmitted more than 50,000 individual cases to Governments in more than 90 countries.

In the present report, the Working Group expresses serious concern regarding situations of disappearance worldwide. It notes with great concern the large number of reports of disappearances transmitted over the last year. During the period under review, the Working Group transmitted to Governments in 22 countries 535 newly reported cases of disappearances. During the same period, the Working Group clarified 1,309 cases in 17 countries, a considerable increase over previous years. This is due in large measure to an enhanced capacity of the Secretariat to address a backlog of unprocessed cases, in particular from Sri Lanka.

During the reporting period, the Working Group conducted a country visit to Colombia. The report of the country visit to Colombia is an addendum to this report. It contains an overview of the constitutional and legal framework on disappearances, including developments since the last visit of the Working Group in 1988. It highlights the gap between a sophisticated legal system and the poor concrete results of legal mechanisms designed to address the crime of disappearance. The Working Group makes general and specific recommendations to halt the continuing pattern of disappearances in the country, to protect the families of victims and non-governmental organizations working to discover the fate or whereabouts of disappeared persons, to address the problem of underreporting of cases of disappearance, to align domestic legislation with the States' obligation under the Declaration on the Protection of the Rights of All Persons from Enforced Disappearance, and to more effectively implement the existing legal mechanisms on disappearances in Colombia.

The Working Group is still particularly concerned about reports it has received of the disappearance of children and, in a few cases, of physically and mentally challenged persons. The Working Group recalls the obligation of States to protect all groups in situations of vulnerability. It will continue to monitor this issue closely, and treat all such cases as a matter of urgency.

The protection of all human rights defenders, families seeking their disappeared relatives, witnesses and legal counsel is also a constant preoccupation of the Working Group. States are reminded of their obligation under article 13, paragraph 3, of the Declaration to protect against "ill-treatment, intimidation or reprisal" all persons involved in the investigation of disappearances.

The Working Group again stresses its grave concern that anti-terrorist activities are being used by an increasing number of States as an excuse for not respecting the obligations of the Declaration. Credible reports point to the repression of opposition groups in many States in the name of a "war on terror". In addition "extraordinary rendition" has been used to transport

terrorist suspects to other States for aggressive interrogation. Information continues to reach the Working Group concerning the existence of secret detention centres where terrorist suspects are held in complete isolation from the outside world. In all three situations, people disappear. As is well documented, disappearance is often a precursor to torture and even to extrajudicial execution.

The Working Group notes that in some post-conflict situations, mechanisms of truth and reconciliation are being used as one of the ways of moving the affected societies from war to peace and from conflict to post-conflict government. The Working Group expresses its concern that such circumstances can give rise to the enactment of amnesty laws and the implementation of other measures that lead to the same result: impunity. As a response to this concern, during the seventy-seventh session of the Working Group, it adopted a general comment on article 18 of the Declaration in an effort to contribute to the progressive development of international law on this sensitive matter.

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## I. INTRODUCTION

### A. The mandate

1. The Working Group on Enforced or Involuntary Disappearances derived its original mandate from resolution 20 (XXXVI) of 29 February 1980 of the Commission on Human Rights. This resolution followed General Assembly resolution 33/173 of 20 December 1978 entitled "Disappeared persons", in which the General Assembly expressed concern over reports from various parts of the world relating to enforced disappearance. The Working Group was the first United Nations human rights thematic mechanism to be established with a universal mandate.
2. Elaboration on the Working Group's mandate was provided in General Assembly resolution 47/133 of 18 December 1992, entitled "Declaration on the Protection of All Persons from Enforced Disappearance"<sup>1</sup> and most recently by the Commission on Human Rights in resolution 2004/40 of 19 April 2004. These instruments gave the Working Group the primary responsibility of working to secure compliance of member States with those international humanitarian principles, norms and provisions on protecting all persons from enforced or involuntary disappearances.
3. In addition to the core mandate, the Working Group has also been entrusted, according to Commission resolution 2004/40, with the task of monitoring the progress of States in fulfilling obligations derived from the Declaration.

### B. Disappearance as a global problem

4. Although the Working Group was initially formed to address the legacy of disappearance arising from authoritarian rule in Latin America, disappearance has now become a global problem not restricted to a specific region. The more common pattern today is that large-scale disappearances occur in States suffering from internal conflict, as in the case of Colombia, Nepal, the Russian Federation, Iraq, and the Sudan. In other countries political repression of opponents has resulted in hundreds of cases of disappearance. Countries such as Algeria and the Philippines may be mentioned in this regard. In some cases such as the Islamic Republic of Iran, radical political changes have created conditions that led to hundreds of cases of disappearance. There are also countries that carry the burden of their past, with thousands of cases that still await clarification<sup>2</sup> after decades, as in Argentina and Chile, and some countries in Central America.
5. In certain situations, due to probable underreporting of disappearances especially but not uniquely in Africa, the Working Group expects that large numbers of reports of disappearance arising from current conflicts could be submitted to it during the coming years. The Working Group has highlighted such situations in its present report.
6. Among the general factors found by the Working Group to account for the underreporting of disappearance cases are poverty, illiteracy, submissiveness to fatalism, fear of reprisal, weakness of administration of justice, ineffectual reporting channels and mechanisms, institutionalized systems of impunity, and a practice of silence. There may also be particular factors promoting the underreporting of the phenomenon of disappearance in given countries or regions.

7. The Working Group is concerned that underreporting of disappearance in certain regions and countries is also due to restrictions on the work of civil society on this sensitive issue. It is difficult to receive information from some parts of the world in which there are many indications that human rights violations, including disappearances, have taken and are still taking place. Unfortunately, in some regions non-governmental organizations (NGOs) are not numerous and organized enough to be able to work effectively on disappearances. Nevertheless the Working Group continues to receive positive information on the development of a network of associations of families of victims and NGOs that may be able to deal with this issue in the future.

8. In the context of internal armed conflict, opposition forces have reportedly perpetrated disappearances. While the mandate of the Working Group is limited to violations carried out by State agents or non-State actors acting with the connivance of the State, the Working Group condemns the practice of disappearance irrespective of who the perpetrators may be.

### **C. The way we work**

9. The primary task of the Working Group is to clarify the fate or whereabouts of persons who are reported to have disappeared.<sup>2</sup> The Working Group serves as a channel of communication between sources of information on alleged disappearances - typically family members or NGOs - and Governments. The Working Group does not establish criminal liability nor does it declare State responsibility. Its mandate is essentially humanitarian. Since its inception the Working Group has transmitted more than 50,000 individual cases to Governments in more than 90 countries. Though clarifying the fate of disappeared persons is a difficult task, the Working Group, through its continuing contact with Governments and NGOs, whose work on the question of disappearances has been essential, strives to help the victims of disappearances, including the persons directly concerned and their family members.

10. The crime of enforced disappearance, as defined in the Declaration on the Protection of All Persons from Enforced Disappearance, is a continuous crime until the fate or whereabouts of the disappeared person becomes known. For that reason, a disappearance remains under active consideration by the Working Group until the case is clarified. Once received from a source, a case is transmitted to a Government with a request for a response. Cases that occurred within the three months preceding receipt by the Working Group are treated as "urgent actions" and are transmitted immediately to the country concerned. It is common for the Working Group to facilitate successive exchanges of information between the source and the Government. Any governmental reply containing detailed information on the fate or whereabouts of the disappeared person is transmitted to the source. If under normal circumstances the source does not respond within six months of the date on which the reply was communicated to it, or if it contests the Government's information on grounds that are considered to be unreasonable by the Working Group, the case is considered clarified, hereafter referred to as the "six-month rule".

11. The Working Group also takes "prompt intervention" actions in connection with acts of intimidation, persecution or reprisal against relatives of missing persons and private individuals or groups who seek to discover the fate or whereabouts of disappeared persons, to uncover the causes of disappearances, or to claim redress. "Prompt intervention" letters are sent to the Government concerned with the appeal that it take immediate steps to protect all the fundamental rights of the persons affected.

12. Appeals made to the Working Group do not restrict simultaneous use of international or regional treaty-based human rights petition procedures.

13. In addition to dealing with individual cases of disappearance, the Working Group also reports upon "general allegations". These general allegations derive from information provided by credible non-governmental organizations and by associations of families of the disappeared with which the Working Group is in regular contact. The Working Group simply transmits the general allegations to Governments for their comment and response. This year, the general allegations were transmitted to Governments in June, allowing five months for a response.

#### **D. The present report**

14. In the period under review, the Working Group decided to adopt a new format for reporting to the Commission on Human Rights. Apart from the minor structural changes reflected in the Introduction and Conclusions, the most significant contribution in this new system of reporting is in the information regarding specific countries.

15. For the first time, a tabular summary of relevant information is provided for each State. Under the prior system, where the Working Group had not received any information regarding a particular country, the report would contain no information on that country, even though the Working Group still had outstanding cases. In this year's report, the Working Group has decided to include every country which has outstanding cases before the Working Group. Therefore, as far as country reports are concerned, this report has three main categories. The first one refers to countries about which information was provided, either by the source or by the Government, on any of the outstanding cases before the Working Group. If urgent actions or prompt interventions or general allegations were transmitted to the Governments, the report shows that information. The second category refers to countries where no new information was received by the Working Group during the year under consideration. In this case, the report provides the information that the Working Group has in its files and therefore reports that no new information was received. The third category refers to a few States that have never responded to the Working Group's requests for information about the cases that have been reported and remain outstanding.

16. The Working Group decided to implement this new system to give a more complete attention to all countries where disappearances have been reported to the Working Group. This is an additional step of the Working Group to make its work more efficient and effective. This is particularly important in relation to countries with a large number of unresolved cases that have not communicated on a regular basis with the Working Group, or where, even if they do communicate regularly, the information provided is unsubstantial or seems to be "pro forma", with no relevant additional information. For certain countries referred to in this report, the Working Group extends invitations to Governments to meet the Working Group at any of its sessions to take place during 2006.

17. The present report of the Working Group is submitted pursuant to Commission on Human Rights resolution 2005/27. Since its creation in 1980, the Working Group has submitted a report annually to the Commission on Human Rights, starting at the Commission's thirty-seventh session.<sup>3</sup> As in the past, the report reflects only communications or cases

examined prior to the last day of the third annual session of the Working Group, namely 30 November 2005. Those responses from Governments reviewed after that date, as well as urgent actions subsequently transmitted, will be reflected in the next report of the Working Group. In respect of newly reported cases transmitted by the Working Group after 15 September 2005, it must be understood that the Governments concerned may not have been able to respond prior to the adoption of the present report.

18. The total number of cases transmitted by the Working Group to Governments since the Working Group's inception is now 51,236. The total number of cases under active consideration that have not yet been clarified or discontinued stands at 41,128 and concerns 79 States. Over the past five years, the Working Group has been able to clarify 7,087 cases.

19. The additional Secretariat staffing provided in 2004 permitted the Working Group to continue addressing a backlog of cases. Over the last year, the Working Group managed to transmit all of the pending responses from the Government of Sri Lanka to sources in that country. The Working Group is pleased with the significant progress made in addressing this issue and expects further progress in 2006. However, the Working Group hopes that the ongoing regularization of posts undertaken by the Office of the High Commissioner for Human Rights will not adversely affect the stability of staffing within the Working Group over the course of the next few years.

#### **E. Areas of particular concern this year**

20. The Working Group is still particularly concerned about reports it has received of the disappearance of children and, in a few cases, of physically and mentally challenged persons. The Working Group recalls the obligation of States to protect all groups in situations of vulnerability. It will continue to monitor this issue closely, and treat all such cases as a matter of urgency.

21. The protection of all human rights defenders, families seeking their disappeared relatives, witnesses, and legal counsel is also a constant preoccupation of the Working Group. States are reminded of their obligation under article 13 (3) of the Declaration to protect against "ill-treatment, intimidation or reprisal" all persons involved in the investigation of disappearances.

22. The Working Group again stresses its grave concern that anti-terrorist activities are being used by an increasing number of States as an excuse for not respecting the obligations of the Declaration. Credible reports point to the repression of opposition groups in many States in the name of a "war on terror". In addition "extraordinary rendition" has been used to transport terrorist suspects to other States for aggressive interrogation. Information continues to reach the Working Group on the existence of secret detention centres where terrorist suspects are held in complete isolation from the outside world. In all three situations, people disappear. As is well documented, disappearance is often a precursor to torture and even to extrajudicial execution.

23. The Working Group notes that in some post-conflict situations, mechanisms of truth and reconciliation are being employed as one of the ways of moving the affected societies from war to peace and from conflict to post-conflict government. The Working Group expresses its

concern that such circumstances can give rise to the enactment of amnesty laws and the implementation of other measures that lead to the same result: impunity. As a response to this concern, during its seventy-seventh session, the Working Group adopted a general comment on article 18 of the Declaration in an effort to contribute to the progressive development of international law on this sensitive matter (see section II.E.2).

## **II. ACTIVITIES OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES: NOVEMBER 2004 TO NOVEMBER 2005**

### **A. Meetings and cases**

24. During the period under review, the Working Group held three sessions. The seventy-fifth session was held in Bangkok from 26 May to 3 June, the seventy-sixth session was an e-meeting, which considered only individual cases, and the seventy-seventh session was held in Geneva from 21 to 30 November 2005.

25. The following members of the Working Group participated in all sessions: Mr. Stephen J. Toope, Chairman-Rapporteur; Mr. J. 'Bayo Adekanye, Vice-Chairman-Rapporteur; Mr. Saied Rajaie Khorasani, Mr. Darko Göttlicher, and Mr. Santiago Corcuera.

26. The Working Group has adopted the practice that its members will not attend meetings of the Working Group when issues related to the country of their nationality are discussed.

27. During the period under review, the Working Group transmitted for the first time 535 cases of disappearance in 22 countries, 91 of which allegedly occurred during the last year. As in previous years, the Working Group has used an urgent action procedure for 132 cases that allegedly occurred within the three months preceding the receipt of the report by the Group. During the reporting period, the Working Group clarified 1,347 cases of enforced disappearance and discontinued 3 cases.

28. During the period under review, the Working Group met formally with representatives of the Governments of Japan, Morocco and Guatemala. The Group also met with representatives of human rights organizations, associations of relatives of disappeared persons and families or witnesses directly concerned with reports of enforced disappearance.

29. During the sixty-first session of the Commission and while in Geneva for Working Group meetings, the Chairman-Rapporteur, Stephen Toope, met with NGOs from Africa, Asia, and North and South America, working on specific country situations. He also met with representatives of Amnesty International, Human Rights Watch, the Humanist Committee on Human Rights, the International Commission of Jurists and the International Federation of Human Rights Leagues. In addition, Mr. Toope met with the Ambassadors of Algeria, India and the Russian Federation to discuss possible country visits. Mr. Toope also met with a delegation from the Government of Yemen and with a consultant to the Sri Lankan Human Rights Commission to discuss the clarification of cases.

## **B. Communications**

30. During the period under review, the Working Group transmitted 535 new cases of enforced or involuntary disappearance to the Governments of Algeria, China, Colombia, the Congo, the Democratic Republic of the Congo, Egypt, Equatorial Guinea, Ethiopia, France, India, Indonesia, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Nepal, the Philippines, the Russian Federation, Saudi Arabia, Serbia and Montenegro, the Sudan, Thailand, Tunisia and Uzbekistan.
31. The Working Group sent 132 of these cases under the urgent action procedure to the Governments of China, Colombia, Egypt, Ethiopia, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Nepal, the Philippines, the Russian Federation, the Sudan, Tunisia and Uzbekistan.
32. Of the newly reported cases, 91 allegedly occurred in 2005, and relate to China, Colombia, the Democratic Republic of the Congo, Egypt, Ethiopia, the Libyan Arab Jamahiriya, Nepal, the Philippines, the Russian Federation, the Sudan, Tunisia and Uzbekistan.
33. During the same period, the Working Group clarified 1,347 cases in the following countries: Burkina Faso, China, Colombia, Ethiopia, Guatemala, the Islamic Republic of Iran, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Morocco, Nepal, the Russian Federation, Sri Lanka, the Sudan, Thailand, Tunisia, Turkey and Yemen.
34. During the period under review, the Working Group joined with other special procedures mandate holders to issue 15 joint Urgent Actions sent to the Governments of Algeria, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Nepal, the Russian Federation and the Sudan.
35. As in previous years, the Working Group received reports and expressions of concern from NGOs, associations of relatives of disappeared persons and individuals about the safety of persons actively engaged in the search for missing persons, in reporting cases of disappearance or in the investigation of cases. In some countries, the mere act of reporting a disappearance entailed a serious risk to the life or security of the person making the report, or to his or her family members. In addition, individuals, relatives of disappeared persons and members of human rights organizations were frequently harassed and threatened with death for reporting cases of human rights violations or investigating such cases.
36. In 2005, the Working Group sent eight prompt intervention communications addressing the harassment of and threats to human rights defenders and relatives of disappeared persons in Algeria, Colombia, India, Indonesia, Nepal, Rwanda and Thailand.

## **C. Country visits**

37. At the invitation of the Government of Colombia, the Vice-Chairman-Rapporteur, J. 'Bayo Adekanye, and Working Group member Santiago Corcuera visited Colombia from 5 to 13 July 2005. These Working Group members visited Bogotá, Barrancabermeja and Medellín. They met with high-ranking officials, local authorities and representatives of the army and the police, as well as with NGOs and families of the disappeared.

38. The report of the country visit to Colombia is an addendum to this report. It contains an overview of the constitutional and legal framework on disappearances, including developments since the last visit of the Working Group in 1988. It highlights the gap between a sophisticated legal system and the poor concrete results of legal mechanisms designed to address the crime of disappearance. The Working Group makes general and specific recommendations to halt the continuing pattern of disappearances in the country, to protect the families of victims and NGOs working to discover the fate or whereabouts of disappeared persons, to address the problem of underreporting of cases of disappearance, to align domestic legislation with the State's obligation under the Declaration, and to more effectively implement the existing legal mechanisms on disappearances in Colombia.

39. The Working Group has requested visits to Algeria, Argentina, India, the Islamic Republic of Iran, Morocco, the Russian Federation and the Sudan. The Working Group will visit Argentina in November 2006, immediately after holding its working session in Buenos Aires. The Russian Federation has agreed in principle to a country visit in 2007, the dates to be confirmed. The Government of the Islamic Republic of Iran had agreed to a visit by the Working Group in 2005, which was delayed at the request of the Government. New dates for the visit must be agreed. The Working Group is discussing possible country visits with diplomatic representatives of India and Morocco. Regretfully, up to now, the Government of Algeria has not responded to the interest expressed by the Working Group to visit the country.

#### **D. Participation in the intersessional working group to draft a legally binding instrument for the protection of all persons from enforced disappearance**

40. Over the course of the last two years, four members of the Working Group have participated in meetings of the intersessional working group to draft a legally binding instrument for the protection of all persons from enforced disappearances. Mr. Adekanye and Mr. Toope attended in January 2004, and formally raised certain key issues for the attention of States. Mr. Göttlicher attended in October 2004, and Mr. Corcuera in February 2005, sharing information about the working methods of the Working Group and informally suggesting drafting approaches. Mr. Toope attended the last negotiating and drafting session in September 2005 and intervened to draw the attention of States to important normative issues to be addressed in the draft instrument. The Working Group welcomes the conclusion of the draft convention on enforced disappearance and congratulates all the associations of families of the disappeared who worked tirelessly to promote a binding treaty on disappearances.

#### **E. Statements, studies and general comments**

41. The Chairman-Rapporteur attended the meeting of the special procedures in June 2005 and joined in the concluding statement.

42. In addition, Mr. Toope joined with the Special Rapporteur on extrajudicial, summary or arbitrary executions to issue a statement on the September 2005 referendum in Algeria on peace and reconciliation. The two experts expressed the hope that in pursuing national reconciliation the right of victims of disappearance to truth and reparations would be fully acknowledged and implemented.

43. For the International Day of the Disappeared, a press release was issued on 26 August 2005 on behalf of the Working Group expressing its concern about the phenomenon of disappearance in various parts of the world. It also expressed its solidarity with all those who suffer from enforced disappearance and with human rights defenders working for disappeared persons and their relatives.

44. The Working Group issued a statement on 23 September 2005 welcoming the conclusion of the drafting of the International Convention for the Protection of All Persons from Enforced Disappearance and congratulating the Chairperson of the drafting group, the States that participated in the negotiations, and the NGOs and collectives of families of the disappeared who worked to ensure a successful outcome to the negotiations.

45. Mr. Toope also delivered an expert statement at the conference “The global struggle against torture”, co-sponsored by Amnesty International and Reprieve and held in London from 19 to 21 November 2005.

### **1. Comparative study on the criminal law treatment of enforced or involuntary disappearances**

46. At its seventh-fifth session, the Working Group decided to commission a comparative study on the criminal law treatment of enforced or involuntary disappearances in States around the globe. Article 4 of the Declaration requires that States treat all acts of enforced disappearance as “offences under criminal law punishable by appropriate penalties which shall take into account their extreme seriousness”.

47. The Working Group sent a note verbale inviting all Governments to provide information concerning the treatment of enforced or involuntary disappearances within their national law. Of the 18 Governments which responded to the invitation, many provided very detailed information. The full study will be released in 2006.

48. Preliminary analysis reveals that outside of Latin America, very few States have created a specific criminal offence of enforced or involuntary disappearances. In total, only eight countries have created a separate offence. Of these, only one is outside of Latin America.

### **2. General comment on article 18 of the Declaration**

49. The problem of impunity for disappearances has long troubled the Working Group. For many years the creation of truth commissions and other mechanisms of peace and reconciliation, and the possibility of amnesty and pardon in a number of States have generated heated debate within countries and internationally. At its seventy-fourth session, the Working Group invited a member to prepare a short paper on this issue. The paper was thoroughly debated by the Working Group at its seventy-fifth session. In November 2005, at its seventy-seventh session, the Working Group adopted the following general comment on article 18 of the Declaration:

“Disappearances, amnesty and impunity: general comment on article 18 of the Declaration on the Protection of all Persons from Enforced Disappearance

*“Preamble*

“The Working Group on Enforced or Involuntary Disappearances has long been concerned with the effects of legal measures that result in amnesties and pardons, as well as mitigating measures or similar provisions that lead to impunity for gross violations of human rights, including disappearance. In its 1994 report (E/CN.4/1994/26) the Working Group specifically referred to the question of impunity, reminding States of their obligations not to make or enact laws that would in effect give immunity to perpetrators of disappearances. Subsequent reports have repeated this concern.

“The Working Group has followed closely the development of international human rights law regarding impunity. The Working Group bears in mind the contents of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, and recalls the provisions of article 15 (2) of the International Covenant on Civil and Political Rights, the several decisions of the Human Rights Committee and of the Inter-American Commission and Court of Human Rights on the question of amnesties, and the reports and independent studies on the question of impunity prepared for the United Nations human rights system by independent experts.

“In its resolutions, particularly 57/215, entitled ‘Question of enforced or involuntary disappearances’, the General Assembly encouraged the Working Group to ‘continue to consider the question of impunity, in the light of the relevant provisions of the Declaration and of the final reports submitted by the special rapporteurs appointed by the Subcommission’. The Working Group decided at its seventy-fourth session that it would examine issues related to amnesties and impunity at its following sessions.

“The Working Group has decided to issue the following general comment on what it determines to be the proper interpretation of article 18 of the Declaration on the Protection of all Persons from Enforced Disappearance:

*“General comment*

“1. Article 18 of the Declaration on the Protection of all Persons from Enforced Disappearance (hereafter referred to as the ‘Declaration’) should be interpreted in conjunction with other articles of the Declaration. Therefore, States should refrain from making or enacting amnesty laws that would exempt the perpetrators of enforced disappearance from criminal proceedings and sanctions, and also prevent the proper application and implementation of other provisions of the Declaration.

“2. An amnesty law should be considered as being contrary to the provisions of the Declaration even where endorsed by a referendum or similar consultation procedure, if, directly or indirectly, as a consequence of its application or implementation, it results in any or all of the following:

“(a) Ending the State’s obligations to investigate, prosecute and punish those responsible for disappearances, as provided for in articles 4, 13, 14 and 16 of the Declaration;

“(b) Preventing, impeding or hindering the granting of adequate indemnification, rehabilitation, compensation and reparation as a result of the enforced disappearances, as provided for in article 19 of the Declaration;

“(c) Concealing the names of the perpetrators of disappearance, thereby violating the right to truth and information, which can be inferred from articles 4 (2) and 9 of the Declaration;

“(d) Exonerating the perpetrators of disappearance, treating them as if they had not committed such an act, and therefore have no obligation to indemnify the victim, in contravention of articles 4 and 18 of the Declaration;

“(e) Dismissing criminal proceedings or closing investigations against alleged perpetrators of disappearances or imposing insignificant sanctions in order to give the perpetrators the benefit of the right not to be tried twice for the same crime which would in fact result in impunity, thereby violating article 4 (1) of the Declaration;

“3. The following are examples of ‘similar measures’ which, even if not contained in an amnesty law, should be considered contrary to the Declaration:

“(a) Suspension or cessation of an investigation into disappearance on the basis of failure or inability to identify the possible perpetrators, in contravention of article 13 (6) of the Declaration;

“(b) Making the victim’s right to truth, information, redress, reparation, rehabilitation, or compensation conditional on the withdrawal of charges or the granting of pardon to the alleged perpetrators of the disappearance;

“(c) Application of statutory limitations that are short or that commence even as the crime of disappearance is still ongoing, given the continuing nature of the crime, thereby breaching articles 4 and 17 of the Declaration;

“(d) Application of any statutory limitation when the practice of disappearance constitutes a crime against humanity;

“(e) Putting perpetrators on trial as part of a scheme to acquit them or impose insignificant sanctions, which would in fact amount to impunity.

“4. Notwithstanding the above, article 18 of the Declaration, when construed together with other provisions of the Declaration, allows limited and exceptional measures that directly lead to the prevention and termination of disappearances, as provided for in article 3 of the Declaration, even if, prima facie, these measures could appear to have the effect of an amnesty law or similar measure that might result in impunity.

“5. Indeed, in States where systematic or massive violations of human rights have occurred as a result of internal armed conflict or political repression, legislative measures that could lead to finding the truth and reconciliation through pardon might be the only option to terminate or prevent disappearances.

“6. Although mitigating circumstances may, at first glance, appear to amount to measures that could lead to impunity, they are allowed under article 4 (2) of the Declaration in two specific cases, i.e. when they lead to bringing the victims forward alive or to obtaining information that would contribute to establishing the fate of the disappeared person.

“7. Also, the granting of pardon is expressly permitted under article 18 (2) of the Declaration, as long as in its exercise the extreme seriousness of acts of disappearance is taken into account.

“8. Therefore, in exceptional circumstances, when States consider it necessary to enact laws aimed to elucidate the truth and to terminate the practice of enforced disappearance, such laws may be compatible with the Declaration as long as such laws are within the following limits:

“(a) Criminal sanctions should not be completely eliminated, even if imprisonment is excluded by the law. Within the framework of pardon or of the application of mitigating measures, reasonable alternative criminal sanctions (i.e. payment of compensation, community work, etc.) should always be applicable to the persons who would otherwise have been subject to imprisonment for having perpetrated the crime of disappearance;

“(b) Pardon should only be granted after a genuine peace process or bona fide negotiations with the victims have been carried out, resulting in apologies and expressions of regret from the State or the perpetrators, and guarantees to prevent disappearances in the future;

“(c) Perpetrators of disappearances shall not benefit from such laws if the State has not fulfilled its obligations to investigate the relevant circumstances surrounding disappearances, identify and detain the perpetrators, and ensure the satisfaction of the right to justice, truth, information, redress, reparation, rehabilitation and compensation to the victims. Truth and reconciliation procedures should not prevent the parallel functioning of special prosecution and investigation procedures regarding disappearances;

“(d) In States that have gone through deep internal conflicts, criminal investigations and prosecutions may not be displaced by, but can run parallel to, carefully designed truth and reconciliation processes;

“(e) The law should clearly aim, with appropriate implementing mechanisms, to effectively achieve genuine and sustainable peace and to grant the victims guarantees of termination and non-repetition of the practice of disappearance.”

### III. INFORMATION CONCERNING ENFORCED OR INVOLUNTARY DISAPPEARANCES IN VARIOUS COUNTRIES AND TERRITORIES REVIEWED BY THE WORKING GROUP

#### Afghanistan

##### Information from the Government

50. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A*	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

##### Information from the sources

51. During the period under review no information was received from the sources regarding outstanding cases.

##### Summary of the situation prior to the period under review

52. Of the two cases of disappearance reported to the Working Group in the past one concerned a Jordanian journalist who allegedly disappeared in 1989 in Jalalabad, Nangarhar Province, and another concerned a citizen of the United States of Afghan origin who allegedly disappeared in 1993. A third case, from 2003, concerned a prominent elder of the "Kuchi tribe" in eastern Afghanistan, who was allegedly arrested by the United States military forces on his way to a meeting with President Karzai regarding a tribal dispute.

##### Total cases transmitted, clarified and outstanding

53. In the past and during the year under review, the Working Group has transmitted three cases to the Government; of those, none has been clarified, and three cases remain outstanding.

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\* N/A = not applicable.

## Observation

54. The Working Group invites the Government of Afghanistan to provide information which could lead to the clarification of the outstanding cases.

### Algeria<sup>4</sup>

#### Standard cases

55. The Working Group transmitted **253 newly reported cases** of disappearance in Algeria. The majority of these cases involved persons who reportedly disappeared between 1993 and 1997 and concerned a wide variety of persons from across Algerian society and included children, women and elderly people.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1 339	0	253	0	0	1 592

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	Yes	Government response	Yes
Prompt intervention letter	Yes	Government response	Yes
Working Group request for a visit	Yes	Government response	No response

#### Information received from the Government

56. During the period under review, no information was received from the Government regarding outstanding cases.

#### Information received from sources

57. During the period under review, no information was received from sources regarding outstanding cases.

#### Prompt intervention

58. On 27 April 2005, the Chairman-Rapporteur of the Working Group, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the independence of judges and lawyers sent a joint urgent action communication concerning the issue of the referendum of 29 September 2005 on Decree No. 05-278 on peace and national reconciliation and its effects on the relatives of disappeared persons. In this communication, the mandate holders expressed concern that a subsequent amnesty might apply to those persons responsible for human rights violations during the Algerian conflict in the mid-1990s. The

mandate holders welcomed the recognition by the Algerian authorities that more than 6,146 cases of disappearance had occurred during that period, but expressed their doubts about the statement of a government official that such a large number of cases had been caused by individual acts. The mandate holders requested the Algerian authorities to explain how the decree could be brought into conformity with international human rights obligations arising from the International Covenant on Civil and Political Rights and the Declaration on the Protection of all Persons from Enforced Disappearance.

59. On 21 September 2005, the Chairman-Rapporteur of the Working Group addressed a letter to the Government expressing concern regarding Decree No. 05-278. The Chairman-Rapporteur recalled that under the Declaration, disappearance is a continuing crime as long as the fate or whereabouts of the victim are not clarified. He noted that according to the Declaration, perpetrators of acts of enforced disappearances cannot benefit from special amnesty laws and that mitigating circumstances can only be evoked in cases when the perpetrator has contributed to the clarification of the case.

60. A reply from the Government dated 28 September 2005 was received in response to the joint communication of the three mandate holders of 27 April 2005. In its reply, the Government recalled that Algeria had undergone a political process of national reconciliation and was seeking a fair and equitable solution to the issue of disappeared persons. Since 1995, the Algerian State had undertaken to address this issue through its national law. General information on the National Consultative Commission for the Promotion and Protection of Human Rights and the ad hoc mechanism was provided. It was in this context that the President of Algeria had asked for the referendum of 29 September to be held on the draft of a Charter for Peace and National Reconciliation (Decree No. 05-278). The communication indicated that a solution to the problem of disappearance could only be made through a continuous dialogue between concerned parties. Definitive positions or the use of concepts such as impunity was premature.

61. A further communication dated the same day was addressed to the Chairman-Rapporteur of the Working Group and to the Special Rapporteur on extrajudicial, summary or arbitrary executions. The communication quoted the President's statement that "persons that have been implicated in crimes will be brought to justice". It further explained that the Charter was a political document and that legislative texts would be based on it. The Government asserted that it was only the legislative texts that should be analysed to ensure their conformity with international treaties ratified by Algeria.

62. On 26 September 2005, a prompt intervention communication (see paragraph 11) was sent to the Government following reports of police violence against families of disappeared persons. The family members reportedly gathered in Constantine every Thursday. It was reported that six mothers of the disappeared, all aged from 60 to 75 years, were arrested and interrogated at the central police station, as were several other demonstrators.

63. On 27 October 2005, the Chairman-Rapporteur, on behalf of the Working Group, sent a prompt intervention to the Government concerning the alleged harassment and intimidation of families of victims of disappearances in Rélizane at two demonstrations on 18 and 26 October 2005.

## General allegation

64. Information was submitted by NGOs to the Working Group under its general allegation procedure (see paragraph 13).

65. It was reported that the arrest and disappearance of thousands of men by security forces and State-armed militias during the 1990s, and in particular between 1994 and 1998, left several thousand relatives, the majority of them women, without knowledge of the fate or whereabouts of their husbands, fathers, sons and brothers, and resulted in widespread suffering.

66. NGOs stated that families of the victims of enforced disappearance are reportedly denied the right to adequate redress (including restitution, compensation, rehabilitation, satisfaction and guarantees not to be forcibly disappeared again), the right to family life, and various economic, social and cultural rights.

67. Women are reportedly forced to request the issuance of a declaration of absence from judges and officials, who are often the same persons denying or concealing the whereabouts of those women's husbands or other relatives. According to the reports, some women have refused to initiate the procedure to issue a declaration of absence owing to fear, or because it allows the public prosecutor to declare the disappeared person dead without conducting an investigation.

68. NGOs have expressed their concerns about the harassment and intimidation of relatives of disappeared persons by police and the authorities. Peaceful demonstrations or marches in large cities have sometimes been reportedly prevented or violently dispersed by police. Reports state that restrictions have been imposed by the authorities on NGOs working on the issue of disappearances. Owing to a variety of reported administrative and legal obstacles, the five organizations created in the past six years to work on disappearance issues have allegedly not been able to legally register their organizations in Algeria. As a result, they state that their ability to function is seriously hampered.

69. Reports from NGOs state that they believe that the Government has failed to take meaningful steps to investigate disappearances. Reportedly, complaints filed in Algerian courts concerning cases of enforced disappearance have either been stalled or closed without results. The authorities reportedly deny that State agents have been responsible for patterns of disappearances. It is reported that the Government asserts that thousands of people have simply "gone missing", that individuals are evading arrest for offences committed, have left the country, or were killed during armed confrontations.

70. Serious concerns were also expressed by NGOs in relation to the planned referendum on a Charter for Peace and National Reconciliation. They believed that the Charter would lead to impunity for perpetrators of acts of disappearance that were reportedly systematically and widely committed by security forces during that period and that such an amnesty would result in the violation of the right of the families to truth and justice.

71. A letter dated 16 November 2004 was received from the Government of Algeria in response to a communication sent by the Working Group under its general allegation procedure. In its reply, the Government provided information on the National Consultative Commission for

the Promotion and Protection of Human Rights. The Government stated that it had addressed the question of disappearance in the framework of legislative and regulatory provisions and through the establishment of specific administrative structures at the level of the Ministry of the Interior to record allegations of disappearance across the nation. The Government reiterated its compassion for the grief of the families, and stated that it wished to draw the Working Group's attention to the calm that must prevail in the consideration of such a sensitive and complex problem, which could not in any event be addressed objectively if it were isolated from the historical background that saw "the eruption in Algerian society of bloody terrorism and barbarity without precedent anywhere in the world". Within the Ministry of Justice, a committee mandated to record, centralize and follow up on complaints submitted by families had been established.

### **Request for a visit**

72. In April, the Chair of the Working Group met with the Ambassador of Algeria to the United Nations Office at Geneva to discuss the question of a visit by the Working Group to Algeria. In a letter dated 27 June 2005, the Working Group recalled its request to undertake a visit to Algeria. The Working Group had first transmitted a request for an invitation in 2000. No reply has yet been received.

### **Summary of the situation prior to the period under review**

73. The majority of the cases reported to the Working Group in the past occurred between 1993 and 1997, throughout the country, and concerned workers, peasants, farmers, traders, technicians, students, medical doctors, journalists, university professors, civil servants, and one member of Parliament. Whereas many of the victims were not involved in any particular political activity, a number of the persons concerned were reportedly members or sympathizers of the Islamic Salvation Front (Front islamique du salut). The disappearances were attributed to the army, the security services, the gendarmerie, the police, civil defence forces, or the militia.

### **Total cases transmitted, clarified and outstanding**

74. In the past and during the period under review, the Working Group has transmitted 1,608 cases to the Government; of those, 9 cases have been clarified on the basis of information provided by the Government, 7 cases have been clarified on the basis of information provided by the source, and 1,592 outstanding cases of disappeared persons remain before the Working Group.

### **Observations**

75. The Working Group expresses deep concern that little progress has been made in clarifying cases of disappearance in Algeria. Indeed, 253 new cases have been transmitted to the Government of Algeria and others are being processed by the Secretariat.

76. The Working Group strongly recommends that the Government of Algeria allow NGOs to undertake their work freely and without impediment, that families of victims of disappearances be left free to organize without bureaucratic restriction or legislative obstacles, and that witnesses be protected.

77. The Working Group reminds the Government of Algeria of its obligations under article 14 of the Declaration “to bring to justice all persons presumed responsible for an act of enforced disappearance”.

78. The Working Group reaffirms its request to the Government of Algeria for a country visit aimed at clarifying the 1,592 outstanding cases.

## Angola

### Information from the Government

79. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

80. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

81. In May 2003, three persons were reportedly arrested and disappeared at the hands of soldiers of the Belize 709th Battalion while travelling from the village of Quisoqui to the village of Caio-Guembo.

### Total cases transmitted, clarified and outstanding

82. In the past and during the period under review, the Working Group has transmitted 10 cases to the Government; of those, 7 cases have been clarified on the basis of information provided by the Government and 3 outstanding cases of disappeared persons remain before the Working Group.

## Argentina

### Information received from the Government

83. Two communications were received from the Government of Argentina, one dated 15 March 2005 and the other dated 2 September 2005. Due to translation delays, neither communication has yet been reviewed by the Working Group.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3 375	0	0	0	0	3 375

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
See paragraph 83	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	Yes

### Information received from sources

84. During the period under review no communication was received from sources regarding outstanding cases.

### Request for a visit

85. During its seventy-fifth session, the Working Group decided to accept the invitation of the Government of Argentina to conduct a mission to Argentina. It was decided that the mission would take place immediately following a session of the Working Group to be held in Buenos Aires in November 2006. On 27 July 2005, the Permanent Mission of Argentina in Geneva confirmed the dates proposed by the Working Group.

### Summary of the situation prior to the period under review

86. The vast majority of the 3,462 previously reported cases of disappearance<sup>5</sup> occurred between 1975 and 1978 under the military Government, in the context of its campaign against left wing guerrillas and their alleged sympathizers. Two cases occurred in 2000 and concerned persons allegedly arrested in the city of Mendoza by members of the local police investigation office (Dirección de Investigaciones de la Policía). The other seven cases concerned persons who were allegedly detained by the police in 2002, following a demonstration.

### Total cases transmitted, clarified and outstanding

87. Of the 87 cases previously clarified by the Working Group, 44 were clarified on the basis of information provided by the Government and 43 on the basis of information provided by the source. In respect of the 3,375 outstanding cases, the Working Group is unable to report on the fate or whereabouts of the disappeared persons.

### Observations

88. The Working Group would like to thank the Government of Argentina for its invitation to conduct a country visit. The Working Group hopes that in cooperation with the Government and NGOs, progress can be made towards the clarification of the 3,375 cases that have remained unresolved for more than 30 years. The lack of clarifications has concerned the Working Group for many years.

## Bangladesh

### Information received from the Government

89. During the period under review, the Government provided two replies on one outstanding case. The Government first reiterated previous information stating that the person had left voluntarily for India. The Government also reported that a three-member commission of inquiry had been established to look into this case. According to the report of the commission submitted to the Ministry of Home Affairs on 27 February 1997, the person had disappeared either voluntarily or involuntarily, but the identity of the culprit could not be ascertained during the inquiry as sufficient evidence had not been found to incriminate any person. The commission recommended that the police continue to investigate the case, in accordance with the law.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the source

90. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

91. The one case of disappearance reported to the Working Group in the past concerned the organizing secretary of the Hill Women's Federation, an organization for the defence of indigenous people's rights in the Chittagong Hill Tracts. She was allegedly abducted by security personnel prior to the 1996 general elections, an act believed to be linked to her offer of support to a parliamentary candidate representing the interests of indigenous people.

92. The Government had previously informed the Working Group that relatives and neighbours had denied that she had been abducted by armed forces personnel. Subsequent investigations had reportedly revealed that she had left the country voluntarily and was residing at an address in India, which was provided. Based on this information, the Working Group decided to apply the six-month rule to the case. However, the relatives subsequently informed the Working Group that the person concerned had not left the country and provided the Working Group with the names of the alleged perpetrators. The Working Group, therefore, decided to consider the case as outstanding (see E/CN.4/2004/58, paragraph 49).

### Total cases transmitted, clarified and outstanding

93. In the past and during the year under review, the Working Group has transmitted one case to the Government, and this one case remains outstanding.

### Belarus

#### Information received from the Government

94. During the period under review, the Government of Belarus sent two communications to the Working Group on developments concerning the investigations of the three outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

95. The first communication, dated 18 January 2005, was in respect to all three outstanding cases. The Government stated that forensic DNA tests at the scene of the disappearance were a

close match to one victim, but not to the other. The two victims appeared to have been forcibly abducted, but no reliable information as to the involvement of government representatives had been found. A preliminary investigation had been resumed. The information in the document “Disappeared Persons in Belarus” of the Rapporteur of the Parliamentary Assembly of the Council of Europe was also cited by the Government. The second communication, dated 11 August 2005, has not yet been translated and therefore has not yet been reviewed by the Working Group.

#### **Information received from sources**

96. On 16 August 2005, the source informed that it continues to monitor these cases but that there have been no new developments.

#### **Summary of the situation prior to the period under review**

97. The three reported cases occurred in 1999. The first one concerned a former Minister of the Interior who was actively engaged in the campaign of an opposition leader. The two other cases concerned a Deputy Chairman of the Belarusian Parliament who was reportedly abducted together with a businessman from an opposition political party.

98. On 10 March 2005, the European Parliament adopted resolution P6\_TA(2005)0080 in which it called for an independent investigation to be opened under a neutral investigator regarding the three cases of disappearance outstanding before the Working Group and a further fourth case not before the Working Group.

#### **Total cases transmitted, clarified and outstanding**

99. Of the three cases transmitted by the Working Group, none has been clarified. These three cases therefore remain outstanding before the Working Group.

### **Bhutan**

#### **Information received from the Government**

100. During the period under review, the Government replied on one outstanding case, stating that after a meeting in Thimphu, the subject left for the camp of the National Democratic Front of Bodoland at Sisty Khopan, located in Sarpand district in southern Bhutan. Since then, the Government is not aware of his whereabouts. In addition, the Government of India replied on four outstanding cases which had been copied to it, stating that the matter had been investigated by the appropriate Indian authorities but they did not presently have any further information about the disappeared persons. The Government of India added that the four persons were Indian nationals and the “commanders of a banned terrorist organization known as the United Liberation Front of Assam (ULFA)” (see also section on India, paragraph 269).

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
5	0	0	0	0	5

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from source

101. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

102. The five outstanding cases occurred in 2003 and were transmitted to the Government in 2004. Of these, four cases concerned members of the ULFA who were allegedly arrested by the Bhutanese army and subsequently handed over to the Indian army. In accordance with its methods of work, the Working Group sent copies of these four cases to the Government of India. The other case concerned the Publicity Secretary of the National Democratic Front of Bodoland who was reportedly arrested by the Bhutan army at a hotel in Thimphu and subsequently disappeared.

### Total cases transmitted, clarified and outstanding

103. In the past and during the year under review, the Working Group has transmitted five cases to the Government, and all of them remain outstanding.

## Bolivia

### Information received from the Government

104. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
28	0	0	0	0	28

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

105. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

106. During the period under review, the Government reported that it had adopted Decrees No. 27089 of 18 June 2003 and No. 27039 of 9 January 2004, establishing and modifying the operation of an inter-agency council chaired by the Minister in the President's office to clarify cases of enforced disappearance. In addition, it decided to relaunch the activities of this high-level body, which also contains representatives of civil society in the form of the Association of Relatives of Disappeared Persons and Martyrs for National Liberation.

107. The majority of the 48 cases of disappearance reported to the Working Group occurred between 1980 and 1982, in the context of measures taken by the authorities after two military coups d'état.

### Total cases transmitted, clarified and outstanding

108. In the past, of the 48 cases transmitted to the Government, the Working Group clarified 20 cases: 19 were clarified on the basis of information provided by the Government and 1 on the basis of information provided by the source. There are 28 remaining outstanding cases.

### Observations

109. The Working Group welcomes the relaunching of the high-level body to investigate disappearances, which includes representatives of civil society. The Working Group trusts that the Government will provide information to clarify the outstanding cases.

## Brazil

### Information received from the Government

110. During the period under review, no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
14	0	0	0	0	14

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information received from the source**

111. During the period under review no information was received from sources regarding outstanding cases.

### **Summary of the situation prior to the period under review**

112. The majority of the 63 cases of disappearances reported in the past occurred between 1969 and 1975, under the military Government and, particularly, during the period of guerrilla warfare in the Aerugo region. The majority of the cases were clarified by the Working Group in 1996 on the basis of legal provisions (Law No. 9.140/95), whereby persons who disappeared by reason of their political activities in the period 1961-1979 are considered to have died. Relatives of the victims are legally entitled to decline this legal provision or exercise the right to request death certificates. Recognition of the victim's death carried the automatic entitlement to compensation by the State. The four recent cases concern land workers from the same family living in the districts of Caetano and Cohab, in the State of Pernambuco, who disappeared on 31 May 2004 after having allegedly been arrested by police officers in the context of a police operation.

### **Total cases transmitted, clarified and outstanding**

113. In the past and during the year under review, the Working Group has transmitted 63 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 45 cases have been clarified on the basis of information provided by the Government and 14 cases remain outstanding.

### **Observations**

114. The Working Group invites the Government of Brazil to provide information which could lead to the clarification of the outstanding cases.

## **Burkina Faso**

### **Information received from Government**

115. During the period under review, the Working Group received information from the Government on the three outstanding cases. In one case the subject was reported deceased and his widow and children had received compensation. In another case the Government reported that the subject had returned to the army and that he was now in retirement in his village. For the third case, the Government reported that the subject had asked and had been granted compensation from the Compensation Fund for the victims of political violence.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	3	0	0

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the source

116. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

117. The 3 cases of disappearance reported to the Working Group concerned 2 soldiers and a university professor allegedly arrested in 1989, together with 27 other persons, on charges of having participated in a conspiracy against the Government.

### Total cases transmitted, clarified and outstanding

118. In the past and during the period under review, the Working Group has transmitted three cases to the Government; of those, three cases have been clarified by the Government. There are now no remaining outstanding cases of disappeared persons before the Working Group.

### Observations

119. The Working Group wishes to express its appreciation to the Government of Burkina Faso for its cooperation during the period under review.

120. The Working Group welcomes the clarification of all outstanding cases.

## Burundi

### Information from the Government

121. No communication has ever been received by the Working Group from the Government of Burundi regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
52	0	0	0	0	52

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the Government

122. During the period under review no information has been received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

123. The majority of the 53 cases of disappearance reported to the Working Group occurred in Bujumbura between November and December 1991, following attacks against the Government in the capital and the north-western provinces of Cibitoke and Bubanza, as well as in September 1994 in suburbs of Bujumbura. Of those cases, 31 allegedly concerned persons of Hutu origin who were reportedly arrested by members of the security forces, in large part composed of members of the Tutsi minority. Other cases reportedly concern Hutus, most of whom were reportedly held by members of the security forces in a Bujumbura, Kamenge suburb, and then taken away to unknown destinations. The remaining cases occurred between 1995 and 1997.

### Total cases transmitted, clarified and outstanding

124. In the past and during the period under review, the Working Group has transmitted 53 cases to the Government; of those, 1 has been clarified on the basis of information from the source and 52 outstanding cases of disappeared persons remain before the Working Group.

### Observations

125. The lack of any information from the Government is of deep concern to the Working Group.

126. The Working Group notes the absence of clarifications and reminds the Government of Burundi of its obligations under the Declaration.

## Cambodia

### Information received from the Government

127. During the period under review, the Government replied on two outstanding cases, stating that the Cambodian authorities had no information concerning the subjects' disappearance. The Government reported that no peace march was held on 18 September 1998 in Phnom Penh as referred to in the case, but only "illegal demonstrations". The Government requested the Working Group to provide additional information, if any, for further investigation. This request was transmitted to the source by the Working Group.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	0	0	0	2

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
2	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from source

128. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

129. The two cases reported to the Working Group occurred in 1998 and concerned persons who allegedly disappeared after a peace march. The march took place in the context of growing political tension and violence beginning in September 1998 involving opposition politicians and their supporters who had engaged in protests against alleged electoral fraud during the 26 July 1998 general elections.

### Total cases transmitted, clarified and outstanding

130. In the past and during the year under review, the Working Group has transmitted two cases to the Government, and they remain outstanding.

## Cameroon

### Information from the Government

131. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
14	0	0	0	0	14

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

132. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

133. Of the 18 cases reported to the Working Group, 6 occurred in 1992 and concerned youths aged between 13 to 17 who were reportedly taken into police custody at the time of the arrest of the leaders of the Cameroon Anglophone Movement following a peaceful demonstration. Three other cases occurred in 1999 and concerned members of the Southern Cameroon National Council who were allegedly detained by members of the Mbango National Gendarmerie Brigade. Nine cases involved adolescents who were allegedly arrested by security forces in 2001 on suspicion of stealing a neighbour's cooking gas cylinder and transferred to a detention facility in Bonanjo-Douala belonging to the Operational Command.

### Total cases transmitted, clarified and outstanding

134. In the past, and during the period under review, the Working Group has transmitted 18 cases to the Government; of those, 4 have been clarified on the basis of information provided by the Government and 14 outstanding cases remain before the Working Group.

## Chad

### Information received from the Government

135. During the period under review, on 25 July 2005, the Government transmitted information resulting from investigations carried out by the National Commission on Human Rights on all outstanding cases. On the basis of this information, the Group decided to apply the six-month rule to two cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
12	0	0	0	0	12

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
12	N/A	2

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the sources

136. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

137. Of the 13 reported cases of disappearance, 1 occurred in 1983, 5 in 1991, 6 in 1996 and 1 in 1999. One case concerned a member of the Democratic National Union who was reportedly taken prisoner in July 1983 in the context of clashes in Faya-Largeau between government troops and opposition forces. Five cases concerned members of the Hadjerai ethnic group who were allegedly arrested in October 1991 by the security forces following an announcement that an attempt by a section of the armed forces to overthrow President Idriss Deby had been thwarted. Six other cases concerned members of armed opposition groups reportedly arrested by the Sudanese security forces in 1996 at El Geneina, Sudan, near the border, and handed over to the Chadian security forces. They were allegedly transferred to N'Djamena by members of the National Security Agency. The one other case concerned a person who was arrested in N'Djamena, in 1999, by members of the Presidential Security Group.

### Total cases transmitted, clarified and outstanding

138. In the past and during the period under review, the Working Group has transmitted 13 cases to the Government; 1 case was clarified on the basis of information provided by the Government, and 12 outstanding cases remain before the Working Group.

### Observations

139. The Working Group welcomes the results of the investigations launched by the National Commission on Human Rights and invites the Government to continue a dialogue with the Working Group leading to further clarifications.

## Chile

### Information from the Government

140. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
840	0	0	0	0	840

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

141. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

142. The vast majority of the 908 reported cases of disappearance occurred between 1973 and 1976 under the military Government and concerned political opponents of the military dictatorship from various social strata, most of whom belonged to Chilean left-wing parties. The disappearances were attributed to members of the army, the air force, the *carabineros*, and persons acting with the acquiescence of the authorities.

### Total cases transmitted, clarified and outstanding

143. In the past and during the period under review, the Working Group has transmitted 908 cases to the Government; of the 68 cases previously clarified by the Working Group, 45 were clarified on the basis of information provided by the Government and 23 on the basis of information provided by the source. There remain 840 outstanding cases of disappeared persons before the Working Group.

### Observations

144. The Working Group invites the Government of Chile to provide information which could lead to the clarifications of the 840 outstanding cases.

## China

### Urgent actions

145. During the period under review, the Working Group transmitted one urgent action case to the Government concerning **Jiang Renzheng**, who was arrested in Shenyang City after having been deported from Germany to China. His disappearance was attributed to the Public Federal Security Services and the police in Benxi City. Subsequently, the source reported that the person was in a labour camp in Benxi City. On the basis of this information, the case was clarified.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
31	1	0	0	1	31

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
5	N/A	3

General allegation		Government response	
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the Government

146. During the period under review, the Government replied on five outstanding cases. In two cases, Falun Gong practitioners had been released after completing a re-education programme. In one case, a female Falun Gong practitioner was reported to be currently serving a prison sentence in the Taixing prison in Hebei Province. The Working Group decided to apply the six-month rule in these three cases. In the other two cases, the Government reported that the persons had mental problems and disappeared on their own.

### Information received from the sources

147. During the period under review, the source provided further information about the case of Jiang Renzheng.

148. In another case concerning an autistic boy, the source contested the information provided by the Government stating that the person had disappeared on his own. The source reported that the person was last seen being held in detention by public security officers at Jia Bao Police Station, Shenzhen.

### Clarifications

149. Based on information received from sources, the Working Group decided to clarify 1 case (see paragraph 9).

### Summary of the situation prior to the period under review

150. Most of the cases of disappearance reported to the Working Group occurred between 1988 and 1990, and between 1995 and 1996. The majority of these cases concerned Tibetans, 19 of them monks, who were allegedly arrested in Nepal and handed over to the Chinese authorities. A further 13 cases concerned Falun Gong practitioners who were allegedly arrested or abducted in 2000 and 2001 by police, security services or local administrative officials. In one case, an autistic boy reportedly disappeared in 2000 after having been questioned by Hong Kong immigration officers. Another case concerned a Chinese citizen residing in the United States of America who was allegedly detained in 2002 by persons belonging to the Ministry of Public Security. In one case transmitted in 2004, a 4-year-old child was allegedly taken from her home by police officers from the Tongnan Country National Security Team in 2004. Reportedly, her parents had been persecuted for practising Falun Gong.

### Total cases transmitted, clarified and outstanding

151. In the past and during the year under review, the Working Group transmitted 110 cases to the Government; of those, 10 cases have been clarified on the basis of information provided by the source, 69 cases have been clarified on the basis of information provided by the Government and 31 cases remain outstanding.

### Observations

152. The Working Group expresses its appreciation to the Government of China for its cooperation. However the Working Group notes a worrying circumstance in which individuals from vulnerable groups, including children and mentally challenged people, have allegedly disappeared.

## Colombia

### Urgent actions

153. On 11 April 2005, the Working Group sent a communication under the urgent action procedure to the Government of Colombia on the cases of **Jesus Antonio Urrea Sanmiguel** and **Jhon Triana**. They were reportedly arrested on 28 March 2005 by men from a paramilitary group called the "*Bloque Centauros*" and subsequently disappeared.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
895	7	0	0	5	897

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	N/A	N/A

General allegation	Yes	Government response	No
Prompt intervention letter	Yes	Government response	No
Working Group request for a visit	Yes	Government response	Yes

154. The 9 September 2005 communication concerned the disappearance of **Oliver Montoya Cáceres, Evert Bonet Quintero, Armelia Quintero** and **Ciro Navarro**, who reportedly disappeared with other peasants on 31 August 2005. These disappearances allegedly took place subsequent to an attack by a large number of “*Bloque Norte*” paramilitary men at “Playas Ricas” and “El Paraíso”. Information received indicated that high-ranking officials of the army and the police, as well as officials of the national Government, denied that these events had occurred.

155. On 18 October 2005, an urgent action communication was transmitted concerning the case of the disappearance of the human rights defender **Orlando Valencia**. Reportedly arrested on 15 October 2005 by the police of Belén de Bajirá, he disappeared at the hands of paramilitaries subsequent to his release. The authorities were reportedly immediately informed of his disappearance.

### Information received from the Government

156. Two communications from the Government, dated 8 December 2004 and 9 June 2005, were received by the Working Group. The first reported on a compensation decision for one outstanding disappearance case. The latter communication was in reference to the two urgent action cases of two men who had disappeared on 28 March, transmitted by the Working Group. The Government reported that the Public Prosecutor’s Office had opened an investigation into the cases.

157. In a communication dated 21 July 2005, the Permanent Mission of Colombia in Geneva forwarded to the attention of the Working Group information subsequent to the country visit of the Working Group concerning the Urgent Action Search Mechanism for the Prevention of the Offence of Enforced Disappearance (*Mecanismo de Búsqueda Urgente para la Prevención del Delito de Desaparición Forzada*). The law was signed on 14 July 2005 by President Uribe after having been reviewed by the Constitutional Court for conformity with the Colombian Constitution.

### Information received from sources

158. The Working Group received information following the urgent action case sent concerning the human rights defender who disappeared on 18 October. Reportedly, his body was found on 24 October 2005, shot in the front of the head.

159. The information also stated that the disappearance of Orlando Valencia occurred after a visit by a large delegation of NGOs in the region. The visit had followed complaints about the effect of palm exploitation on biodiversity and eyewitness reports of military and paramilitary actions in the area.

### Prompt intervention

160. On 13 June 2005, a prompt intervention (see paragraph 11) letter was sent to the Government concerning a robbery at the office of the Association of the Families of Victims of Enforced Disappearances in Colombia in Popayán. It was reported that a computer containing data and testimonies on enforced disappearances was stolen.

### **General allegation**

161. Information was submitted to the Working Group by NGOs (see paragraph 13).
162. According to reports, women and girls have been abducted by all parties to the conflict in Colombia, in order to cause terror and to take revenge against adversaries.
163. Army-backed members of paramilitary groups continue reportedly to be responsible for most of the alleged 1,800 killings and disappearances since December 2002. Reportedly, successive Governments have and continue to assert that the links between the security forces and paramilitary groups are isolated incidents. However, NGOs allege high-level coordination between paramilitary groups and sectors of the security forces.
164. Serious concerns have been expressed by NGOs regarding impunity in relation to the demobilization of members of paramilitary groups and continuing paramilitary activity, including disappearances. NGOs report that a demobilization bill currently pending in the Colombian Congress would allegedly allow paramilitary commanders to serve short jail sentences for serious crimes.
165. Reportedly, the military justice system continues to claim jurisdiction over cases of alleged human rights violations committed by the security forces, despite the 1997 ruling of the Constitutional Court that such cases must be investigated by the civilian justice system. According to reports, in January 2004, the criminal investigation into accusations against General Álvaro Velandia Hurtado for the disappearance and killing of Nydia Erika Bautista in 1987 was terminated, despite the reported request by the Procurator-General to the Attorney-General to pursue the investigation.

### **Request for a visit**

166. The Working Group undertook a mission to Colombia from 5 to 13 July 2005. The report of the mission is contained in document E/CN.4/2006/56/Add.1. During the visit the Working Group received more than 100 cases, which are being translated and processed as a matter of priority for the consideration of the Working Group.

### **Press release**

167. Press releases were issued prior to and following the mission to Colombia in July.
168. On the last day of their mission, 13 July 2005, the Vice-Chairman-Rapporteur, J. Bayo Adekanye, and Working Group member Santiago Corcuera held a press conference in Bogotá. Many international and national media participated and a press statement was issued by the experts.<sup>6</sup>

### **Summary of the situation prior to the period under review**

169. The majority of the 1,154 cases of disappearance reported in the past occurred beginning in 1981, particularly in those regions where the level of violence was highest. In a large number of these cases, those responsible were allegedly members of paramilitary groups whose actions were believed to have been undertaken with the complicity or acquiescence of members of the security forces. Those abducted included members of trade unions, peasants and community workers.

### Total cases transmitted, clarified and outstanding

170. In the past and during the year under review, the Working Group has transmitted 1,165 cases to the Government; of those, 67 cases have been clarified on the basis of information provided by the source, 201 cases have been clarified on the basis of information provided by the Government and 897 cases remain outstanding.

### Observations

171. The Working Group urges the Government of Colombia to take effective measures to implement the recommendations contained in the report of the Working Group issued after its country visit of 5-13 July 2005. The Working Group invites the Government to submit a report within one year on the measures taken to implement the recommendations.

### Congo<sup>7</sup>

#### Standard cases

172. During the period under review, 80 cases were transmitted under the standard procedure to the Government of the Congo. These cases reportedly occurred during events that took place following the conclusion of a tripartite agreement between the Government of the Congo, the Government of the Democratic Republic of the Congo and the UNHCR Regional Delegation for Central Africa. The agreement was to permit a refugee return operation to take place between April and May 1999.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
34	0	80	0	0	114

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
80	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

173. The source stated that between 5 and 14 May 1999, a large number of persons returning to Brazzaville were arrested and subsequently disappeared at the hands of government forces.

#### Information received from the Government

174. In a communication dated 12 July 2005, the Government acknowledged receipt of the 80 new cases transmitted by the Working Group. Further, they noted three points: first, that the Government had already responded to the United Nations on 34 cases; second, that of

the 80 cases, information on the disappeared persons was incomplete and would make finding them difficult; and third, the same allegations were currently under consideration in a domestic court case.

### Information received from sources

175. During the period under review, additional information was received from the source, which has not yet been processed owing to time constraints.

### Summary of the situation prior to the period under review

176. Most of the previous 34 reported cases of disappearance occurred between May and August 1999, and concerned persons who were separated from a convoy returning to Brazzaville from the Democratic Republic of the Congo and taken for interrogation by members of the security forces.

### Total cases transmitted, clarified and outstanding

177. In the past and during the year under review, the Working Group has transmitted 114 cases to the Government, and they remain outstanding.

### Observations

178. The Working Group wishes to remind the Government of the Republic of the Congo of its responsibility to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified”, in accordance with article 13, paragraph 6, of the Declaration.

179. Further, the Working Group invites the Government of the Republic of Congo to cooperate to clarify the 114 outstanding cases.

## Democratic People’s Republic of Korea

### Information received from the Government

180. The Government transmitted a communication dated 7 March 2005 to the Working Group which stated that it had already fully informed the Working Group of the authorities’ position regarding the issue of the outstanding disappearance cases attributed to their country.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
9	0	0	0	0	9

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
9	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

181. According to the communication, “the issue of ‘missing’ Japanese is a product of the unprecedented Japanese hostile policy toward the [Democratic People’s Republic of Korea] and the relations of intense hostility between the [Democratic People’s Republic of Korea] and Japan, which have persisted for more than a century”.

182. The authorities of the Democratic People’s Republic of Korea state that in November 2004, they had received a delegation from Japan and handed over the remains and articles of the deceased persons who had been abducted by government forces.

183. The communication, and a similar one dated 15 August 2005, stated that a disappearance reported to have occurred at the border of China and the Democratic People’s Republic of Korea had been fabricated and that there had been no incident there “before, during and after” the alleged date of this reported disappearance.

#### **Information received from sources**

184. In a communication dated 12 August 2005, the source reaffirms the information that it had forwarded to the Working Group on the case of the disappearance near the border between China and the Democratic People’s Republic of Korea.

185. In a communication dated 26 January 2005, the Permanent Mission of Japan in Geneva reported on meetings with the authorities of the Democratic People’s Republic of Korea concerning the issue of disappeared Japanese nationals. The communication stated that at the meetings, held between 9 and 14 November 2004, the authorities of the Democratic People’s Republic of Korea had handed over human remains. The Government of Japan reported that DNA testing had showed that the remains were not those of the disappeared Japanese nationals.

186. A communication from the Government of Japan dated 14 March 2005 stated that there had been no new information leading to the confirmation of the whereabouts of the nine abducted Japanese nationals.

187. In a communication dated 29 July 2005, the Permanent Mission of Japan in Geneva reported that subsequent to the 30 May 2005 meeting with the Working Group, the Japanese authorities had made every possible effort to resolve the disappearance issue, harnessing a wide range of diplomatic opportunities including direct dialogue with the Democratic People’s Republic of Korea, consultation with other countries and at the United Nations, such as the meetings of the Working Group. However, there had been no new additional information leading to the confirmation of the whereabouts of the nine abductees. The Japanese authorities asked the Working Group to strongly urge the Democratic People’s Republic of Korea to make a sincere effort to confirm the whereabouts of the nine disappeared persons.

#### **Summary of the situation prior to the period under review**

188. In addition to the eight disappeared Japanese nationals abducted from 1977 to 1980, a more recent case was reported of the disappearance of a national of the Republic of Korea on the border between China and the Democratic People’s Republic of Korea.

### Total cases transmitted, clarified and outstanding

189. In the past and during the period under review, the Working Group has transmitted nine cases to the Government; none has been clarified. There are therefore nine cases of disappeared persons outstanding before the Working Group.

### Observations

190. The Working Group hopes that the Government of the Democratic People's Republic of Korea will continue to take steps to clarify the outstanding cases.

### Democratic Republic of the Congo

#### Standard cases

191. The one case transmitted to the Government of the Democratic Republic of the Congo during the period under review concerned **Mr. Mingere**. He was reportedly arrested on Monday, 21 February 2005 by military servicemen based in the village of Kahangam and detained for four days in a prison. Then he was allegedly transferred to the headquarters of the 11th brigade in Katale, territory of Masisi, Province of North-Kivu, on 3 March 2005 under the command of Colonel Bonane. Since then, Mr. Mingere's whereabouts remain unknown.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
40	0	1	0	0	41

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

#### Information from the Government

192. During the period under review no information was received from the Government regarding outstanding cases.

#### Information from the sources

193. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

194. The majority of the cases reported in the past concerned persons suspected of being members of the guerrilla group, Parti de la révolution populaire, political activists who disappeared between 1975 and 1985, and Rwandan refugees who disappeared in 1998. The remaining cases included a journalist who was allegedly abducted in 1993 by members of the Division spéciale présidentielle and the civil guard; four men who were allegedly arrested in 1994 by soldiers; two villagers who were reportedly arrested in 1996 by members of the Zairian Armed Forces; a man said to have been arrested in 1996 by members of the Service d'action et de renseignements militaires; a professor who was allegedly arrested by members of the Rwandan Patriotic Army (see also Rwanda, paragraph 464), and a clergyman.

### Total cases transmitted, clarified and outstanding

195. In the past and during the period under review, the Working Group has transmitted 50 cases to the Government; of those, 9 cases were clarified by the Working Group, 6 were clarified on the basis of information provided by the Government, and 3 on the basis of information from the source. Forty-one cases remain outstanding.

### Observations

196. The Working Group is concerned that the Government of the Democratic Republic of the Congo has not provided any new information that could lead to the clarification of the outstanding cases.

## Dominican Republic

### Information from the Government

197. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	0	0	0	2

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

**Information from the sources**

198. During the period under review no information was received from the sources regarding outstanding cases.

**Summary of the situation prior to the period under review**

199. Of the four cases reported to the Working Group, one concerned a person who was arrested in June 1984 in Santo Domingo; another concerned a university lecturer, journalist and political activist who was reportedly detained in May 1994 by members of the army and subsequently taken to a military base; the third concerned a day-labourer and Haitian national who was allegedly arrested in 1984 by forest rangers in Batey Montellano; and the fourth, a person who was reportedly arrested in 1988 together with two community leaders by agents of the national secret police in Santo Domingo.

**Total cases transmitted, clarified and outstanding**

200. In the past and during the year under review, the Working Group has transmitted four cases to the Government.

201. In the past, the Working Group clarified two cases on the basis of information provided by the Government; two cases remain outstanding.

**Ecuador****Information received from the Government**

202. During the period under review, no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
11	0	0	0	0	11

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the source

203. During the period under review, no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

204. The majority of cases of disappearance reported to the Working Group occurred between 1985 and 1992 in Quito, Guayaquil and Esmeraldas and concerned persons who were allegedly arrested by members of the Criminal Investigation Service of the National Police. Three of these cases concerned children, one concerned a Colombian citizen who was reportedly detained by the army in the city of Portoviejo on charges of arms-trafficking, and one concerned a student who was allegedly abducted by members of the security forces in 2001. The cases reported in 2004 concerned two persons who reportedly disappeared in Guayaquil after being arrested by judicial police agents. In another case reported in 2004, the person reportedly disappeared while being transferred from a detention centre in Quevedo to the locality of Buena Fe.

### Total cases transmitted, clarified and outstanding

205. In the past and during the year under review, the Working Group transmitted 26 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 11 cases have been clarified on the basis of information provided by the Government and 11 cases remain outstanding.

## Egypt

### Urgent cases

206. During the period under review, the Working Group transmitted two urgent action cases to the Government concerning two brothers, **Abul Futuh Tahsin Abul Futuh** and **Tahsin Tahsin Abul Futuh**, who disappeared from their home in the Cairo suburb of Nasr City allegedly at the hands of State Security Investigation officials on 5 April 2005.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
13	2	0	0	0	15

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
13	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information received from the Government**

207. During the period under review, the Government transmitted a reply in relation to all 13 outstanding cases reported in the past, stating that it was continuing to exert efforts to determine the fate or the whereabouts of the subjects and that it would inform the Working Group of any new developments in this regard.

### **Information received from the source**

208. During the period under review no communication was received from sources regarding outstanding cases.

### **Summary of the situation prior to the period under review**

209. The majority of the outstanding cases transmitted in the past occurred between 1988 and 1994, and included alleged sympathizers of Islamic militant groups, students, a trader, a doctor, and three citizens of the Libyan Arab Jamahiriya. The disappearances allegedly took place when there was a renewal of a state of emergency, giving rise to a climate of impunity in the country. Two other cases concerned Egyptian citizens reportedly arrested in 1995 and 1996 by members of the State Security Investigation Department. A 1998 case concerned a farmer who was allegedly arrested by the police together with a lawyer and brought to a detention centre. A 2004 case concerned a person who disappeared from the departure lounge of Cairo airport, reportedly at the hands of the Secret Police or Federal Police, in 1999 while leaving Egypt. Witnesses allegedly saw him in a prison in Egypt in 2001.

### **Total cases transmitted, clarified and outstanding**

210. In the past and during the year under review, the Working Group has transmitted 23 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 7 cases have been clarified on the basis of information provided by the Government, and 15 cases remain outstanding.

### **Observations**

211. The Working Group is concerned about the lack of concrete information in the response from the Government, which was the same for all cases. It hopes that the Government will make all possible efforts to determine the fate or whereabouts of the disappeared persons and that in the future the Government will provide information that could lead to the clarification of cases.

## **El Salvador**

### **Information received from the Government**

212. During the period under review, no information was received from the Government.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2 270	0	0	0	0	2 270

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the source

213. During the period under review, no information was received from the source.

### Summary of the situation prior to the period under review

214. The majority of the 2,661 reported cases of disappearance occurred between 1980 and 1983, in the context of the armed conflict between the Government of El Salvador and the Farabundo Martí National Liberation Front. Many people disappeared following arrest by uniformed soldiers or police, or were abducted in death-squad-style operations carried out by armed men wearing civilian clothing and reportedly linked to the army or to the security forces. Abductions of this kind in some cases subsequently became formal detentions, thus giving rise to allegations of links with the security forces.

### Total cases transmitted, clarified and outstanding

215. In the past and during the year under review, the Working Group has transmitted 2,661 cases to the Government; of those, 73 cases have been clarified on the basis of information provided by the source, 318 cases have been clarified on the basis of information provided by the Government, and 2,270 cases remain outstanding.

### Observations

216. The Working Group remains concerned that no substantial progress has been made in clarifying the 2,270 outstanding cases, and that no information has been received from the Government for many years. The Working Group invites the Government of El Salvador to meet it in 2006 to discuss the implementation of the Declaration and means of clarifying cases.

## Equatorial Guinea

### Standard cases

217. During the period under review, three new cases were transmitted to the Government of Equatorial Guinea. The first case concerned **Celdo Mba Esono**, who was reportedly arrested on 18 December 2003 by agents of the political police in the locality of Milong-Milong. The

second case concerned **José Ndong Ntutumu**, who was allegedly detained in the city of Mongomo in October 2004. The third case concerned **Emilio Ngong Nguema**, who was reportedly arrested at the end of 2003, imprisoned in the city of Bata and was taken from there by a general of the army.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
4	0	3	0	0	7

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the Government

218. During the period under review no information was received from the Government regarding outstanding cases.

### Information from the sources

219. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

220. Of the four previously reported cases of disappearance, three concerned members of opposition political parties who were reportedly arrested in Malabo in 1993 and one case concerned a pastor of the Assembly of God who was allegedly arrested by police officers while he was conducting service at his church in Malabo.

### Total cases transmitted, clarified and outstanding

221. In the past and during the year under review, the Working Group has transmitted seven cases to the Government, and all of them remain outstanding.

## Eritrea

### Information received from the Government

222. In a letter addressed to the Working Group, the Ministry for Foreign Affairs of Eritrea stated that “the Government does not have any record of the persons and is not aware of their circumstances, and ... cannot be of any assistance”. It was also stated that the Government will continue collaboration but would need “more detailed information”.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
54	0	0	0	0	54

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
54	Yes	N/A

General allegation		Government response	
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

223. A letter from the Ministry for Foreign Affairs dated 30 August 2005 was received, stating that the cases transmitted by the Working Group to the Government contained insufficient information to conduct a meaningful investigation.

### Information from the sources

224. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

225. The 54 cases reported to the Working Group occurred in 1998 and all concerned Ethiopian nationals who were reported to have been arrested by the Eritrean police in front of the Ethiopian Embassy in Asmara.

### Total cases transmitted, clarified and outstanding

226. In the past and during the year under review, the Working Group has transmitted 54 cases to the Government, and all of them remain outstanding.

### Observations

227. The Working Group wishes to remind the Government of Eritrea of its responsibility to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified”, in accordance with article 13, paragraph 6, of the Declaration.

## Ethiopia

### Urgent actions

228. In mid-June 2005, the cases of **Tsegu Birhanu, Yahred Hailemariam and Chernet Tadesse** were transmitted by the Working Group to the Government of Ethiopia. Reportedly, these three persons were working for the non-governmental Ethiopian Human Rights Council and were arrested by Ethiopian security forces reportedly because of their investigation of events and alleged human rights violations during protests on 8 June 2005 in Addis Ababa.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
111	3	0	0	3	111

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the Government

229. During the period under review no information was received from the Government regarding outstanding cases.

### Information from the source

330. On 29 June 2005, the source reported on the whereabouts of three persons who were reported disappeared in the same month. They were reported to be in the detention centre of Zeway and their families could visit them.

### Clarifications

231. During the period under review, three cases were clarified on the basis of the information from the source (see paragraph 9).

### Summary of the situation prior to the period under review

232. The majority of the 115 cases of disappearance transmitted by the Working Group reportedly occurred between 1991 and 1996 under the Transitional Government. They concerned members of the Oromo ethnic group suspected of having participated in the Oromo Liberation Front, who were allegedly arrested in Addis Ababa or disappeared from the

Huso military detention camp in western Ethiopia. Other cases concerned members of the Ogaden National Liberation Front (a political party) who disappeared in Region Five in eastern Ethiopia, also known as the Ogaden. A further case, which occurred in 1996, concerned an Ethiopian refugee in Djibouti who was reportedly arrested at a refugee camp in Djibouti by members of the Djibouti police and handed over to the Ethiopian authorities.

### Total cases transmitted, clarified and outstanding

233. In the past and during the year under review, the Working Group has transmitted 118 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 3 cases have been clarified on the basis of information provided by the Government, and 111 cases remain outstanding.

### Observations

234. The Working Group wishes to remind the Government of Ethiopia of its responsibility to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified”, in accordance with article 13, paragraph 6, of the Declaration.

## France

### Standard cases

235. During the period under review, the Working Group transmitted one case to the Government of France. The case concerns **Miloud Mannsour**, a man of Algerian nationality, whose asylum request had been denied in France. He was deported from France to Algeria on 23 December 1999, aboard a French ship, but reportedly did not disembark at Algiers.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
0	0	1	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the Government

236. The Government of France reported that it had no record of a person called Miloud Mansour, but only of a person called Mourad Mansour whose situation fit the description

of the events. The Government reported that this person was unlawfully on French territory and, after judicial decisions, and receiving assurances that he would not be subjected to punishment or treatment contrary to the European Convention on Human Rights in the event of his return to his country of origin, the Prefect of Bouches du Rhône issued a deportation order on 16 February 1999 and placed the subject in administrative custody. He was put on the ship *La Liberté* with two escorts. Upon arrival at Algiers, no sign of the subject was found and his disappearance was reported by his escorts when the ship returned to Marseilles.

237. The response of the French authorities noted that the subject's friends or relatives had the right to ask for an inquiry into his disappearance by making a complaint and instituting criminal indemnification proceedings in the French courts. Such an application was admissible provided it was sufficiently substantiated and indicated that an offence had probably been committed.

### **Total cases transmitted, clarified and outstanding to date**

238. In the past and during the year under review, the Working Group has transmitted one case to the Government of France; this case remains outstanding before the Working Group.

## **Greece**

### **Information from the Government**

239. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information from the sources**

240. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

241. Of the three cases reported to the Working Group, two concerned Albanian cousins who were reportedly taken by the police in Zagora in 1993. The third case concerned a Swiss citizen who was allegedly denied entry into Italy on arrival there from Greece aboard a Greek ship in 1995 and had returned to Greece on the same ship, where he was detained and then disappeared.

### Total cases transmitted, clarified and outstanding

242. In the past and during the year under review, the Working Group has transmitted three cases to the Government, and all three of these cases of remain outstanding before the Working Group.

## Guatemala

### Information received from the Government

243. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2 898	0	0	2	0	2 896

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

244. During the period under review no information was received from sources regarding outstanding cases.

### Clarifications

245. The Working Group decided to clarify two cases following the six-month rule applied before the current reporting period (see paragraph 9).

### Summary of the situation prior to the period under review

246. The majority of the 3,152 cases reported to the Working Group occurred between 1979 and 1986, mainly under the military regime and in the context of the Government's fight against the Unidad Revolucionaria Nacional Guatemalteca (URNG). On 29 December 1996, the Government of Guatemala and URNG signed the Agreement on a Firm and Lasting Peace, in Guatemala City, thus completing the negotiating process between the two parties. A case reported to have taken place in 2002 concerned a 14-year-old boy who was reported by the police to have died after he was allegedly run over by a police patrol in Chiquimula.

### Total cases transmitted, clarified and outstanding

247. In the past and during the year under review, the Working Group has transmitted 3,152 cases to the Government; of those, 79 cases have been clarified on the basis of information provided by the source, 177 cases have been clarified on the basis of information provided by the Government, and 2,896 cases remain outstanding.

### Observations

248. The Working Group remains concerned that the Government has not been able to provide further information that could lead to the clarification of the 2,896 outstanding cases.

249. The Working Group welcomes the initiative of the Government of Guatemala in promulgating a National Plan for the Search for Disappeared Persons during the Internal Armed Conflict. The Working Group is nonetheless concerned that the proposed National Search Commission may not be fully independent. In addition, concrete legislative action is required to prevent potential impunity for perpetrators of disappearances. The Working Group urges the Government to ensure the structure of implementation of the Plan and the independence of the Commission.

## Guinea

### Information from the Government

250. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
21	0	0	0	0	21

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

251. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

252. The majority of the 28 reported cases in Guinea occurred in 1984 and 1985 in the context of a coup d'état.

### Total cases transmitted, clarified and outstanding

253. In the past and during the year under review, the Working Group has transmitted 28 cases to the Government; of those, 7 cases have been clarified on the basis of information provided by the source, and 21 cases remain outstanding.

## Haiti

### Information from the Government

254. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
38	0	0	0	0	38

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

255. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

256. The majority of the 48 reported cases of disappearance occurred during three periods: 1981-1985, 1986-1990 and 1991-1993. Most of the cases that occurred during the first period concerned members or supporters of the Haitian Christian Democrat Party who were allegedly arrested by members of the armed forces or by the Tonton Macoutes. The cases that occurred during the second period concerned persons who were reportedly arrested by armed men in civilian clothes, members of the Anti-Gang and Investigation Service, and by the police. The last wave of cases took place in the aftermath of the coup d'état which ousted elected President Aristide.

### Total cases transmitted, clarified and outstanding

257. In the past and during the year under review, the Working Group has transmitted 48 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 9 cases have been clarified on the basis of information provided by the Government and 38 cases remain outstanding.

### Observations

258. The Working Group wishes to remind the Government of Haiti of its responsibility to conduct thorough and impartial investigations "for as long as the fate of the victim of enforced disappearance remains unclarified", in accordance with article 13, paragraph 6, of the Declaration.

## Honduras

### Information received from the Government

259. During the period under review, the Working Group continued to review the replies from the Government concerning 81 outstanding cases. However, owing to the large volume of cases and translation delays, the Working Group was not able to finish reviewing the information. The Working Group will give priority to these cases in the coming year.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
129	0	0	0	0	129

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0 (see paragraph 259)	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

260. In addition, during the period under review, the Government provided information on other outstanding cases, but the information was not able to be translated by the translation services in time for consideration by the Working Group for inclusion in the present report.

#### **Information received from the source**

261. During the period under review, no information was received from sources regarding outstanding cases.

#### **Summary of the situation prior to the period under review**

262. The majority of the 202 previously reported cases occurred between 1981 and 1984, a period during which members of Battalion 3-16 of the armed forces and heavily armed men in plain clothes seized people perceived to be ideological enemies and took them to clandestine detention centres. Four cases reportedly occurred in 1983 and concerned leaders of the Revolutionary Party of Central American Workers-Honduras, including a Jesuit priest, who were allegedly captured by the Honduran army. Two of these persons were reportedly citizens of the United States. Allegedly, the United States army and Central Intelligence Agency personnel may have helped the Honduran army in the Olancho operation, in which, according to the Honduran army, these persons had been killed. A report of the Inspector-General of the Central Intelligence Agency relating to the organization's activities in Honduras in the 1980s also allegedly contains references to their having been summarily executed by Honduran army officers after interrogation.

#### **Total cases transmitted, clarified and outstanding**

263. In the past and during the year under review, the Working Group has transmitted 202 cases to the Government; of those, 43 cases have been clarified on the basis of information provided by the source, 30 cases have been clarified on the basis of information provided by the Government and 129 cases remain outstanding.

### **India**

#### **Standard cases**

264. During the period under review, the Working Group transmitted seven newly reported cases of disappearance and they were attributed to the Indian army, the Special Operation Group and Border Security Forces. The five cases, concerning **Mohammad Farooq Saien**, **Manzoor Ahman Mir**, **Amin Wani Mohammed**, **Ghulam Muhammed** and **Bashir Ahmad Sofi**, reportedly occurred between 2003 and 2004 in Kashmir. It was also reported that **Bubul Nath**, a 16-year-old student, was arrested and disappeared in 2004 from his house in Nichilamari village by the army from Themajbat army camp. Reportedly, an eyewitness to the killing of a person by the police, **Majumdar Partha**, was taken away in 1997 and since then, his whereabouts remain unknown. Regarding a case of a Kashmiri who disappeared in Kathmandu, it was reported that the Indian Embassy in Nepal was involved in his arrest. In accordance with the Working Group's methods of work, a copy of this case was sent to the Government of India. (See also section on Nepal, paragraph 371.)

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
318	0	7	0	0	325

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
4	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes	Government response	No
Working Group request for a visit	Yes	Government response	No

### Information received from the Government

265. During the period under review, the Government replied on four outstanding cases regarding members of the United Liberation Front of Assam (ULFA) (see section on Bhutan, paragraph 100), stating that the four persons were Indian nationals and commanders of the ULFA operating from one of the illegal militant camps in southern Bhutan. The Government reported that these camps were destroyed during military operations undertaken by the Royal Bhutanese Army between December 2003 and January 2004.

### Information received from the source

266. During the period under review, no information was received from sources regarding outstanding cases.

### Prompt intervention

267. On 13 May 2005, a prompt intervention (see paragraph 11) letter was sent to the Government of India on the alleged harassment of **Parvez Imroz**, a lawyer and Council Member of the Asian Federation Against Involuntary Disappearances, President of the Jammu and Kashmir Coalition of Civil Society and Patron of the Association of Parents of Disappeared Persons. The same person was the subject of an urgent appeal sent by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the question of torture in 2004. The concern is heightened in light of reports indicating that, during the last few years, several human rights defenders have been killed in Kashmir.

### Request for a visit

268. On 13 July 2005, the Working Group requested to undertake a mission to India in the course of 2006, given the increasing number of cases received from Kashmir. In addition, the Working Group is interested in the visit to explore the effect of the federal structure of government on disappearances in such a vibrant democracy as India.

### Summary of the situation prior to the period under review

269. Most of the cases of disappearance reported to the Working Group occurred between 1983 and 2003, in the context of ethnic and religious disturbances in the Punjab and Kashmir regions. They were primarily attributed to the police authorities, the army and paramilitary groups such as the Indian army, the Punjabi police, border security forces, and a joint group of the Punjabi police and the Special Operations Group. The disappearances were allegedly related to wide powers granted to the security forces under emergency legislation, in particular the Terrorist and Disruptive Activities Act and the Public Security Act, which allow for both preventive and prolonged detention in the absence of normal safeguards available under the criminal codes. The victims included two children aged 13 and 16, students, a religious leader, a musician, a businessman, a farmer, shopkeepers, a lawyer, journalists and human rights activists. In 2002, a member of the Movement to Save the Narmada River reportedly disappeared at the hands of the police. In accordance with its methods of work, the Working Group sent to the Government copies of three other cases concerning members of the Akhil Bharatiya Nepali Ekta Samaj (All India Nepalese Unit Society), who were reportedly arrested in New Delhi by the Indian Special Branch Police and handed over to Nepali security officials (see section on Nepal, paragraph 371), and copies of four cases concerning members of the ULFA who were allegedly arrested by the Bhutanese army and handed over to the Indian army (see section on Bhutan, paragraph 102). One case concerned a university student from Kashmir, who was reportedly arrested by army forces of the Beerwa camp in 2004. In the other 2004 case, the person was reportedly arrested by the Border Security Forces and disappeared.

### Total cases transmitted, clarified and outstanding

270. In the past and during the year under review, the Working Group has transmitted 382 cases to the Government; of those, 10 cases have been clarified on the basis of information provided by the source, 47 cases have been clarified on the basis of information provided by the Government and 325 cases remain outstanding.

### Observations

271. While expressing its appreciation to the Government of India for the information provided during the course of the year and for its efforts to investigate cases of disappearance, the Working Group remains concerned about the number of cases brought to its attention and the lack of any clarifications.

## Indonesia

### Standard cases

272. During the period under review, the Working Group transmitted 10 new cases to the Government of Indonesia. It was reported that **Aristoteles Masoka** disappeared after having been abducted by government forces in 2001 together with **Theys Eluay**, the leader of the Papua independence movement. He was the personal driver of Theys Eluay, who was found dead two days after the abduction. The second case concerns **Bachtiar Johan**, who allegedly disappeared when an Islamic lecture was broken up by military gunfire in 1984.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
146	0	10	0	0	156

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes	Government response	Yes
Working Group request for a visit	N/A	Government response	N/A

273. The other eight cases concern **Gunawan R. Subianto, Alfian, Aman Supriyanto, Jumanto, Mochammad Ihwan, Mulyani, Rinawati Tampubolon** and **Sugianto**, who reportedly disappeared during a riot on 14 May 1998 near the “YOGYA” Department Store in Jakarta. Their disappearance is attributed to government forces, specifically, the Commander of the Jakarta Regional Military Command and Chief of the Indonesian National Police.

#### Information received from the Government

274. During the period under review no information was received from the Government regarding outstanding cases.

#### Information received from the source

275. During the period under review no information was received from sources regarding outstanding cases.

#### Prompt intervention

276. On 17 November 2004, a prompt intervention (see paragraph 11) letter was sent to the Government of Indonesia regarding the death of the Chairperson of the Asian Federation Against Involuntary Disappearances, **Mr. Munir**. He reportedly died from poisoning on 7 September 2004 on a flight from Indonesia to the Netherlands.

277. The Government of Indonesia replied to the Working Group in January 2005, reporting on the investigation process, and stated that: “The Indonesian Government is doing its utmost to elucidate the circumstances of Mr. Munir’s death as swiftly and transparently as possible in order that the perpetrators of his murder can be brought to justice.”

278. On 1 June 2005, a prompt intervention letter was sent to the Government of Indonesia regarding the alleged harassment and intimidation of four human rights activists, **Thoby Mutis, Mugiyanto, Usman Hamid** and **Abdul Hakim Garunda Nasution**, who work on the issue of disappearance. Reportedly, a person who identified himself as Julfikar, from the “Defenders of the New Order”, threatened to kill the four persons and to bomb or burn down their offices and Trisakti University.

279. The Government replied on 6 June 2005, stating that the four persons were safe and well. Further, the Government assured the Working Group that it was taking the matter seriously and would provide the Working Group with further results of its investigations.

### **Summary of the situation prior to the period under review**

280. The majority of the cases of disappearance reported to the Working Group occurred in 1992 and between 1998 and 2000 in Jakarta, Aceh and East Timor (formerly under Indonesian control); a large number concerned students involved in anti-Government demonstrations in East Timor, Jakarta and Sumatra, among them the leader of the Indonesian Students Solidarity for Democracy. Eight other cases that occurred in 2002 and 2003 in Aceh concerned three trade unionists and the Head of the Aceh Besar District Branch of the Information Centre for a Referendum in Aceh, two students, and the Head of the production unit of TVR1 Studio at Gue Gajah. These disappearances were attributed to the Special Forces Command, the police, the Special Armed Forces Intelligence and the Indonesian Armed Forces (TNI). The one case transmitted in 2004 concerned a person who was reportedly abducted in Sanggeue village by TNI and Mobile Brigade troops during their joint operation in Delima and Garut areas, Pidie regency.

### **Total cases transmitted, clarified and outstanding**

281. In the past and during the year under review, the Working Group transmitted 159 cases to the Government; of those, 3 cases have been clarified on the basis of information provided by the Government and 156 cases remain outstanding.

### **Observations**

282. The Working Group encourages the Governments of Indonesia and Timor-Leste to cooperate fully in clarifying cases that occurred on the territory of what was formerly East Timor.

283. The Working Group is deeply concerned about reports of persecution of human rights defenders working on disappearance cases, in particular the death of Mr. Munir, Chairman of the Asian Federation Against Involuntary Disappearances.

### **Iran (Islamic Republic of)<sup>8</sup>**

#### **Urgent actions**

284. On 15 December 2004, the Working Group, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the question of torture and the Special Representative of the Secretary-General on the situation of human rights defenders sent a joint urgent action on the case of **Bahram Mashhadi** to the Government of the Islamic Republic of Iran. Reportedly, Mr. Mashhadi was arrested on 1 December 2004 by Iranian intelligence authorities when he arrived at an assembly to present an appeal on the situation of the Baha'i in the Islamic Republic of Iran. The report stated that he was transferred on 2 December 2004 to the headquarters of the Prosecutor's Office of the Revolution and then to Evin prison in Tehran. According to the source, the Evin prison authorities subsequently denied any knowledge of him being held there.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
512	1	0	0	1	512

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	Yes - postponed

### Information from the Government

285. During the period under review no information was received from the Government regarding outstanding cases.

### Information from the sources

286. On 17 December, the source informed the Working Group that on 12 December, the authorities of Evin prison acknowledged the detention of the subject of the urgent action of December 2004 (see paragraph 284). Reportedly, he was being held without charges and the authorities had demanded that, to secure his release, he had to post bail in the amount of 30 million rials (equivalent to about US\$ 3,400).

### Clarifications

287. There was one clarification (see paragraph 9) on the basis of the information from the source.

### Request for a visit

288. A visit by the Working Group scheduled to have taken place from 24 to 28 July 2004 was postponed by the Government of the Islamic Republic of Iran. The Working Group awaits new dates for the mission from the Iranian authorities.

### Summary of the situation prior to the period under review

289. The majority of the 528 cases of disappearance reported in the past occurred between 1981 and 1989. Some of those concerned persons reportedly arrested and imprisoned for their alleged membership of armed opposition groups. Other cases included a writer who was allegedly detained in 1998 at an airport in Tehran as he was leaving the country to visit his family abroad; four students who were allegedly detained during demonstrations in Tehran in July 1999; and a 70-year-old freelance journalist and manager of a cultural centre in Tehran who allegedly disappeared in 2002. Other cases concern 11 Iranian Baha'í arrested on 21 August 1980.

### Total cases transmitted, clarified and outstanding

290. In the past and during the year under review, the Working Group has transmitted 529 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 13 cases have been clarified on the basis of information provided by the Government and 512 cases remain outstanding.

### Observations

291. The Working Group regrets that the mission to the Islamic Republic of Iran scheduled to take place in July 2004 has been postponed and remains deeply concerned that little has been done to clarify the more than 500 outstanding cases and that no information has been received from the Government during the period under review.

292. The Working Group wishes to remind the Government of the Islamic Republic of Iran of its obligations under the Declaration to take all measures necessary to prevent further cases of disappearance, to investigate all outstanding cases and to bring the perpetrators to justice.

## Iraq

### Information received from the Government

293. During the period under review no information was received from the Government regarding outstanding cases. On 22 July 2005, the Government of Iraq requested information on all of the outstanding cases, for the first time in many years.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
16 387	0	0	0	0	16 387

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

294. During the period under review no information was received from sources regarding outstanding cases.

### **Summary of the situation prior to the period under review**

295. The majority of the previously reported cases of disappearance concerned persons of the Kurdish ethnic group who disappeared in 1988, in the context of the so-called “operation Anfal”, when the Government allegedly implemented a programme of destruction of villages and towns throughout Iraqi Kurdistan. A significant number of cases concerned Shia Muslims who are reported to have disappeared in the late 1970s and early 1980s in the course of the expulsion of their families to the Islamic Republic of Iran. Other cases occurred in the aftermath of the March 1991 uprising by Arab Shia Muslims in the south and by Kurds in the north. Earlier cases took place in 1983, when Iraqi forces allegedly arrested a large number of Kurds from the Barzani clan, near Arbil. Some 30 cases which reportedly occurred in 1996 concerned members of the Yazidi community who were allegedly arrested during a wave of mass arrests in Mosul by members of the security forces. Other cases involved Shia Muslims who were reportedly detained in Karbala in 1996, as they were about to begin a pilgrimage. The case reported in 2004 concerned a French journalist who disappeared on the second day of the invasion of Iraq in March 2003, near Az Zubayr on the southern road to Bassra. Iraqi forces reportedly may have been responsible for his disappearance.

### **Total cases transmitted, clarified and outstanding**

296. In the past and during the year under review, the Working Group has transmitted 16,517 cases to the Government; of those, 23 cases have been clarified on the basis of information provided by the source, 107 cases have been clarified on the basis of information provided by the Government and 16,387 cases remain outstanding.

### **Observations**

297. The Working Group welcomes the establishment of the National Centre for Missing and Disappeared Persons in Iraq. This year, in addition, the Government of Iraq asked that the details of all cases be retransmitted. The Working Group welcomes this request.

298. Nonetheless, Iraq remains the country with the highest number of disappearances reported to the Working Group. The Working Group urges the Government to provide information that could lead to the clarification of the 16,387 cases.

299. The Working Group had previously expressed concern over the protection of mass grave sites. The concern remains valid as mass graves and their preservation are crucial to investigations. The Working Group urges the Government of Iraq to make its best efforts to protect mass grave sites.

## **Israel**

### **Information received from the Government**

300. No communication has ever been received by the Working Group from the Government of Israel regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	0	0	0	2

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

301. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

302. Of the three cases transmitted by the Working Group, one occurred in 1992 in Jerusalem and concerned a person who failed to return home from work and who is allegedly detained in a prison in Tel Aviv. Another case concerns a Palestinian who was reportedly arrested in 1971 on the day a bomb exploded in Gaza, and was last seen in a detention camp. The third case concerns a Palestinian from the occupied West Bank who was allegedly detained in Hebron in 1991 by Israeli security forces. In all three cases, Israeli military or security forces were said to be responsible. During the period under review, in accordance with its methods of work, a case that was transmitted to the Palestinian Authority was copied to the Government of Israel. The case concerns a United States citizen of Palestinian descent who disappeared near the Israeli settlement of Ofrah and who was allegedly abducted by the Israeli Defence Forces. (See also section on Palestine, paragraph 408.)

### Total cases transmitted, clarified and outstanding

303. In the past and during the year under review, the Working Group has transmitted three cases to the Government; of those, one case has been clarified on the basis of information provided by the source, and two cases remain outstanding.

## Japan

### Information received from the Government

304. The information communicated by the Government of Japan on 26 January 2005, 14 March 2005 and 29 July 2005 relates to eight cases described in the section on the Democratic People's Republic of Korea (see paragraphs 184-187). The one outstanding case listed under Japan concerns a woman who was reportedly disappeared in Japan in 1977 at the hands of security agents from the Democratic People's Republic of Korea.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
8	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

305. During the period under review, no information was received from sources regarding the outstanding case.

### Summary of the situation prior to the period under review

306. The one outstanding case of disappearance concerns a Japanese national who was reportedly abducted in Japan by secret agents of the Democratic People's Republic of Korea. Of the nine cases of Japanese disappeared reported to the Working Group, this is the only case not acknowledged by the authorities of the Democratic People's Republic of Korea.

### Total cases transmitted, clarified and outstanding

307. In the past and during the year under review, the Working Group has transmitted one case to the Government. This case of a disappeared person remains outstanding before the Working Group.

## Jordan

### Information received from the Government

308. During the period under review, the Government replied on two outstanding cases. However information on the whereabouts of the two persons was not provided and the Working Group is, therefore, still unable to report on the fate and whereabouts of the persons concerned.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	0	0	0	2

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
2	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the sources

309. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

310. Of the two cases reported to the Working Group, one concerns an Iraqi national who was allegedly abducted by Iraqi intelligence services and the other an Indian national who was allegedly arrested in Jordan, close to the border with the Syrian Arab Republic, by Syrian border police. In accordance with its methods of work, a copy of the latter case was also sent to the Government of the Syrian Arab Republic.

### Total cases transmitted, clarified and outstanding

311. In the past and during the year under review, the Working Group has transmitted two cases to the Government. They both remain outstanding.

## Kuwait

### Information received from the Government

312. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

**Information received from the source**

313. During the period under review no information was received from sources regarding outstanding cases.

**Summary of the situation prior to the period under review**

314. The one case reported in the past concerned a person described by the source as a “bedoun” of Palestinian origin, carrying a Jordanian passport, who was allegedly arrested and detained by the Kuwaiti secret police after the retreat of Iraqi forces from Kuwait in 1991. His family was reportedly not allowed to renew its residency status in Kuwait and they moved to another country.

**Total cases transmitted, clarified and outstanding**

315. In the past, the Working Group has transmitted one case to the Government and this case remains outstanding.

**Observations**

316. The Working Group is pleased to note that during the year, it facilitated a meeting between family members of the disappeared person and Kuwaiti Government representatives.

**Lao People’s Democratic Republic****Information received from the Government**

317. During the period under review, the Government replied on one outstanding case, stating that the Lao authorities had no other information than that contained in their previous letter of 1995.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
6	0	0	0	4	2

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

318. During the period under review, the source provided information concerning four cases. It was reported that three of the persons were detained in Samkhe prison, Vietiane. In the one other case, the person reportedly died from heat exhaustion in detention in Samkhe prison in September 2001, because he was tied to a post in the prison grounds by guards as a punishment and was left there for several hours in the hot sun.

### Clarifications

319. Based on information received from sources, the Working Group decided to clarify four cases (see paragraph 9).

### Summary of the situation prior to the period under review

320. Of the six cases reported to the Working Group, five occurred in 1999 and concerned members of the Lao Students Movement for Democracy who were allegedly arrested by the police during a demonstration in Vientiane. Another case concerned the leader of a group of repatriates who was last seen in 1993 with a high official of the Department of the Interior.

### Total cases transmitted, clarified and outstanding

321. In the past and during the year under review, the Working Group has transmitted six cases to the Government; of those, four cases have been clarified on the basis of information provided by the source and two cases remain outstanding.

## Lebanon

### Information received from the Government

322. During the period under review, the Government transmitted a reply in relation to all 313 outstanding cases, stating that no abducted persons were members of a political party or an organization that was active in Lebanon until 1990. The substance of the reply was similar to the one provided in 2004.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
311	0	0	0	0	311

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
313	N/A	N/A

General allegation	Yes	Government response	Yes
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information received from sources**

323. During the period under review no information was received from sources regarding outstanding cases.

### **General allegation**

324. Information was submitted by NGOs to the Working Group concerning alleged non-compliance by the Government of Lebanon with provisions of the Declaration (see paragraph 13).

325. Reports express concern about the alleged failure of the Lebanese authorities, including actors in the justice system, security agencies and commissions of inquiry, to address the problem of victims of disappearance. Reports urge the Government of Lebanon to cooperate with the Syrian authorities as well as with the international community with a view to resolving the issue of disappearances.

326. In response to the general allegation, the Government of Lebanon provided information about the recent developments regarding the question of Lebanese detainees and disappeared persons in Syria. In particular, information was received concerning the newly established Joint Lebanon-Syria Committee which is mandated to examine this issue. They stated that at the conclusion of the work of the Joint Committee, a final report would be submitted to the Lebanese Council of Ministers.

### **Summary of the situation prior to the period under review**

327. The majority of the 319 cases reported in the past occurred between 1982 and 1985 in the context of the Lebanese civil war. The forces allegedly responsible were described as members of the Phalangist militia, the Lebanese army or its security forces. In some cases, the Israeli army was reported to have been involved, acting together with one or other of these forces. A number of cases concerned persons who were reportedly arrested at the Sabra and Chatila refugee camps in September 1982. Some of the cases involved foreign nationals allegedly abducted in Beirut in 1984, 1985 and 1987. A few cases concerned persons who were allegedly arrested between 1976 and 2000 by the Syrian army, the Syrian Intelligence Service or security services at checkpoints, or abducted by the Hezbollah and transferred to the Syrian Arab Republic. In accordance with its methods of work, the Working Group sent copies of these cases to the Government of the Syrian Arab Republic.

### **Total cases transmitted, clarified and outstanding**

328. In the past and during the year under review, the Working Group has transmitted 319 cases to the Government; of those, 6 cases have been clarified on the basis of information provided by the source, 2 cases have been clarified on the basis of information provided by the Government and 311 cases remain outstanding.

## Observations

329. The Working Group is concerned about the lack of relevant information in the response from the Government, which was the same for all 313 cases. It encourages the Government to make all possible efforts in order to determine the fate or whereabouts of the disappeared persons.

330. The Working Group welcomes the creation of the Joint Lebanon-Syria Committee, which addresses disappearances. The Working Group requests that any new information received by the Government concerning the outstanding cases be sent to the Working Group as soon as possible.

## Libyan Arab Jamahiriya

### Urgent actions

331. During the period under review, the Working Group transmitted one urgent action case to the Government concerning **Hatem Al Fathi Al Marghani**, who reportedly disappeared after having been transferred from the National Security Headquarters at the town of Brak to Tripoli. Subsequently, the source reported that he was released by the Libyan Security Services.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
4	1	0	0	1	4

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the Government

332. During the period under review no information was received from the Government regarding outstanding cases.

### Information received from sources

333. The source reported that the subject of the one urgent action case transmitted during the reporting period was released by the Libyan Security Services.

## Clarifications

334. Based on information received from sources, the Working Group decided to clarify one case (see paragraph 9).

## Summary of the situation prior to the period under review

335. Of the four outstanding cases, one was a Palestinian national who was allegedly arrested in 1996 in Tubruk on suspicion of having links with a religious opposition movement. One case concerned a Sudanese translator at the World Centre for Studies and Research of the Green Book in Tripoli who reportedly disappeared in 1983. Another case involved a Lebanese citizen who was reportedly abducted in Tripoli in 1978 while he was accompanying a Shiite Muslim scholar visiting the country. The other case concerned a businessman who was allegedly arrested by the security forces during a mass arrest in 1989, and last seen at the Abu Salim prison in Tripoli.

## Total cases transmitted, clarified and outstanding

336. In the past and during the year under review, the Working Group has transmitted six cases to the Government; of those, two cases have been clarified on the basis of information provided by the source and four cases remain outstanding.

## Malaysia

### Information received from the Government

337. During the period under review, the Government replied on the one outstanding case stating that it had no new information. Referring to the presentation made by a representative of the Royal Malaysian Police to the Working Group in 2004, the Government requested the Working Group to provide additional and new information on this case.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	0 (Case discontinued, see para. 338)

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

338. Over the years, the Working Group has made numerous attempts to contact the source, but to no avail. Consequently, the Working Group decided, in accordance with paragraph 21 of its methods of work, to discontinue consideration of the one case. The Working Group believes that it no longer has a useful role to play in trying to elucidate the whereabouts of the person concerned, as no follow-up can be given to the case.

### Information from the sources

339. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

340. The one outstanding case of disappearance reportedly occurred in 1998 and concerned an Achenese activist of Indonesian nationality with permanent resident status in Malaysia. In the past, the Government replied that this person had been arrested and released. It further stated that the Royal Malaysian Police had concluded an investigation and were unable to confirm the present whereabouts of the subject.

### Total cases transmitted, clarified and outstanding

341. In the past and during the year under review, the Working Group has transmitted two cases to the Government; of those, one case has been clarified on the basis of information provided by the source and the Working Group decided to discontinue consideration of one case. No cases remain outstanding.

## Mauritania

### Information from the Government

342. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

343. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

344. The one case reported to the Working Group reportedly occurred in 1990 and concerned a 21-year-old man who was allegedly taken by members of the National Guard in a village in southern Mauritania during a night-time curfew. At that time, many people belonging to the Hal-Pulaar ethnic group in the south of the country were reportedly subjected to human rights violations, allegedly carried out by government forces and the Haratine militia.

### Total cases transmitted, clarified and outstanding

345. In the past and during the year under review, the Working Group transmitted one case to the Government. This case remains outstanding before the Working Group.

### Mexico<sup>9</sup>

### Information received from the Government

346. During the period under review, the Government replied on one of the outstanding cases, stating that the person concerned was confined in “La Palma” maximum-security Federal Social Rehabilitation Centre No. 1 in the State of Mexico following a warrant issued for his arrest on 19 June 2003.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
207	0	0	0	0	207

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	1

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

347. The Working Group decided to apply the six-month rule in this case (see paragraph 10).

### Summary of the situation prior to the period under review

348. The majority of the cases reported to the Working Group occurred between 1974 and 1981. Of those cases 98 took place in the context of rural guerrilla warfare in the State of

Guerrero. Between 1994 and 1997, 89 cases occurred and 22 in 1995, primarily in the States of Chiapas and Veracruz. Most of those concerned were members of Indian, peasant and political organizations. In most cases, the disappearances were attributed to the Federal Investigation Agency (former Federal Judicial Police), the Preventive Federal Police, the security forces and the army. In 2003, reported cases concerned a member of the Organización de Pueblos Indígenas Zapotecos, two men allegedly arrested in the State of Chiapas by members of the Procuraduría General de Justicia del Estado, an officer belonging to the Secretaría de Seguridad Pública del Distrito Federal arrested by the police in Delegación Iztapalapa Mexico, and a member of the Democratic Revolution Party who was allegedly abducted in the State of Guerrero by agents of the Agencia Federal de Investigaciones.

### **Total cases transmitted, clarified and outstanding**

349. In the past and during the year under review, the Working Group has transmitted 377 cases to the Government; of those, 22 cases have been clarified on the basis of information provided by the source, 132 cases have been clarified on the basis of information provided by the Government and 207 cases remain outstanding.

### **Observations**

350. The Working Group encourages the Government to provide more detailed and relevant information that could lead to the clarification of the 207 outstanding cases.

## **Morocco**

### **Information received from the Government**

351. The Government previously provided information on 106 outstanding cases, reporting on information gathered regarding persons reportedly disappeared in the 1970s. Given time limitations, only 42 cases were reviewed by the Working Group in 2004. During the period under review, the Working Group finished the consideration of the information submitted by the Moroccan authorities. In 56 cases, the Working Group decided that the information provided was not sufficient to consider the cases clarified and decided to retransmit these cases to the authorities. In reviewing the remaining eight cases, the Working Group asked the Government of Morocco for more information. At the seventy-seventh session, during a meeting of the Working Group with representatives of the Government, detailed information was received on cases which will be reviewed in 2006 and the Government informed the Working Group about developments in the protection of human rights in Morocco.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
103	0	0	3	0	100

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
56	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	No

### **Information received from the source**

352. During the period under review no information was received from sources regarding outstanding cases.

### **Clarifications**

353. Based on information from the Government, the Working Group decided this year to clarify 3 cases (see paragraph 9).

### **Request for a visit**

354. On 8 November 2005 a letter was sent to the Moroccan authorities requesting a visit.

### **Summary of the situation prior to the period under review**

355. The majority of the 248 cases the Working Group has transmitted to the Government occurred between 1972 and 1980. Most of them concerned persons of Saharan origin who reportedly disappeared in territories under the control of the Moroccan forces because they or their relatives were known or suspected supporters of the Polisario Front. Students and well-educated Saharans were allegedly particular targets. The disappeared persons were reportedly confined in secret detention centres, such as Laayoune, Qal'at M'gouna, Agdz and Tazmamart. Cells in some police stations or military barracks and secret villas in the Rabat suburbs were also allegedly used to hide the disappeared persons.

### **Total cases transmitted, clarified and outstanding**

356. In the past and during the year under review, the Working Group has transmitted 248 cases to the Government; of those, 46 cases have been clarified on the basis of information provided by the source, 102 cases have been clarified on the basis of information provided by the Government and 100 cases remain outstanding.

### **Observations**

357. The Working Group expresses its appreciation to the Government of Morocco for the information that it has provided and for its efforts to investigate the fate and whereabouts of persons reported to have disappeared in the past. It hopes that this process will continue.

## **Mozambique**

### **Information from the Government**

358. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	0	0	0	2

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

359. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

360. The two reported cases of disappearance in Mozambique occurred in 1974. One concerned a doctor who was allegedly arrested in a hotel in Blantyre, Malawi, and taken first to Mozambique and then to the southern part of the United Republic of Tanzania. It is believed that he was then transferred to Niassa Province, Mozambique. The other case also concerned a doctor who was allegedly arrested at his home in Matola and imprisoned, first at the headquarters of Frelimo troops in Boane and later in Maputo.

### Total cases transmitted, clarified and outstanding

361. In the past and during the year under review, the Working Group transmitted two cases to the Government. These two cases remain outstanding before the Working Group.

## Myanmar

### Information received from the Government

362. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

363. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

364. The one outstanding case concerned a citizen of France, a member of the Karen National Union residing on the Thai-Myanmar border who had allegedly disappeared in 2001 after crossing the border into Myanmar with his companion. In accordance with its methods of work, the Working Group sent a copy of the case to the Government of Thailand. In 2004, the Government reported that the person had neither entered nor disappeared on Myanmar territory. They stated that the National Human Rights Commission was unable to proceed with the investigation owing to insufficient information on the matter. The Government asked that more information be provided to enable it to conduct further investigations.

### Total cases transmitted, clarified and outstanding

365. In the past and during the year under review, the Working Group has transmitted three cases to the Government; of those, two cases have been clarified on the basis of information provided by the Government and one case remains outstanding.

## Namibia

### Information from the Government

366. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

367. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

368. The one case reported to the Working Group occurred in 1999 and concerned a member of the Namibian National Society for Human Rights, who was allegedly detained following the imposition of a state of emergency in the Caprivi region and taken to an unknown destination.

### Total cases transmitted, clarified and outstanding

369. In the past and during the year under review, the Working Group transmitted one case to the Government. This case remains outstanding before the Working Group.

## Nepal<sup>10</sup>

### Urgent actions

370. During the period under review, the Working Group transmitted **30 cases** to the Government under the urgent action procedure. In several cases, the persons had been rearrested by the security forces immediately after their release on court orders issued subsequent to habeas corpus petitions. One example of this practice of particular concern to the Working Group because of the ages of the victims was the case of two 15-year-old Dalit girls who were rearrested by the police after their release on order of the Appellate Court.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
264	30	6	50	25	225

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
143	Yes	69

General allegation	Yes	Government response	No
Prompt intervention letter	Yes	Government response	No
Working Group request for a visit	N/A	Government response	N/A

### **Standard cases**

371. The newly transmitted cases concern a woman, a journalist, an agricultural worker, a vendor and a Kashmiri residing in Kathmandu. In the case of the Kashmiri, it was reported that the Indian Embassy in Kathmandu was involved in the arrest. In accordance with the Working Group's methods of work, a copy of this case was sent to the Government of India. (See also section on India, paragraph 264.)

### **Information received from the Government**

372. During the period under review, the Government replied on 143 outstanding cases. Multiple replies were frequently received during the year on the same cases, sometimes from different government agencies. In the majority of cases, the Government reported that persons had been released or were in detention. The Working Group decided to apply the six-month rule to 69 cases.

### **Information received from sources**

373. During the period under review, sources provided additional information on 61 outstanding cases. In 25 cases, sources provided the Working Group with information sufficient to clarify the fate or whereabouts of the persons. In the majority of cases, the persons had been detained or released. In the case of a 15-year-old girl, it was reported that she was tortured in the military barracks in Kavre District before being put to death in February 2004.

### **Clarifications**

374. Based on information received from the Government, the Working Group decided to clarify 50 cases (see paragraph 9).

375. Based on information received from sources, the Working Group decided to clarify 25 cases.

### **Prompt intervention**

376. On 14 January 2005, a prompt intervention (see paragraph 11) letter was sent to the Government of Nepal on alleged increasing harassment, intimidation and direct threats from the security forces towards human rights defenders, including journalists, lawyers, local human rights activists working on disappearances and staff of the National Human Rights Commission. It was reported that security forces personnel had targeted human rights defenders and threatened the relatives of detainees and their lawyers who had filed habeas corpus petitions in the courts.

### **General allegation**

377. The Working Group received information from NGOs concerning reported non-compliance by the Government of Nepal with provisions of the Declaration (see paragraph 13).

378. Reports expressed concern about a widespread pattern of enforced or involuntary disappearances, said to be one of the most pressing human rights issues in Nepal. Reports stated that disappearances, already a chronic problem in Nepal, had continued under the state of emergency announced on 1 February 2005 and there had been increased pressure on human rights activists assisting relatives of the disappeared. In a number of cases, the missing persons were believed to be held in incommunicado detention, primarily in army barracks and camps across Nepal, while some were believed to have been killed after being taken into custody by the security forces.

379. Reports stated that the security forces are responsible not only for disappearances but also extrajudicial executions, torture and arbitrary detentions. The human rights situation was reportedly deteriorating in the context of counter-insurgency operations by the security forces in their response to the “people’s war” being fought by the Communist Party of Nepal (Maoist) since 1996. Further, since the King’s declaration of a state of emergency on 1 February 2005, fundamental rights had allegedly been suspended and the security forces are reported to enjoy widespread impunity. Reportedly, the security forces arrest and detain suspects illegally and undermine judicial processes, especially those relating to habeas corpus.

380. Reports have identified impunity for human rights abuses as a key factor fuelling the human rights crisis. The Government and the Royal Nepalese Army reportedly have failed to take action to prevent and punish human rights abuses committed by the security forces. No senior official reportedly has ever been held accountable for a disappearance in Nepal. Further, according to the reports, staff of the National Human Rights Commission have been prevented from accessing these places of detention, in violation of their mandated powers under the Human Rights Commission Act, and the Commission’s findings and recommendations are widely ignored by the Government.

381. Reports add that even though the Government has not directly ordered the security forces to commit disappearances as part of its measures against the Maoists insurgency, the Government should be held responsible for disappearances given its failure to take reasonable steps to prevent and punish the crime of disappearance. Reports call on the Nepalese authorities to take immediate measures to put an end to the practice of disappearances, investigate all reported cases, and publicly instruct the security forces that abuses are not permitted.

### **Press release**

382. During the period under review, the Chairman-Rapporteur of the Working Group issued a joint statement, dated 8 February 2005, with eight other United Nations independent experts, expressing serious concern about the actions taken by the King to dissolve the constitutional Government and to assume direct power; proclaim a nationwide state of emergency and suspend constitutional guarantees and civil and political liberties.

383. In addition, on the occasion of the International Day of the Disappeared, the Working Group issued a statement on 26 August 2004 in which it emphasized its particular concern over the harassment of families of disappeared persons or human rights defenders in Nepal. The Working Group also urged the Nepalese authorities to fully implement the recommendations issued following its country visit of December 2004.

**Summary of the situation prior to the period under review**

384. The majority of the cases reported to the Working Group allegedly occurred between 1998 and 2005 in the context of counter-insurgency operations launched by security forces against members and supporters of the Communist Party of Nepal (Maoist), which had declared a “people’s war” in February 1996. During the first phase of this conflict, disappearances occurred during police operations (1998). As security operations intensified, the number of cases reported increased during 1999 and 2001, particularly after November 2001, following the declaration of a state of emergency and the deployment of the army. Following the breakdown of a seven-month ceasefire on 27 August 2003, there was a rapid escalation in the number of disappearances. Most cases concerned persons who were arrested by unidentified security forces personnel in plain clothes from their homes, often at night or in the early morning. Although disappearances reportedly were taking place across the country, the majority of cases reported to the Working Group occurred in and around Kathmandu and other districts in central Nepal. The reported victims included women, students, businessmen, farmers, workers, a writer, a government employee and human rights defenders. The disappearances were attributed to security forces personnel, the armed forces and the police.

385. Regarding cases of three members of the Akhil Bharatiya Nepali Ekta Samaj (All India Nepalese Unit Society) who were reportedly arrested by the Indian Special Branch Police and handed over to Nepali security officials at the border, in Nepalgunj. In accordance with the Working Group’s methods of work, copies of these cases were sent to the Government of India. (See also section on India, paragraph 269.)

386. At the invitation of the Government of Nepal, the Working Group visited the country from 6 to 14 December 2004 to discuss the cases of enforced or involuntary disappearance transmitted by the Working Group to the Government and to examine the situation of disappearances in Nepal in the light of international human rights standards. The delegation held meetings with His Majesty the King and other high-level officials from the Government, judiciary and military, as well as with representatives of NGOs, relatives of the disappeared, and members of the international community in Nepal. The Working Group found that the phenomenon of disappearance in Nepal was widespread; its use by the Nepalese security forces was arbitrary. Maoist insurgents also commit widespread illegal deprivations of liberty.

387. The main recommendation to the Government was that Nepalese criminal law and the Army Act should be amended and the Terrorist and Disruptive Activities (Control and Punishment) Ordinance rescinded immediately. It was also recommended that complete lists of detainees be kept, and shared with families of the detainees and with civilian authorities. The Working Group recommended that the authorities ensure that human rights defenders be protected from persecution for their work and continue to make every effort to strengthen the role of the National Human Rights Commission and to facilitate its work. In addition, the Working Group recommended that the United Nations Department of Peacekeeping Operations evaluate the future participation of Nepalese security forces in United Nations peacekeeping missions, assessing the suitability of such participation against progress made in the reduction of disappearances and other human rights violations attributed to the Nepalese security forces, and seek the cooperation of the Office of the High Commissioner for Human Rights to review progress. (See the mission report, E/CN.4/2005/65/Add.1.) Reportedly, there has been little

implementation of these recommendations so far, especially given that the absence of a functioning Parliament is a major obstacle to the implementation of recommendations concerning legislative reforms.

### **Total cases transmitted, clarified and outstanding**

388. In the past and during the year under review, the Working Group has transmitted 338 cases to the Government; of those, 59 cases have been clarified on the basis of information provided by the source, 54 cases have been clarified on the basis of information provided by the Government and 225 cases remain outstanding.

### **Observations**

389. The Working Group encourages the Government of Nepal to implement the recommendations of the Working Group following its country visit in 2004. The Working Group also invites the Government to meet with the Working Group in 2006 to discuss the implementation of those recommendations.

390. Nepal was the source of the largest number of urgent-action cases transmitted by the Working Group in 2005. The Working Group remains deeply concerned about the number of new cases of disappearance in Nepal.

391. The Working Group urges the Government of Nepal to take all necessary action to prevent further disappearances, the practice of rearrest, and the harassment of human rights defenders and the relatives of the disappeared. The Working Group urges the Government to continue cooperation on the clarification of outstanding cases and to bring the perpetrators to justice.

## **Nicaragua**

### **Information received from the Government**

392. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
103	0	0	0	0	103

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from sources

393. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

394. The majority of the cases reported to the Working Group occurred between 1979 and 1983, in the context of the internal armed conflict which took place during the 1980s. Many of the reports of these disappearances pointed to the involvement of members of the army, the former Sandinista Government, the former General Directorate for the Security of the State and the Frontier Guard. Two cases, however, reportedly occurred in 1994: one concerned a farmer who was allegedly detained by a group of members of the army and the police, and the other concerned a person allegedly accused of being a member of the *Contras* armed group.

### Total cases transmitted, clarified and outstanding

395. In the past and during the year under review, the Working Group has transmitted 234 cases to the Government; of those, 19 cases have been clarified on the basis of information provided by the source, 112 cases have been clarified on the basis of information provided by the Government and 103 cases remain outstanding.

### Observations

396. The Working Group continues to be concerned that little has been done to clarify the 103 outstanding cases. The Working Group wishes to remind the Government of its responsibilities under article 13 of the Declaration to conduct investigations thoroughly and impartially for as long as the fate of the victim remains unclarified.

## Nigeria<sup>11</sup>

### Information from the Government

397. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	0	0	0	1

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

398. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

399. The one outstanding case is reported to have occurred in 1998 and concerned a human rights activist who was allegedly arrested at Murtala airport in Lagos by security forces.

### Total cases transmitted, clarified and outstanding

400. In the past the Working Group has transmitted six cases to the Government. The Working Group has clarified five cases on the basis of information provided by the Government. There remains one outstanding case before the Working Group.

## Pakistan

### Information received from the Government

401. During the period under review, the Government replied on 30 outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
75	0	0	0	0	75

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
30	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

402. The Government provided the Working Group with the current addresses of eight persons reported disappeared. The Working Group decided to apply the six-month rule in these eight cases. The Working Group decided to allow the source to respond within nine months instead of six months as a special exception, given the situation in the country following the earthquake.

**Information received from the sources**

403. During the period under review no information was received from sources regarding outstanding cases.

**Summary of the situation prior to the period under review**

404. The majority of the 83 cases of reported disappearance concerned members or sympathizers of the political party Muhajir Qaomi Movement, who were allegedly arrested by the police or security forces in 1995 and 2001. Most of the other reported cases allegedly occurred in 1986, and between 1989 and 1991, and involved Afghan refugees in Pakistan, many with links to the Harakate Inghilabe Islami party of Afghanistan. The disappearances were reportedly perpetrated in Peshawar, North West Frontier Province, by persons belonging to a rival party, the Hezb-e-Islami of Afghanistan, allegedly acting with the acquiescence of the Pakistani authorities. Four other cases concerned members of the same family who were reportedly abducted by agents of military intelligence in Islamabad in 1996.

**Total cases transmitted, clarified and outstanding**

405. In the past and during the year under review, the Working Group has transmitted 83 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 4 cases have been clarified on the basis of information provided by the Government and 75 cases remain outstanding.

**Palestine****Information received from the Government**

406. No communication has ever been received by the Working Group from the Palestinian Authority regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

**Information received from the sources**

407. During the period under review no information was received from sources regarding outstanding cases.

**Summary of the situation prior to the period under review**

408. Of the three reported cases of disappearance, two reportedly occurred in 1997. One concerned a person who was allegedly taken away from his sister's home in Deir-al-Balah by persons who had identified themselves as military intelligence officers; the other concerned a real estate agent, the father of five children, who allegedly disappeared after his arrest by members of the Palestinian military intelligence in Ramallah. A case which reportedly occurred in 2001 concerned a United States citizen of Palestinian descent who allegedly disappeared near the Israeli settlement of Ofrah: eyewitness accounts and a blue tape found on his car, abandoned near the settlement, reportedly indicated that it had been searched for explosives by the Israeli Defence Forces. In accordance with the methods of work of the Working Group, a copy of the case was also sent to the Government of Israel and to the Government of the United States of America.

**Total cases transmitted, clarified and outstanding**

409. In the past and during the year under review, the Working Group has transmitted three cases to the Palestinian Authority; all of them remain outstanding.

**Paraguay****Information received from the Government**

410. During the period under review, on 2 August 2005, the Government of Paraguay transmitted detailed information on the judicial process in the three outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

411. According to this information, on 9 May 1991, the Seventh Rota Criminal Court of the Asunción Judicial District opened a pretrial investigation into the alleged disappearances.

412. According to the Paraguayan authorities, the criminal proceedings were unsuccessful owing to a lack of evidence to determine the perpetrators' identity, despite numerous and repeated inquiries ordered by the competent court. The investigation was reportedly also considerably hampered because the victims' family members were absent from the proceedings and by the difficulty of finding witnesses who might be able to testify on the circumstances of the disappearance.

413. The authorities added that in 2001, the wife of one of the subjects initiated criminal proceedings in respect of the three cases against Alfredo Stroessner and others for criminal violation of human life, abuse of authority, unlawful deprivation of liberty, abduction, torture and other offences. The case came before Guarantee Court No. 1 of the capital under the new system of criminal procedure. Reportedly, criminal investigations are currently being carried out, under court supervision and with judicial safeguards, by the competent prosecutor responsible for the public right of action and criminal prosecutions.

### Summary of the situation prior to the period under review

414. The 23 cases of disappearance reported to the Working Group occurred between 1975 and 1977 under the Government of President Alfredo Stroessner. Several of the disappeared persons were members of the Communist Party, including its Secretary-General. Although disappearances took place in the capital, Asunción, the majority of the cases affected the rural population and were carried out in the districts of San José, Santa Helena, Piribebuy and Santa Rosa.

### Total cases transmitted, clarified and outstanding

415. In the past and during the year under review, the Working Group has transmitted 23 cases to the Government; of those, 20 cases have been clarified on the basis of information provided by the Government and 3 cases remain outstanding.

## Peru

### Information received from the Government

416. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2 368	0	0	0	0	2 368

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information received from the sources**

417. During the period under review no information was received from sources regarding outstanding cases.

### **Summary of the situation prior to the period under review**

418. The vast majority of the 3,006 reported cases of disappearance occurred between 1983 and 1992 in the context of the Government's fight against, in particular, the Communist Party of Peru, Shining Path (Sendero Luminoso), and the Tupac Amaru Revolutionary Movement. In late 1982, the armed forces and police undertook a counter-insurgency campaign and the armed forces were granted a great deal of latitude in fighting Sendero Luminoso and restoring public order. The majority of reported disappearances took place in areas of the country that had been under a state of emergency and were under military control, in particular in the Departments of Apurimac, Ayacucho, Huancavelica, San Martín and Ucayali. Detentions were frequently carried out openly by uniformed members of the army and the navy infantry, sometimes together with civil defence groups.

### **Total cases transmitted, clarified and outstanding**

419. In the past and during the year under review, the Working Group has transmitted a total of 3,006 cases to the Government; of those, 385 cases have been clarified on the basis of information provided by the source, 253 cases have been clarified on the basis of information provided by the Government and 2,368 cases remain outstanding.

### **Observations**

420. The Working Group wishes to remind the Government of Peru once again of its responsibility to conduct thorough and impartial investigations "for as long as the fate of the victim of enforced disappearance remains unclarified", in accordance with article 13, paragraph 6, of the Declaration.

421. The Working Group invites the Government of Peru to meet with the Working Group in 2006 to discuss means of encouraging the clarification of cases.

## **Philippines**

### **Urgent actions**

422. Urgent action cases transmitted to the Government during the period under review include the cases of **four farmers** reportedly arrested together in Andap Valley, Buhisan, San Agustin, Surigao del Sur, by the 58th Infantry Battalion of the Philippine army.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
556	11	28	0	0	595

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
10	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

423. The other urgent action cases concern **seven persons** who were arrested by elements of Alpha Company of the 12th Infantry Battalion at a checkpoint on the highway at Barangay Camingawan, Kabankalan City. Reportedly, the military immediately separated the Kilusang Magbubukid ng Pilipinas (KMP) consultant from the other six persons and took him away in an unknown direction. The other **six persons**, including three members of KMP, a member of the National Federation of Sugar Workers, a farmer and a driver, allegedly disappeared after they were taken from Haba Military detachment in Candoni to the Municipal Hall of Candoni.

### Standard cases

424. The **28 cases** transmitted by the Working Group to the Government during the period under review occurred throughout the country between 1981 and 2000. The arrests were reportedly carried out by the police, the army and other military organizations or police units. Alleged victims include **three women**; two of them were reportedly abducted together by the Integrated National Police elements in Naga City, Camarines Sur. In another case, of a **19-year-old girl**, the relatives reportedly spoke with her several times at the camp headquarters of the 187th PC in Aurora where she was initially detained. However, when the relatives visited again, they were told that she had escaped from the camp and since then, no one has seen her.

### Information received from the Government

425. During the period under review, the Government replied on 10 outstanding cases. In three cases, the Working Group found the information from the Government insufficient to clarify the fate or whereabouts of the disappeared persons. In seven cases, the Government replied that there was no indication of the State's involvement with the disappearance. In one case concerning a member of the New People's Army (NPA), according to the source in its initial communication, who has allegedly been killed in an encounter with the military, the Working Group decided that it had made a mistake in originally accepting the case. The case was not a disappearance.

### **Information received from sources**

426. During the period under review, sources provided additional information on five cases. Regarding four cases whose admissibility the Government questioned, the source provided further information supporting the allegation that the arrests had been carried out by agents of the State.

### **Summary of the situation prior to the period under review**

427. The majority of the reported cases of disappearance occurred throughout the country in the late 1970s and early 1980s in the context of the Government's anti-insurgency campaign. Alleged victims included farmers, students, social and health workers, members of Church groups, lawyers, journalists and economists. Since 1980, reported cases of disappearance concerned young men living in rural and urban areas who participated in legally constituted organizations which, according to the military authorities, were fronts for the outlawed Communist Party of the Philippines and its armed wing, the NPA. Among the groups most commonly targeted were members of KADENA (Youth for Democracy and Nationalism) and the National Federation of Sugar Workers. Despite the peace talks initiated by the Government with several opposition movements, disappearances continued to occur in the 1990s, mainly in the context of military operations against the NPA, the Moro National Liberation Front, the Mindanao Islamic Liberation Front, the Citizen Armed Forces Geographical Units and the Civilian Volunteer Organizations. In 2004, the Working Group transmitted 25 cases of disappearance to the Government of the Philippines, 4 of which occurred in 2004 and the other 21 between 1977 and 1993. Alleged victims included farmers, a staff member of the Suriago-Agusan Workers Solidarity, a community organizer in northern Luzon, a member of the People's Youth Organization known as the "Samaang Demokratikong Kataaan (SDK)", and an 11-year-old girl from a peasant family and suspected members of the NPA. The disappearances were attributed to the police, the military forces and other military organizations or police units such as the Infantry Battalions of Philippines Army, the Philippine Constabulary, the Central Intelligence Unit, the Intelligence Service Unit, airborne troops, the Integrated Civilian Home Defence Force, army scout rangers, the Presidential Anti-Organized-Crime Task Force, Police Volunteers for Anti-Crime, the "General Headquarters", and the Criminal Service Group.

428. The Working Group visited the Philippines in 1991. As noted by the Working Group in previous reports, the main recommendation to the Government was that the national police should be severed from the army and put under a different Cabinet minister. The Working Group suggested that the Government should introduce legislation to narrow the powers of arrest by strictly defining which category of public official could arrest civilians for which offence. It was also recommended that the Philippines Commission on Human Rights be empowered to make unannounced spot-checks at places of detention. Protection of witnesses and an overhaul of the law and habeas corpus practice were recommended in order to expedite the procedure and make it more effective (see E/CN.4/1991/20/Add.1, paragraph 168).

### **Total cases transmitted, clarified and outstanding**

429. In the past and during the year under review, the Working Group has transmitted 752 cases to the Government; of those, 33 cases have been clarified on the basis of information provided by the source, 124 cases have been clarified on the basis of information provided by the Government and 595 cases remain outstanding.

## Observations

430. The Working Group again encourages the Government to report on the implementation of the recommendations emanating from the Working Group's visit of 1991. The Working Group is concerned about disappearances which allegedly occurred in 2004. It reminds the Government of its obligation under article 13 of the Declaration to make every effort to clarify the 594 outstanding cases. The Working Group invites the Government of the Philippines to meet with the Working Group in 2006.

431. The Working Group welcomes the consolidation of the anti-disappearance bills, which have been under consideration for several years, and the subsequent approval of the consolidated bill by the Committee on Justice of the House of Representatives on 16 November 2005. The Working Group encourages the timely adoption of this important legislation.

## Russian Federation<sup>12</sup>

### Urgent actions

432. During the period under review, urgent action communications were sent on **a number of cases**. The majority of cases occurred in Chechnya.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
421	27	11	0	8	451

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
14	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes	Government response	Yes
Working Group request for a visit	Yes	Government response	Yes

433. These cases occurred between September 2004 and April 2005 in various locations such as Argun, Grozny and Koren-Benoi.

434. Other urgent action communications were sent concerning **relatives of Aslan Maskhadov**, the former President of the Republic of Chechnya. They reportedly disappeared in December 2004 in various locations of Chechnya at the hands of forces under the control of a Chechen Government leader.

435. An urgent action communication was also sent by the Working Group concerning **three persons, including a 15-year-old child**, who reportedly disappeared following a sweep operation carried out by military servicemen that took place from 14 to 16 January 2005 in the village of Zumsoj.

436. Urgent action communications were sent to the Russian authorities concerning cases of **disappearances allegedly carried out by military servicemen** on 11 January 2005 in Argun; by a group of armed men on 27 December 2004 in Sernodovsk; by the Federal Security Service on 20 April 2005 in Khasavyurt of the Republic of Daghestan; and of a teacher in a religious school in Kazan, Tatarstan.

437. In joint urgent action communications with other thematic special procedures mandate holders, the following cases were transmitted to the Government of the Russian Federation: **a person who disappeared following abduction** by a group of at least 15 armed men in Grozny on 20 January 2005; and **the head of the NGO Let's Save the Generation** reportedly disappeared after his arrest by law enforcement agents believed to be from the Federal Security Service on 15 April 2005.

### **Standard cases**

438. During the period under review, **11 cases** were transmitted under the standard procedure to the Government of the Russian Federation. These cases reportedly took place on the territory of Chechnya. In one case, a woman disappeared after reportedly being abducted from her home in Urus-Martan with her husband. Her husband was released shortly afterwards, on 25 February 2004. Another case concerns a man who reportedly disappeared at the hands of forces under the orders of a Chechen Government leader on 1 June 2004 in Starye Atagi. A further case concerns a man who disappeared after reportedly being abducted on a street in Shali on 13 June 2004. In another case, a man disappeared after being arrested by a group of 10 men from his home in Grozny on 22 October 2004.

### **Information received from the Government**

439. In one communication, the Russian Federation authorities provided information on one case, stating that the investigator of the Leninsky district procurator's office in Grozny decided, on the basis of article 24 (1), paragraph 2, of the Code of Criminal Procedure of the Russian Federation not to open a criminal case for lack of evidence of a crime. On 21 February 2005 the Procurator's Office of the Republic of Chechnya overruled the decision not to initiate a criminal case.

440. In a further communication, the Russian Federation authorities stated that the Argun city procurator's office initiated a criminal case on the basis of indications of an offence under article 126 (abduction) of the Criminal Code of the Russian Federation.

441. In a communication, the Russian Federation authorities provided information on 4 cases that occurred in the settlement of Zumsoj. According to the information, a special operation had been conducted from 14 to 17 January 2005 in the area of Zumsoj and steps were being taken to check the accuracy of the facts, as well as the involvement of military personnel in the detention of four villagers and their whereabouts.

442. In two communications, the Russian Federation authorities provided information on the cases of the members of the family of Aslan Maskhadov, indicating that investigations had been opened on these reported disappearances.

443. In a further communication, the Russian Federation authorities provided information on one case, stating that a special operation had been conducted in Grozny and that six Chechen fighters were killed as a result of the confrontation; among those found carrying weapons was a person whose name had been communicated by the Working Group to the Government. This information was subsequently transmitted to the source.

444. In another communication, the Russian Federation authorities provided information on a case, reporting that the subject had attempted to escape custody by jumping out of a second-storey window and was injured. He was charged and on 16 February 2005, the criminal case was referred to the court for consideration on the merits.

445. Seven other communications were received by the authorities that had not yet been translated for review by the Working Group.

### **Information received from sources**

446. Additional information was provided by the source on the seven disappeared relatives of the former Chechen leader Aslan Makhadov and transmitted to the Government. In a second communication, the source reported that the seven persons had been released on 31 May 2005. They reportedly had been held together in an unfurnished cement cell, and on 30 May 2005, a person in civilian clothes came to them and announced their release. According to its methods of work, the Working Group decided to clarify these cases.

### **Clarifications**

447. During the period under review, eight cases were clarified by the source (see paragraph 10).

### **Prompt intervention**

448. A prompt intervention letter (see paragraph 11) was sent on 16 February 2005 on the case of **the spouse of a disappeared person** who had reportedly been followed by military servicemen.

449. A prompt intervention communication was sent to the authorities of the Russian Federation concerning incidents that occurred on 18 February 2005 at the Memorial Research Centre of Saint Petersburg. Reportedly, the Centre was attacked by three men who beat an employee, who was found the day after in critical condition. According to the source, some of the office equipment was destroyed and documents were stolen. This attack was reportedly preceded by other attacks, threats and ill-treatment of the members of the organization.

450. The Russian Federation authorities provided information on the events related to the attack on the Memorial Research Centre in Saint Petersburg, and stated that a criminal investigation had been opened.

### **General allegation**

451. Information was submitted by NGOs to the Working Group concerning alleged non-compliance by the Government of the Russian Federation with provisions of the Declaration (see paragraph 13).

452. According to the reports, enforced disappearances in Chechnya are both widespread and systematic. According to government statistics quoted by NGOs, at least 2,090 people have disappeared since the conflict started in 1999. NGOs estimate the figure to be between 3,000 and 5,000. According to those organizations, statements by officials reportedly provide irrefutable evidence that the authorities - both local and federal - are fully aware of the problem of disappearances in Chechnya and its actual scale.

453. According to the reports of NGOs, disappearances are not random acts of criminality but rather follow a systematic pattern. They state that while the Russian Government frequently claims that Chechen rebel forces are responsible for disappearances, evidence reportedly shows that federal or pro-Moscow Chechen law enforcement, military or security agents and forces are responsible for most of these acts. According to the reports, while in previous years Russian forces were the main perpetrators of disappearances, over the last year they reportedly seem to have been replaced by Chechen security forces.

454. Reportedly, no one has been held accountable for any act of enforced disappearance since the conflict began in 1999. NGOs assert that the Government has not established a meaningful accountability process for reported abuses by Russian and pro-Moscow Chechen forces. The alleged lack of progress made in investigations is reportedly a reflection of the authorities' perceived resistance to bringing perpetrators to justice. According to a list of servicemen convicted of crimes against civilians compiled by the Office of the Prosecutor General in 2004, NGOs report that there were no convictions in relation to cases of persons reported to be victims of disappearance. NGOs document what they state is a pattern for criminal cases opened to investigate reports of disappearances: they are closed or suspended after several months, reportedly justified on the grounds of the "impossibility of establishing the identity of the perpetrators".

### **Request for a visit**

455. Following a decision of the Working Group, a request for a visit was sent on 11 April 2005 to the Minister for Foreign Affairs of the Russian Federation. The Chairman-Rapporteur of the Working Group later met with the Permanent Representative of the Russian Federation to the United Nations Office at Geneva to discuss the request.

456. In a communication from the Permanent Mission dated 6 October 2005, the Working Group was informed that the "Russian Federation is willing to continue the constructive cooperation with the Working Group and in this regard, is ready to consider positively its request to undertake a visit to Russia".

### **Summary of the situation prior to the period under review**

457. A large number of the cases transmitted in the past concerned persons of ethnic Ingush origin who allegedly disappeared in 1992, in the context of the fighting between ethnic Ossetians and Ingush. The majority of the remaining cases were reported to have occurred in the Republic of Chechnya, primarily since 1994, in the context of the conflict between the Government and rebel forces. The disappearances were alleged to have been carried out by Russian armed and security forces.

**Total cases transmitted, clarified and outstanding**

458. In the past and during the year under review, the Working Group has transmitted 461 cases to the Government; of those, 9 cases have been clarified on the basis of information provided by the source, 1 case has been clarified on the basis of information provided by the Government and 451 cases remain outstanding.

**Observations**

459. The Working Group is gravely concerned about the new cases that continue to occur in the Russian Federation and the large number of unresolved cases arising from the conflicts in the northern Caucasus. The Working Group reiterates to the Government its obligation under the Declaration to prevent and to terminate all acts of enforced disappearance and to prosecute alleged perpetrators.

460. The Working Group welcomes the invitation by the Government of the Russian Federation to the Working Group to conduct a country visit, and looks forward to setting dates as soon as possible.

**Rwanda****Information received from the Government**

461. On 25 August 2005 Rwandan officials submitted a progress report covering the period since June 2004 on the investigation carried out on one outstanding case.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
22	0	0	0	0	22

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes	Government response	No
Working Group request for a visit	N/A	Government response	N/A

**Information received from sources**

462. On 8 March 2005, additional information was received on the case of a disappeared law professor. This information was subsequently transmitted to the Government of Rwanda.

### Prompt intervention

463. On 6 October 2005, information concerning the harassment and intimidation of the family and friends of a disappeared person whose case was still outstanding was received. Subsequently, a prompt intervention (see paragraph 11) letter was sent on 26 October 2005 from the Chairman-Rapporteur of the Working Group to the Government of Rwanda concerning these allegations.

### Summary of the situation prior to the period under review

464. Most of the 21 outstanding cases transmitted in the past occurred between 1990 and 1996. Of these, five cases occurred in 1990 and 1991 in the north of the country in the context of the ethnic conflict between Tutsis and Hutus. Those reported to have disappeared included students who were suspected of supporting the Rwandese Popular Front, the mayor of Nyabikenke, a journalist, a mechanic and a factory manager. One case concerned a citizen of the Democratic Republic of the Congo who was allegedly arrested at the border between Rwanda and Uganda. The disappearances were attributed to the armed forces, the Gendarmerie nationale and the Rwandese Patriotic Army. Other cases involved 18 Rwandan refugees and a professor who reportedly disappeared in what was then Zaire, now the Democratic Republic of the Congo. In accordance with the methods of work of the Working Group, copies of these cases were sent to the Government of the Democratic Republic of the Congo (see paragraph 194).

### Total cases transmitted, clarified and outstanding

465. In the past and during the year under review, the Working Group has transmitted 24 cases to the Government; of those, 2 cases have been clarified on the basis of information provided by the sources and 22 cases remain outstanding.

### Saudi Arabia

#### Standard cases

466. During the period under review, the Working Group transmitted the case of **Mazhar Hasan** to the Government. It was reported that the person was arrested in 1995 by the Saudi Arabian police in Jadalah and was last seen in 1999 in Jeddah prison.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	1	0	0	1 (2 cases discontinued; see para. 467)

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
2	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information received from the Government**

467. During the period under review, the Government replied on two outstanding cases, requesting the Working Group to provide it with further information. This request was conveyed to the source by the Working Group. Over the years, the Working Group has made numerous attempts to contact the source of the two cases, but to no avail. Consequently, the Working Group decided, in accordance with paragraph 21 of its methods of work, to discontinue consideration of the two cases. The Working Group believes that it no longer has a useful role to play in trying to elucidate the whereabouts of the persons concerned, as no follow-up can be given to the case.

### **Information from the sources**

468. During the period under review no information was received from the sources regarding outstanding cases.

### **Summary of the situation prior to the period under review**

469. The three previously reported cases of disappearance concerned a businessman who was reportedly arrested by Jordanian security forces in Amman in 1991 and later handed over to Saudi Arabian authorities; a lecturer at King Saud University whose house was allegedly searched by security service officers after his disappearance, his bank account frozen and his wife and children prevented from leaving the country; and a contractor, a citizen of Pakistan, who was allegedly abducted by a government secret service agency in Jeddah in 1997.

### **Total cases transmitted, clarified and outstanding**

470. In the past and during the year under review, the Working Group has transmitted four cases to the Government; of those, one case has been clarified on the basis of information provided by the Government and the Working Group decided to discontinue consideration of two cases. Accordingly, one case remains outstanding.

## **Serbia and Montenegro**

### **Standard cases**

471. During the period under review, the Working Group transmitted the case of **Malik Meholic** to the Government of Serbia and Montenegro. It was reported that he was arrested by officers of the Ministry of the Interior of the Republic of Montenegro from the police headquarters of Bar, and was last seen entering a police car and being driven away to an unknown location.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
15	0	1	0	0	16

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the Government

472. During the period under review no information was received from the Government regarding outstanding cases.

### Information received from the sources

473. During the period under review no information was received from sources regarding outstanding cases.

### Summary of the situation prior to the period under review

474. The 16 previously reported cases of disappearance occurred in 1999 and 2000. They concern a group of men who were allegedly detained in 1999 while travelling by bus from the Province of Kosovo to Albania through Montenegro; a former President of Serbia who reportedly disappeared in Belgrade in August 2000; and the Chairperson of the Kosovo-Albanian Women's League.

### Total cases transmitted, clarified and outstanding

475. In the past and during the year under review, the Working Group transmitted 17 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the Government and 16 cases remain outstanding.

## Seychelles

### Information from the Government

476. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	0	0

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

477. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

478. The three reported cases of disappearance allegedly occurred on the main island of Mahé in the years 1977 and 1984. All three persons were allegedly abducted shortly after they left their homes by persons believed to belong to the security forces. At least two of the persons were reportedly known opponents of the Government.

### Total cases transmitted, clarified and outstanding

479. In the past and during the year under review, the Working Group has transmitted three cases to the Government. All three cases remain outstanding before the Working Group.

## Spain

### Information from the Government

480. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

481. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

482. Of the three cases reported in the past, two concerned members of the Guerrilla Group of the East Coast and Aragon (Agrupación Guerrillera de Levante y Aragón). The disappearances were allegedly perpetrated by the Guardia Civil and occurred in 1947 and 1949. Another case concerns a farmer who belonged to the guerrilla group Federación de Guerrillas Astur-Galaico Leonesas, Agrupación de Orense, whose disappearance in 1950 in Ávila was alleged to have been carried out by the Guardia Civil.

### Total cases transmitted, clarified and outstanding

483. In the past and during the year under review, the Working Group has transmitted three cases to the Government. All three of these cases remain outstanding before the Working Group.

### Sri Lanka<sup>13</sup>

### Information received from the Government

484. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
6 901	0	0	1 193	0	5 708

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information received from the sources

485. During the period under review no information was received from sources regarding outstanding cases.

## **Clarifications**

486. Based on information previously received from the Government that took a considerable time to process, the Working Group decided to clarify (see paragraph 9) 1,193 cases. In 3 cases, the persons had been released and in 1,190 cases, the persons were reportedly dead.

## **Summary of the situation prior to the period under review**

487. The cases reported to the Working Group are alleged to have occurred in the context of two major conflicts in Sri Lanka: the confrontation between Tamil militants and government forces in the north and north-east of the country and that between the People's Liberation Front (JVP) and government forces in the south. Between 1987 and 1990, the disappearances occurred mainly in the southern and central provinces and coincided with extreme violence on the part of both security forces and the JVP. The cases reported to have occurred since 11 June 1990, the date of resumption of hostilities with the Liberation Tigers of Tamil Eelam, have been confined primarily to the eastern and north-eastern provinces of the country. In the one case that occurred in 2003, a man was allegedly arrested by police officers and last seen by his relatives at the Watthegama Police Station in Kandy.

488. The Working Group undertook three field missions to Sri Lanka, in 1991, 1992 and 1999. The central recommendation to the Government was the establishment of an independent body with the task of investigating all cases of disappearance which had occurred since 1995 and to accelerate its efforts to bring the perpetrators to justice. The Working Group also recommended the setting up of a central register of detainees as provided for in article 10.3 of the Declaration. It also pointed out that all families of disappeared persons should receive the same amount of compensation and that the procedure for issuing death certificates in cases of disappearances should be applied in an equitable and non-discriminatory manner. The Working Group further noted that the Prevention of Terrorism Act and the Emergency Regulations had not been abolished or harmonized with internationally accepted standards of human rights, and recommended that the prohibition of enforced disappearance be included as a fundamental right in the Constitution of Sri Lanka.

489. According to its records, the Government has so far provided information in respect of a total of 11,655 cases.

## **Total cases transmitted, clarified and outstanding**

490. In the past and during the year under review, the Working Group has transmitted 12,278 cases to the Government; of those, 40 cases have been clarified on the basis of information provided by the source, 6,530 cases have been clarified on the basis of information provided by the Government and 5,708 cases remain outstanding.

## **Observations**

491. The Working Group wishes to express its appreciation to the Government of Sri Lanka for the amount of information that it has provided and for its efforts to investigate and clarify the fate of the many thousands of persons who disappeared in the past.

492. The Working Group invites the Government to report on the further implementation of the recommendations emanating from the Working Group visits in 1991, 1992 and 1999.

### Sudan<sup>14</sup>

#### Urgent actions

493. On 6 December 2004, the Working Group transmitted the cases of **19 persons of the Fur and Dajo communities** who had reportedly been arrested by armed forces and Janjaweed militia from their homes and from the streets of Adwa village north of Nyala on 28 November 2004. Reportedly, no information on the whereabouts of these persons was made available to their relatives and NGOs. Two of these disappeared persons were men aged 85 and 70 years old.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
120	44	0	0	1	163

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
8	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	No

494. On 28 January 2005, a source informed the Working Group that on 7 January 2005, **six men from the Zaghawa community**, all employees of a Chinese company constructing the Hamadab Dam, were arrested by security personnel from Marawi City, Northern Province. Although, three of the six detainees were reportedly released on 8 January, the whereabouts of the other three men remain unknown.

495. On 24 February 2005, an urgent appeal was sent by the Chair of the Working Group and the Special Rapporteur on the question of torture concerning **six persons** who were reportedly arrested and disappeared during an attack on 12 February by armed forces on Gedel Haboub.

496. On 24 February, an urgent appeal was sent by the Chair of the Working Group, the Special Rapporteur on the question of torture and the Special Representative of the Secretary-General on the situation of human rights defenders on the case of **a community leader (sheikh) of the Zaghawa community** who was reportedly arrested by security forces inside the Outash IDP camp No. 2 north of Nyala. Reportedly, the authorities informed the relatives that he had been transferred to Nyala police station, but despite the efforts of his family and NGOs to discover his whereabouts, they remain unknown. It was further alleged that his arrest was connected to the fact that he had provided information to an NGO on the rape of three women and two girls by Janjaweed militias on 17 February 2005, near the Outash IDP camp.

497. It was reported that on 3 March 2005 **a man** was arrested by police officers in Nyala from his home on suspicion of supporting the Sudan Liberation Army. Reportedly, he was taken to police headquarters in Nyala and subjected to ill-treatment. No information on his whereabouts could be obtained from the authorities. The same report stated that on 14 March 2005, three armed men in military uniform arrested **two men** in Mershing village in Nyala. Since then, both men's whereabouts remain unknown. On 28 April 2005, these three cases were transmitted under the urgent action procedure to the Government of the Sudan.

498. On 4 May 2005, an urgent appeal was sent by the Chairman-Rapporteur of the Working Group and the Special Rapporteur on the question of torture on the cases of **three persons** who were reportedly singled out from among the passengers on a bus by military servicemen on 20 April 2005, beaten, and taken to an unknown location.

499. On 11 May 2005, the same thematic mandates sent a joint urgent appeal to the Government on the case of a **16-year-old male of the Dajo community**, living at Kalma IDP camp, who was allegedly arrested on 21 April 2005 by military intelligence but could not be located after 22 April.

500. On 19 July 2005, an urgent appeal was sent by the Chairman-Rapporteur of the Working Group and the Special Rapporteur on the question of torture on the cases of **five persons** reportedly arrested on 12 May 2005 by security forces in Hey Alkhartoum Billail, Nyala. Allegedly, relatives were denied access to these persons and they were transferred on 14 June to an unknown location.

#### **Information received from the Government**

501. On 4 August 2005, the Government reported that the three men reportedly disappeared from Marawi City on 7 January 2005 had been arrested, interrogated and released on 29 January due to lack of evidence.

502. On 4 August 2005, the Sudanese authorities informed the Working Group that one of the persons disappeared from a bus on 20 April (see paragraph 498) had been arrested on 18 April on charges of participating in rebel activities and that his case was still under investigation.

503. On 21 June 2005, the Government informed the Working Group that three of the reportedly disappeared men who were arrested on 18 April 2005 were involved in "acts prejudicial to the national security of the State". On 4 August 2005, the Government reiterated this information.

504. On 11 June 2005, the Government responded on the case of the joint urgent action on a 16-year-old boy from the Dajo community (see paragraph 499), stating that the subject was 18 years old and had been summoned for an interrogation as a witness in a criminal case under article 47 (stealing of ammunition). On 4 August 2005, the Government reiterated this information.

### **Information received from sources**

505. During the period under review no information was received from sources regarding outstanding cases.

### **Request for a visit**

506. Following a decision of the Working Group, a request for a visit was sent to the Government of the Sudan on 20 December 2005.

### **Report of the International Commission of Inquiry on Darfur**

507. According to the report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General (S/2005/60), the most serious cases of enforced disappearances in Darfur involved the disappearance of civilians by members of the security and intelligence apparatus, both civil and military. The Commission reportedly received credible information that several individuals were taken away by military intelligence or security agents. While some of these individuals subsequently returned, many remain unaccounted for. Those who did return have given credible testimony of the presence of many of those missing in unofficial and secret places of detention maintained by the security apparatus in different locations in the Darfur region.

508. Reportedly, illegal arrest and detention of individuals appears to be common practice in operations by the State security apparatus relating to the conflict in Darfur. In many of these cases families were unaware of the arrests or of the whereabouts of family members.

509. Reportedly, the abduction of persons during attacks by the Janjaweed and their detention in camps operated by the Janjaweed, with the support and complicity of the government armed forces, amount to gross violations of human rights and to enforced disappearances. However, the Commission did not find any evidence that these were sufficiently widespread or systematic as to constitute a crime against humanity.

510. The Commission of Inquiry investigated reports of abduction of women by Janjaweed, including in Tawila, Northern Darfur, and Mallaga, Mangarsa and Kanjew in Western Darfur. Those who escaped or were eventually released were able to recount the experiences of enforced confinement, sexual slavery, rape and torture. As a general pattern, women were forcibly taken from their villages and kept at Janjaweed camps for a period of time, some times as long as three months, before they were either released or managed to escape captivity.

### **Summary of the situation prior to the period under review**

511. The majority of the 323 cases of disappearance reported in the past concerned 249 villagers who were allegedly abducted from the village of Toror in the Nuba Mountains in 1995 by the armed forces and taken to a government controlled "peace camp". One case concerned a member of the Communist Party of Sudan who was allegedly arrested by the security forces in Khartoum; he had reportedly been arrested four times previously and had spent a total of over two years in prison. Another 54 disappeared persons were mainly members of the Sudan Liberation Army who were allegedly arrested after clashes with government forces in Dissa and Abu Gamra in June and August 2003. Three cases concerned civilians who were arrested by government forces at Serif Amra in July 2003.

**Total cases transmitted, clarified and outstanding**

512. In the past and during the year under review, the Working Group has transmitted 367 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 200 cases have been clarified on the basis of information provided by the Government and 163 cases remain outstanding.

**Observations**

513. The Working Group is gravely concerned about the situation of disappearances in Darfur.

514. The Working Group reiterates to the Government its obligation under the Declaration to prevent and to terminate all acts of enforced disappearance.

515. The Working Group requests an invitation from the Government of the Sudan to conduct a country visit so as to assist the Government in preventing disappearances and in clarifying outstanding cases.

**Syrian Arab Republic****Information received from the Government**

516. During the period under review, the Government replied on the 15 outstanding cases. They stated that the Syrian authorities had no information about 3 of the cases. In 12 cases, the Government referred to its previous replies of 2003 (see E/CN.4/2004/58, paragraph 280).

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
15	0	0	0	0	15

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
15	Yes	N/A

General allegation	Yes	Government response	No
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

**Information received from the source**

517. During the period under review no information was received from sources regarding outstanding cases.

### **General allegation**

518. Information was submitted by NGOs to the Working Group concerning alleged non-compliance by the Government of the Syrian Arab Republic with provisions of the Declaration (see paragraph 13).

519. Reports express concern about **Lebanese detainees held in Syria**. Allegedly, Lebanese citizens were illegally arrested or abducted by Syrian forces operating in Lebanon, or were handed over to Syria by Lebanese military intelligence and militias allied to Syria during the 1975-1990 civil war. After the war, many Lebanese citizens reportedly continued to be arrested in Lebanon and were illegally transferred to Syria. According to the information received, people were afraid in the past to report the disappearance of family members for fear of reprisals while Syrian forces were present in Lebanon. This information was conveyed by the Working Group to the Government under the general allegation procedure. No reply to the general allegation has been received to date from the Government.

### **Summary of the situation prior to the period under review**

520. The majority of the cases of disappearance reported to the Working Group in the past occurred between 1980 and 1994. The security forces or military intelligence were allegedly responsible. Among the victims were students, medical doctors, military personnel and an artist. Of these, eight cases concerned Lebanese citizens, three concerned Jordanian nationals and one concerned a Palestinian. In the past, concern was expressed to the Working Group about the whereabouts of both Lebanese citizens and the Palestinian, who were reported to have disappeared in Lebanon, a circumstance for which the Government of the Syrian Arab Republic was allegedly responsible. In the past, in accordance with its methods of work, the Working Group also sent to the Government of the Syrian Arab Republic copies of five cases concerning Lebanese nationals who were reportedly abducted by Hezbollah and transferred to the Syrian intelligence service between 1981 and 1985. (See section on Lebanon, paragraph 327.)

### **Total cases transmitted, clarified and outstanding**

521. In the past and during the year under review, the Working Group has transmitted 39 cases to the Government; of those, 13 cases have been clarified on the basis of information provided by the source, 11 cases have been clarified on the basis of information provided by the Government and 15 cases remain outstanding.

## **Tajikistan**

### **Information from the Government**

522. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
6	0	0	0	0	6

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

523. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

524. Of the eight cases previously reported to the Working Group, two concerned brothers of Badakhshani ethnic origin who reportedly ran a business in the city of Khusan. One of the brothers is said to have been a member of the last parliament of the Soviet Union. Six other cases were alleged to have occurred between late 1992 and July 1993 in the context of the escalating civil war.

### Total cases transmitted, clarified and outstanding

525. In the past and during the year under review, the Working Group has transmitted eight cases to the Government; of those, two cases have been clarified on the basis of information provided by the source and six cases remain outstanding.

## Thailand

### Standard cases

526. The newly reported case concerns a human rights lawyer, **Somchai Neelapaijit**, who was allegedly taken from his car near Bangkok by five policemen and never seen again. According to the source, Somchai disappeared because he was defending persons accused of being “terrorists” in the south of Thailand who were allegedly tortured by the police in order to extract confessions.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
32	0	1	1	0	32

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	Yes	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes	Government response	No
Working Group request for a visit	N/A	Government response	N/A

### Information received from the Government

527. During the period under review no communication was received from the Government regarding outstanding cases.

### Information received from the sources

528. During the period under review no communication was received from sources regarding outstanding cases.

### Prompt intervention

529. On 22 July 2005, a prompt intervention (see paragraph 11) letter was sent to the Government of Thailand on alleged threats and harassment of **the family of Somchai Neelapaijit**. Serious concern has been expressed that the reported harassment and intimidation of Somchai's wife may have been in retaliation for the activities related to calling for justice and searching for Somchai.

### Clarifications

530. Based on information received from the Government, the Working Group decided to clarify one case following the six-month rule applied in 2004 (see paragraph 10).

### Summary of the situation prior to the period under review

531. Of the 34 reported cases, 33 occurred in 1992; 31 concerned persons who allegedly disappeared during a crackdown by security forces on demonstrations in Bangkok in the aftermath of the appointment of a new Prime Minister. Two cases concerned citizens of Myanmar who were allegedly arrested on suspicion of being undocumented immigrants. One case occurred in 1991 and concerned the President of the Labour Congress of Thailand, who reportedly disappeared from his union's office in Bangkok three days after organizing a protest rally.

**Total cases transmitted, clarified and outstanding**

532. In the past and during the year under review, the Working Group has transmitted 35 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the Government and 2 cases were discontinued. There are 32 outstanding cases which remain outstanding before the Working Group.

**Timor-Leste****Information received from the Government**

533. No communication has ever been received by the Working Group from the Government of Timor-Leste regarding outstanding cases.

Number of outstanding cases before the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
425	0	0	0	0	425

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A

**Information received from the sources**

534. During the period under review no information was received from sources regarding outstanding cases.

**Summary of the situation**

535. In 2002, in accordance with its methods of work the Working Group decided to address cases of disappearances that occurred in the past in East Timor and were listed under Indonesia, to the United Nations Transitional Administration in East Timor. These cases have subsequently been sent to the authorities of Timor-Leste.

**Total cases transmitted, clarified and outstanding**

536. In the past and during the year under review, the Working Group has transmitted 501 cases to the Government of the day; of those, 18 cases have been clarified on the basis of information provided by the source, 58 cases have been clarified on the basis of information provided by the Government of Indonesia and 425 cases remain outstanding. The Working Group has copied these cases to the Government of Indonesia.

## Observations

537. The situation is of particular concern to the Working Group, which reminds the authorities of Timor-Leste of their obligations under the Declaration.

538. The Working Group encourages the Government of Timor-Leste, in cooperation with the Government of Indonesia, to communicate with the Working Group to further the clarification of the 425 outstanding cases.

## Togo

### Information from the Government

539. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
10	0	0	0	0	10

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

540. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

541. Most of the 11 previously reported cases of disappearance concerned persons who were allegedly detained in 1994 by members of the armed forces at Adetikope on their way to Lomé to visit relatives of the Secretary-General of the Togolese Drivers' Trade Union. They had reportedly been injured in a car accident. Another case concerned a civil servant who was reportedly the adviser to the President of the High Council of the Republic between 1991 and 1993 and who was said to have been abducted from his car in the Lomé suburb of Aguényié and taken to an unknown destination by three men in a minibus, followed by a military vehicle. The other victims were a man arrested by the police and taken to the central commissariat in Lomé, from where he disappeared a few days later; a farmer abducted from his home by armed men and taken to an unknown destination; and a businessman abducted from his home by five men in military fatigues.

**Total cases transmitted, clarified and outstanding**

542. In the past and during the year under review, the Working Group has transmitted 11 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source and 10 cases remain outstanding.

**Tunisia****Urgent actions**

543. On 16 September 2005, the Working Group transmitted under the urgent action procedure the case of **Hussein Ali Sumaida** to the authorities of Tunisia. Reportedly, **Sumaida** was deported by the Canadian immigration authorities and handed over to the Tunisian authorities upon arrival in Tunisia on 7 September 2005 when he disappeared.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
0	1	0	0	1	0

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

**Information from the Government**

544. During the period under review no information was received from the Government regarding outstanding cases.

**Information from the source**

545. On 16 September 2005, the source reported to the Working Group that the subject had been released.

**Clarifications**

546. Based on the information received from the source, the Working Group decided to clarify this one case.

### Total cases transmitted, clarified and outstanding

547. In the past and during the year under review, the Working Group has transmitted 17 cases to the Government; of those, 5 cases have been clarified on the basis of information provided by the source and 12 have been clarified on the basis of the information provided by the Government. There are no outstanding cases of disappearances before the Working Group.

### Turkey

#### Information received from the Government

548. During the period under review, the Working Group reviewed information on six outstanding cases which was provided by the Government in 2004. In three cases, the Government provided copies of death certificates. In one case, the Government reported that the subject, together with his attorney, had applied to the General Directorate of Security and declared that he was not a disappeared person. The Government provided a copy of his fingerprints taken on 29 December 2004. The Working Group decided to apply the six-month rule in these four cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
92	0	0	3	1	88

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
6	Yes	4

General allegation		Government response	
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

#### Information received from sources

549. In one case, the sources confirmed that the subject is known to be living in Germany, as stated by the Government of Turkey in its communication to the Working Group.

#### Clarifications

550. The Working Group decided to clarify (see paragraph 9) one case based on information received from the source and three cases based on information received from the Government.

#### Summary of the situation prior to the period under review

551. The majority of the reported cases were alleged to have occurred in south-eastern Turkey, in areas where a state of emergency was in force, and concerned members of the Kurdish minority, in particular alleged members or supporters of the Kurdistan Workers' Party (PKK).

There were three cases of disappearance, reportedly occurring in 2001, that concerned members of the legal People's Democratic Party, of whom one is the Head of the Silopi District Branch and another his secretary. A case that reportedly occurred in 2002 concerned a welder who was allegedly detained by members of the gendarmerie despite a judicial order that he be remanded to prison.

### Total cases transmitted, clarified and outstanding

552. In the past and during the year under review, the Working Group has transmitted 181 cases to the Government; of those, 49 cases have been clarified on the basis of information provided by the source, 44 cases have been clarified on the basis of information provided by the Government and 88 cases remain outstanding.

## Uganda

### Information from the Government

553. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
54	0	0	0	0	54

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

554. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

555. Of the 61 reported cases of disappearance, 20 occurred between 1981 and 1985. These reported disappearances occurred throughout the country and in one case the person was allegedly abducted while in exile in Kenya and taken to Kampala. One case concerned the 18-year-old daughter of an opposition member of the Ugandan Parliament. The disappearances are said to have been committed by policemen, soldiers or officials of the National Security Agency. In 1996, 38 cases occurred concerning 2 groups of girls and boys from 2 different

schools who were reported to have been abducted by members of the Lord's Resistance Army, a group allegedly supported by the Government of the Sudan. In 1998, three other cases occurred, one of which concerned a former magistrate who was a recognized refugee. He was reportedly arrested in Kampala by Ugandan police officers. Another case concerned a lawyer providing defence counsel to persons accused of genocide in the context of a project set up by an NGO. He is said to have been previously arrested and tortured because of his activities. One other case concerned an 11-year-old girl who was abducted by members of the Lord's Resistance Army in the presence of her mother. The Working Group will next year re-evaluate all cases allegedly attributed to members of the Lord's Resistance Army.

### **Total cases transmitted, clarified and outstanding**

556. In the past and during the year under review, the Working Group has transmitted 61 cases to the Government; of those, 5 cases have been clarified on the basis of information provided by the source, 2 cases have been clarified on the basis of information provided by the Government and 54 cases remain outstanding.

## **Ukraine**

### **Information received from the Government**

557. During the period under review, the Government reported on the three outstanding cases concerning persons who had allegedly been abducted together.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

558. On 7 April 2005, the Government of Ukraine informed the Working Group that the Zheleznodorozhny District Procurator's Office of the city of Simferopol on 9 July 2004 had suspended the investigation into the criminal case initiated in connection with the disappearance of the three persons on the basis of article 206, paragraph 3, of the Code of Criminal Procedure of Ukraine (on account of the failure to identify the person who committed the offence). A study of the case materials in the Ukrainian Procurator-General's Office established that the decision was unfounded, since not all the circumstances of the victims' disappearance had been fully checked during the investigation.

559. The decision to suspend the investigation was overruled on those grounds on 25 January 2005. The criminal case file was transmitted to the Procurator's Office of the Autonomous Republic of Crimea with instructions for further investigative actions to be conducted with a view to determining the whereabouts of the victims, as well as the persons who committed the offence. The progress of the investigation into the case is being supervised by the Ukrainian Procurator-General's Office.

560. On 5 August 2005, the Government of Ukraine reported that a disciplinary investigation had been opened by the Procurator's Office of the Autonomous Republic of Crimea on account of the inadequate performance by militia personnel of their official duties in clearing up the crime. The progress of the measures taken to search for the victims and identify the perpetrators was being supervised by the Procurator's Office.

### **Total cases transmitted, clarified and outstanding**

561. In the past and during the year under review, the Working Group has transmitted four cases to the Government; of those, one case has been clarified on the basis of information provided by the Government and three cases remain outstanding.

## **Uruguay**

### **Information received from the Government**

562. The Working Group received information from the Government dated 22 November 2004 with the address of a person who had been the subject of an outstanding disappearance case. On the basis of this information, the Working Group decided to apply the six-month rule to this case.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
23	0	0	0	0	23

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	N/A	1

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information from the sources**

563. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

564. The majority of the 31 reported cases of disappearance occurred between 1975 and 1978 under the military Government, in the context of its war against alleged subversion.

### Total cases transmitted, clarified and outstanding

565. In the past and during the year under review, the Working Group has transmitted 31 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 7 cases have been clarified on the basis of information provided by the Government and 23 cases remain outstanding.

### Uzbekistan

#### Urgent actions

566. On 15 July 2005, an urgent action letter was sent to the Uzbek Government regarding the cases of **Dilshod Khajiev, Tavakal Khajiev, Abdubais (Hasan) Shakirov and Mukhammad Kadirov**.

567. These four persons had reportedly fled to Kyrgyzstan after the violent events of 13 May 2005 in Andijan. They had reportedly registered as asylum-seekers with UNHCR in Kyrgyzstan, but their asylum claims had not yet been examined. The source reported that when the UNHCR representatives visited the police station they reportedly found that the Kyrgyz authorities had returned the four persons to the Uzbek authorities on 9 June.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
13	4	0	0	0	17

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
4	Yes	4

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

#### Information received from the Government

568. The Government of Uzbekistan sent a reply dated 8 August 2005 regarding the four urgent action cases of the men who had reportedly disappeared on 9 June. The Government responded that the four persons were detained in the UYa 64/IZ-1 detention facility in Tashkent. On the basis of this information the Working Group decided to apply the six-month rule (see paragraph 10).

569. On 21 March 2005, information was received regarding three cases of disappearance that occurred in 2004, stating that investigations were under way.

570. On 15 and 17 June 2005 the Government provided information on the events in Adijan and the course of official investigations.

571. A communication dated 2 September 2005 from the Government of Uzbekistan was received regarding 13 outstanding cases. Owing to a delay in translation, it has not yet been examined by the Working Group.

#### **Information received from sources**

572. During the period under review no information was received from sources regarding outstanding cases.

#### **Summary of the situation prior to the period under review**

573. Of the 13 outstanding cases transmitted in the past, 2 concerned an Islamic religious leader and his assistant who were reportedly detained in 1995 by the National Security Service in Tashkent as they were waiting to board an international flight, and another concerned the leader of the Islamic Renaissance Party, reportedly an unregistered political party, who was allegedly arrested in 1992.

#### **Total cases transmitted, clarified and outstanding**

574. In the past and during the year under review, the Working Group has transmitted 19 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 1 case has been clarified on the basis of information provided by the Government and 17 cases remain outstanding.

#### **Observations**

575. The Working Group wishes to remind the Government of Uzbekistan of its obligation to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified”, in accordance with article 13, paragraph 6, of the Declaration.

### **Venezuela**

#### **Information received from the Government**

576. During the period under review, on 22 March 2005, the Government sent information to the Working Group on the prosecution of two officials allegedly responsible for the enforced disappearance in two cases. In December 2004, a preliminary hearing was held in the competent court in Vargas State. The Public Prosecutor presented formal charges against two alleged perpetrators.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
10	0	0	0	0	10

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
2	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Summary of the situation prior to the period under review

577. Of the 14 cases reported to the Working Group, 3 concerned student leaders who had reportedly been intercepted by security forces in 1991; 1 concerned a businessman arrested by the police in 1991; another concerned a 14-year-old girl who was allegedly abducted in 1993 following a military raid on the house where she lived and 1 other concerned a person who was allegedly detained in 1995 in the vicinity of Puerto Ayacucho, State of Amazona, by members of the navy infantry.

### Total cases transmitted, clarified and outstanding

578. In the past and during the year under review, the Working Group has transmitted 14 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the Government and 10 cases remain outstanding.

## Yemen

### Information received from the Government

579. The Government submitted information on a large number of cases in 2004. Following their translation by the United Nations, the Government requested that the review of this information be delayed until the Government could supplement the reply with further detail necessary for the clarification of these cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
93	0	0	3	0	90

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
See paragraph 579	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### **Information received from the sources**

580. During the period under review no information was received from the sources regarding outstanding cases.

### **Clarifications**

581. Based on information received from the Government in 2004, the Working Group decided to clarify three cases (see paragraph 9).

### **Summary of the situation prior to the period under review**

582. The majority of the reported cases occurred in 1986 in the context of the fighting that took place in the former People's Democratic Republic of Yemen. Other cases occurred in the context of the 1994 civil war.

583. Following its field mission to Yemen in 1998, the Working Group recommended that the Government consider establishing a special task force of the Supreme National Committee on Human Rights. The Working Group also recommended that the task force further develop procedures in order to take the necessary legal steps for the clarification of all cases.

### **Total cases transmitted, clarified and outstanding**

584. In the past and during the year under review, the Working Group has transmitted 150 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 59 cases have been clarified on the basis of information provided by the Government and 90 cases remain outstanding.

### **Observations**

585. The Working Group invites the Government of Yemen to report on further progress made on the measures agreed upon between the Government and the Working Group arising from the Working Group's 1998 field mission report.

## **Zimbabwe**

### **Information from the Government**

586. During the period under review no information was received from the Government regarding outstanding cases.

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	N/A	N/A

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Information from the sources

587. During the period under review no information was received from the sources regarding outstanding cases.

### Summary of the situation prior to the period under review

588. Of the reported cases of disappearance, one allegedly occurred in 2000 and concerned a polling officer for the opposition Movement for Democratic Change who allegedly disappeared in Bulawayo.

589. The two other reported cases occurred in 1986 and concerned a mother and her 2-month-old son who allegedly disappeared at the hands of persons believed to belong to the Zimbabwe African National Patriotic Front (ZANU-PF) and were last seen a week later at the home of the Chairman of ZANU-PF. Relatives and witnesses have allegedly been subjected to threats, intimidation and reprisals.

### Total cases transmitted, clarified and outstanding

590. In the past and during the year under review, the Working Group has transmitted a total of three cases to the Government. All three cases remain outstanding.

## IV. CONCLUSIONS AND RECOMMENDATIONS

591. **In 2005, the Working Group transmitted 535 cases of disappearance for the first time to 22 Governments, 91 of which allegedly occurred during the last year. The Working Group used the urgent action procedure for 132 of these cases, which allegedly occurred within the three months preceding the receipt of the report by the Group. During the reporting period, the Working Group was able to clarify 1,347 cases of disappearance. The Working Group discontinued three cases. The Working Group is grateful for cooperation received from a number of Governments. The Working Group nevertheless remains gravely concerned that, of the 79 States with outstanding cases, some Governments**

(Burundi, Guinea, Israel, Mozambique, Namibia and Seychelles, as well as the Palestinian Authority), have never replied to the Working Group's requests for information or its reminders. Other Governments have provided pro forma responses that did not contain relevant information. The Working Group urges those Governments to fulfil their obligations under the Declaration and the resolutions of the General Assembly and the Commission on Human Rights. The cooperation of Governments is indispensable to discovering the fate or whereabouts of disappeared persons around the globe.

592. The Working Group regrets that disappearances continue to occur in many different countries. While in the past the phenomenon was mainly associated with the State policies of authoritarian regimes, today it occurs in the context of more complex situations of internal conflict or tensions generating violence, humanitarian crisis, and human rights violations including enforced disappearances. This is the dramatic situation in States like Colombia, Nepal, the Russian Federation and the Sudan where the prevention of disappearances is directly connected to the resolution of internal conflicts. The Working Group's visits to Nepal in December 2004 and Colombia in June 2005 have further highlighted these concerns. The Working Group hopes that the implementation of its recommendations by these two Governments following these country visits will assist in the clarification of cases and the prevention of further disappearances. It should be noted that, in Nepal, many cases have already been clarified since the Working Group's country visit.

593. The Working Group remains concerned that while Africa has been racked by armed conflicts over the last decade, at the same time it is the region with the fewest reported cases of enforced or involuntary disappearances. The Working Group suspects that it is dealing with an underreported phenomenon of disappearances. Underreporting was also noted this year in the Working Group's country visit report on Colombia and it certainly exists in other countries, but the African case is particularly dramatic. The unfolding humanitarian disaster in Darfur, Sudan, is a striking, but not unique, example of this phenomenon. Underreporting is due to a combination of factors including weaknesses of civil society groups, absence of non-governmental local human rights organizations, and lack of encouragement and support, including financial support, from counterparts in the North. The Working Group is concerned that underreporting of disappearance in certain regions and countries is also due to government restrictions on, or active disruption of, civil society work on this sensitive issue.

594. The Working Group is particularly troubled about reports of disappearances linked to the "war on terror". The Working Group has noted a strong trend since 2001 whereby many States explain disappearances with reference to "terrorists". In some countries, authorities use the need to combat terror as a justification for repression against opposition groups. This sometimes results in disappearances. In addition, the reported use of "extraordinary rendition" - the sending of detainees to other countries for aggressive interrogation - and the alleged existence of secret detention centres in a number of countries is a cause of great concern to the Working Group. In the experience of the Working Group, secret detention creates situations inviting further abuse, including disappearance. The Working Group reminds all Governments that under article 7 of the Declaration, "No circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify

enforced disappearances". This includes any type of counter-terrorist campaign. The Working Group urges all Governments to comply with their obligations under international human rights and international humanitarian law, in particular under the Declaration, and to make available to families all information on the fate and whereabouts of any person who is arrested and detained, for whatever reason.

595. The Working Group calls upon Governments to comply with their obligations under article 10 of the Declaration. Any person deprived of liberty shall be held in an officially recognized place of detention (art. 10, para. 1), accurate information on the detention and transfer of such persons should be made promptly available to their family and counsel (art. 10, para. 2), and an official up-to-date register of detainees must be available in every place of detention (art. 10, para. 3).

596. In several cases considered by the Working Group, it was noted that persons have reportedly been arrested in one country and handed over by the authorities to another country and subsequently disappeared. The Working Group wishes to remind all Governments of their obligations under article 8 of the Declaration. This article clearly affirms that no State shall expel, return (refouler) or extradite a person to another State where there are substantial grounds for believing that he/she would be in danger of enforced disappearance (art. 8, para. 1).

597. The Working Group is concerned that, in a number of States, legal restrictions are placed upon NGOs working on cases of disappearance. NGO workers and witnesses to disappearances are also subject to threats and harassment. The Working Group strongly urges States to allow NGOs to undertake their work freely and without impediment; to allow families of victims of disappearances to organize freely without bureaucratic restriction or legislative obstacles; and to protect witnesses.

598. The Working Group notes with great concern that in a number of cases children have reportedly disappeared. Although all disappearances are serious crimes, the disappearance of a child is particularly heinous. The Working Group calls on all Governments to make every effort to prevent the disappearance of children. In addition, fulfilling the mandate accorded to the Working Group by the General Assembly in resolution 59/200 and under article 20 of the Declaration, the Working Group urges Governments to address the grave situation of families, especially children, of disappeared persons. The Working Group will share information on the effects of disappearance upon children with international organizations and NGOs, urging them to provide every possible assistance to such children.

599. The Working Group reminds Governments that in combating disappearances effective preventive measures are crucial. Among them, the Working Group highlights the following: harmonization of domestic law with obligations of States under the Declaration and other international human rights law; accessible and updated registries of detainees; guaranteed access to appropriate information and to places of detention for relatives and lawyers of persons deprived of their liberty; strengthening of civil society organizations, especially human rights NGOs; ensuring that persons are brought before a judicial authority promptly following detention; bringing to justice all persons accused of having

**committed acts of enforced disappearance, ensuring that they are tried only by competent civilian courts and that they do not benefit from any special amnesty law or other similar measures likely to provide exemption from criminal proceedings or sanctions; and providing redress and adequate compensation to victims and their families.**

**600. Of course, in many cases where disappearances arise from conditions of internal conflict, the way to an enduring and sustainable solution is for the international community to take concerted action aimed at tackling the root causes that give rise to such internal situations. It is crucial that early warning indicators pointing to the occurrence of or potential for disappearances be monitored with a view to preventing this phenomenon. The Working Group is convinced that well thought-out policies and actions directed at breaking the vicious cycle of increasing poverty that gives rise to conflict are among the essential preventive measures to consider in this regard.**

**601. The preventive measures noted above are in particular aimed at democratizing the structures of governance and making human rights the cornerstone of public policy. When Governments take steps to create and support specific bodies and institutions charged with addressing disappearances, experience has demonstrated that they have highly positive results. For instance, the establishment of investigating bodies, truth commissions and war crimes tribunals are concrete actions that may lead to the clarification of cases and to the implementation of compensation policies for victims. These are strongly encouraged and supported by the Working Group, subject to the conclusions in paragraph 603 below.**

**602. A further goal of public policy must be the eradication of the culture of impunity for the perpetrators of disappearances that is found to exist in many States. The Working Group therefore wishes to stress again the importance of ending impunity for the perpetrators of enforced or involuntary disappearances. This must be understood as a crucial step, not only in the pursuit of justice but also in effective prevention. The Working Group encourages OHCHR to promote the Declaration and to include in its programme of technical cooperation the strengthening of national capacities for the prevention and eradication of disappearance.**

**603. For many years now, the creation of truth commissions and other mechanisms of peace and reconciliation, and the possibility of amnesty and pardon in a number of States have generated heated debate. The Working Group commends to the attention of all Governments and NGOs the general comment on article 18 of the Declaration contained in section II.E.2, of this report.**

**604. The Working Group has modified the structure and contents of its report to the Commission on Human Rights. The most significant contribution in this new system of reporting is in the information regarding specific countries. For the first time, a tabular summary of relevant information is provided for each State. Under the prior system, where the Working Group had not received any information regarding a particular country, the report would contain no information on that country, even though the Working Group still had outstanding cases and had written to the State concerned each year to invite information on these cases. In this year's report, the Working Group has decided to include every country that has outstanding cases before the Working Group. It is hoped that this new reporting structure will promote greater transparency and more accountability, both for States and for the Working Group itself.**

605. Over the last two years the Working Group has benefited from enhanced and relatively stable staffing. The results speak for themselves: in one year 1,309 clarifications of cases, resolution of the huge backlog of cases from Sri Lanka, two country visits, the preparation of a general comment, the launching of a comparative study on the criminal law treatment of disappearances around the globe, and timely responses to sources and Governments. In addition, the Working Group has been able to work more effectively with other special procedures of the Commission and to act quickly in situations of urgency, both on individual cases and when threats to human rights defenders are drawn to its attention. The Working Group is grateful for the commitment to staffing as part of the process of “regularizing” posts now under way in the Office of the High Commissioner. It hopes that careful attention will continue to be paid to the stability of staffing for the Working Group. Finally, the Working Group must acknowledge the hard work and dedication of the members of the Secretariat, without whom little progress can be made on the mandate of the Working Group, which is to clarify the fate or whereabouts of disappeared people around the world.

## V. ADOPTION OF THE REPORT

606. At the seventy-seventh session, on 30 November 2005, the present report was adopted by the members of the Working Group on Enforced or Involuntary Disappearances:

Stephen J. Toope (Chairman-Rapporteur)	(Canada)
J. ‘Bayo Adekanye (Vice-Chairman-Rapporteur)	(Nigeria)
Saied Rajaie Khorasani	(Islamic Republic of Iran)
Darko Göttlicher	(Croatia)
Santiago Corcuera	(Mexico)

### Notes

<sup>1</sup> See General Assembly resolution 47/133 of 18 December 1992, hereinafter the “Declaration”.

<sup>2</sup> Clarification occurs when the whereabouts of the disappeared person are clearly established, irrespective of whether the person is alive or dead.

<sup>3</sup> The document symbols of the previous 25 reports are as follows: E/CN.4/1435 and Add.1; E/CN.4/1492 and Add.1; E/CN.4/1983/14; E/CN.4/1984/21 and Add.1 and 2; E/CN.4/1985/15 and Add.1; E/CN.4/1986/18 and Add.1; E/CN.4/1987/15 and Add.1 and Corr.1; E/CN.4/1988/19 and Add.1; E/CN.4/1989/18 and Add.1; E/CN.4/1990/13; E/CN.4/1991/20 and Add.1; E/CN.4/1992/18 and Add.1; E/CN.4/1993/25 and Add.1; E/CN.4/1994/26 and Add.1 and Corr.1 and 2; E/CN.4/1995/36; E/CN.4/1996/38; E/CN.4/1997/34; E/CN.4/1998/43; E/CN.4/1999/62 and Add.1 and 2; E/CN.4/2000/64 and Corr.1 and 2 and Add.1; E/CN.4/2001/68, E/CN.4/2002/79 and the relevant addenda and corrigenda, and E/CN.4/2003/70 and Corr.1 and 2; E/CN.4/2004/58 and E/CN.4/2005/65 and Add.1. The relevant resolution of the Commission adopted at its sixtieth session is resolution 2004/40.

- <sup>4</sup> See annex IV for the list of the newly reported cases of disappeared persons.
- <sup>5</sup> Figures continue to be reviewed for accuracy.
- <sup>6</sup> The press statement and the minutes of the press conference can be found on the website of the Office of the High Commissioner for Human Rights in Colombia: <http://www.hchr.org.co/documentoseinformes/documentos/relatoresespeciales/documentos.php3?cat=59>.
- <sup>7</sup> See annex IV for the list of names of the newly reported cases of disappeared persons.
- <sup>8</sup> In accordance with the practice of the Working Group, Saied Rajaie Khorasani did not participate in the decisions relating to this section of the report.
- <sup>9</sup> In accordance with the practice of the Working Group, Santiago Corcuera did not participate in the decisions relating to this section of the report.
- <sup>10</sup> See annex IV for the list of names of the newly reported cases of disappeared persons.
- <sup>11</sup> In accordance with the practice of the Working Group, J. `Bayo Adekanye did not participate in the decisions relating to this section of the report.
- <sup>12</sup> See annex IV for the list of names of the newly reported cases of disappeared persons.
- <sup>13</sup> Figures continue to be reviewed for accuracy.
- <sup>14</sup> See annex IV for the list of names of the newly reported cases of disappeared persons.

**Annex I**

**Decisions on individual cases taken by the Working Group during 2005**

Countries	Cases which allegedly occurred in 2005	Cases transmitted to the Government during 2005		Clarification by:		Discontinued cases
		Urgent actions	Normal actions	Government	Non-governmental sources	
Algeria	-	-	253	-	-	-
Burkina Faso	-	-	-	3	-	-
China	1	1	-	-	1	-
Colombia	7	7	-	-	5	-
Congo	-	-	80	-	-	-
Democratic Republic of the Congo	1	-	1	-	-	-
Egypt	2	2	-	-	-	-
Equatorial Guinea	-	-	3	-	-	-
Ethiopia	3	3	-	-	3	-
France	-	-	1	-	-	-
Guatemala	-	-	-	2	-	-
India	-	-	7	-	-	-
Indonesia	-	-	10	-	-	-
Iran (Islamic Republic of)	-	1	-	-	1	-
Lao People's Democratic Republic	-	-	-	-	4	-
Libyan Arab Jamahiriya	1	1	-	-	1	-
Malaysia	-	-	-	-	-	1
Morocco	-	-	-	3	-	-
Nepal	22	30	6	54	59	-
Philippines	11	11	28	-	-	-
Russian Federation	15	27	11	-	8	-
Saudi Arabia	-	-	1	-	-	2
Serbia and Montenegro	-	-	1	-	-	-
Sri Lanka	-	-	-	1 193	-	-
Sudan	23	44	-	-	1	-

**Annex I (continued)**

Countries	Cases which allegedly occurred in 2005	Cases transmitted to the Government during 2005		Clarification by:		Discontinued cases
		Urgent actions	Normal actions	Government	Non-governmental sources	
Thailand	-	-	1	1	-	-
Tunisia	1	1	-	-	1	-
Turkey	-	-	-	3	1	-
Uzbekistan	4	4	-	-	-	-
Yemen	-	-	-	3	-	-

## Annex II

### Statistical summary: cases of enforced or involuntary disappearance reported to the Working Group between 1980 and 2005

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	No. of cases	Female	No. of cases	Female						
Afghanistan	3	-	3	-	-	-	-	-	-	-
Algeria	1 608	17	1 592	15	9	7	7	2	7	-
Angola	10	1	3	-	7	-	-	-	7	-
Argentina <sup>a</sup>	3 462	772	3 375	746	44	43	58	-	29	-
Bahrain	1	-	-	-	-	1	-	1	-	-
Bangladesh	1	1	1	1	-	-	-	-	-	-
Belarus	3	-	3	-	-	-	-	-	-	-
Bhutan	5	-	5	-	-	-	-	-	-	-
Bolivia	48	3	28	3	19	1	19	-	1	-
Brazil	63	4	14	-	45	4	1	-	48	-
Bulgaria	3	-	-	-	3	-	-	-	3	-
Burkina Faso	3	-	3	-	-	-	-	-	-	-
Burundi	53	-	52	-	-	1	1	-	-	-
Cambodia	2	-	2	-	-	-	-	-	-	-
Cameroon	18	-	14	-	4	-	4	-	-	-
Chad	13	-	12	-	1	-	-	-	1	-
Chile	908	65	840	65	45	23	2	-	66	-
China	110	13	31	7	69	10	44	33	2	-
Colombia	1 165	112	897	87	201	67	157	24	87	-
Congo	114	3	114	3	-	-	-	-	-	-
Democratic People's Republic of Korea	9	5	9	5	-	-	-	-	-	-
Democratic Republic of the Congo	50	11	41	11	6	3	9	-	-	-
Denmark	1	-	-	-	-	1	-	1	-	-

**Annex II (continued)**

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	No. of cases	Female	No. of cases	Female						
Dominican Republic	4	-	2	-	2	-	2	-	-	-
Ecuador	26	2	11	-	11	4	6	4	5	-
Egypt	23	-	15	-	7	1	1	7	-	-
El Salvador <sup>a</sup>	2 661	332	2 270	295	318	73	196	175	20	-
Equatorial Guinea	7	-	7	-	-	-	-	-	-	-
Eritrea	54	4	54	4	-	-	-	-	-	-
Ethiopia	118	2	111	1	3	4	1	4	-	-
France	1	-	1	-	-	-	-	-	-	-
Gambia	1	-	-	-	-	1	-	-	-	-
Greece	3	-	3	-	-	-	-	-	-	-
Guatemala	3 152	387	2 896	377	177	79	187	6	63	-
Guinea	28	-	21	-	-	7	-	-	7	-
Haiti	48	1	38	1	9	1	1	4	5	-
Honduras	202	34	129	21	30	43	54	8	11	-
India	382	12	325	10	47	10	29	7	21	-
Indonesia	159	2	156	2	3	-	3	-	-	-
Iran (Islamic Republic of)	529	99	512	99	13	4	6	2	9	-
Iraq	16 517	2 311	16 387	2 294	107	23	115	6	9	-
Israel	3	-	2	-	-	1	-	-	-	-
Japan	1	1	1	1	-	-	-	-	-	-
Jordan	2	-	2	-	-	-	-	-	-	-
Kazakhstan	2	-	-	-	-	2	-	-	-	-
Kuwait	1	-	1	-	-	-	-	-	-	-
Lao People's Democratic Republic	6	-	2	-	-	4	-	3	1	-
Lebanon	319	19	311	19	2	6	7	1	-	-
Libyan Arab Jamahiriya	6	-	4	-	-	2	2	-	-	-

**Annex II (continued)**

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	No. of cases	Female	No. of cases	Female						
Malaysia	2	-	-	-	-	1	-	1	-	1
Mauritania	1	-	1	-	-	-	-	-	-	-
Mexico	377	27	207	17	132	22	76	17	61	16
Morocco <sup>b</sup>	248	28	100	10	102	46	125	1	22	-
Mozambique	2	-	2	-	-	-	-	-	-	-
Myanmar	3	1	1	-	2	-	1	1	-	-
Namibia	1	-	1	-	-	-	-	-	-	-
Nepal	338	32	225	25	54	59	81	31	1	-
Nicaragua <sup>a</sup>	234	4	103	2	112	19	45	11	75	-
Nigeria	6	-	1	1	5	-	5	-	-	-
Palestine	3	-	3	-	-	-	-	-	-	-
Pakistan	83	2	75	2	4	4	6	2	-	-
Paraguay	23	-	3	-	20	-	19	-	1	-
Peru <sup>a</sup>	3 006	311	2 368	236	253	385	450	85	103	-
Philippines	752	87	595	67	124	33	103	19	29	-
Romania	1	-	-	-	1	-	1	-	-	-
Russian Federation	461	27	451	24	1	9	10	-	-	-
Rwanda	24	2	22	2	-	2	1	1	-	-
Saudi Arabia	4	-	1	-	1	-	1	-	-	2
Serbia and Montenegro	17	-	16	-	1	-	1	-	-	-
Seychelles	3	-	3	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6
Spain	3	-	3	-	-	-	-	-	-	-
Sri Lanka	12 278	148	5 708	82	6 530	40	101	24	6 444	-
Sudan	367	35	163	4	200	4	204	-	-	-
Syrian Arab Republic	39	3	15	3	11	13	16	4	4	-

**Annex II (continued)**

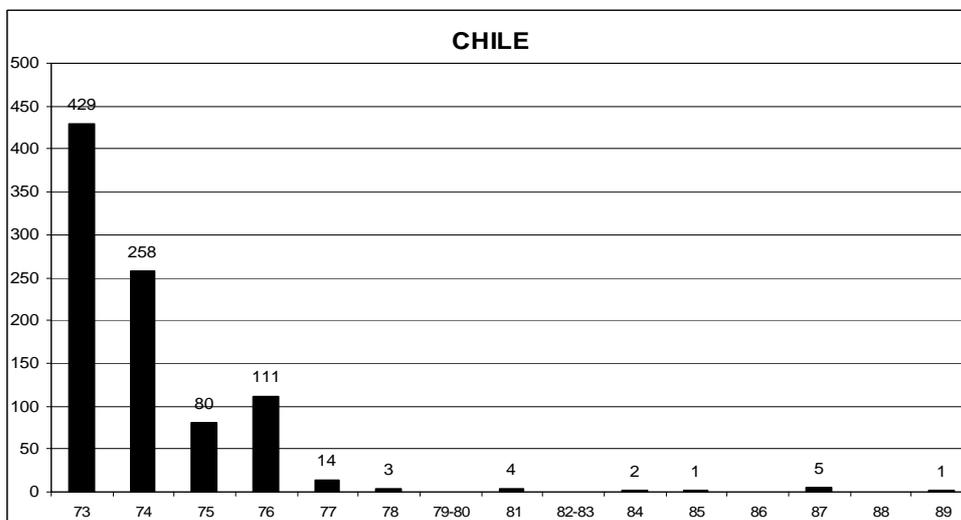
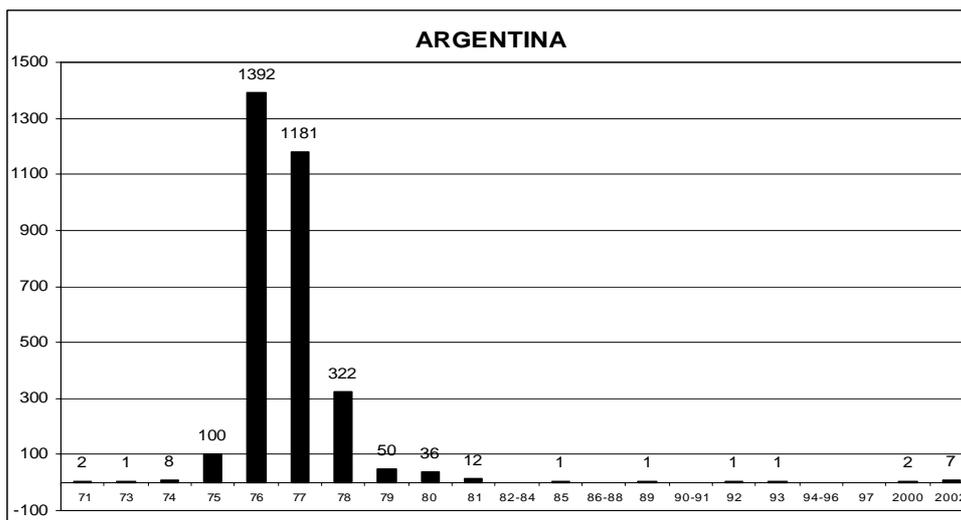
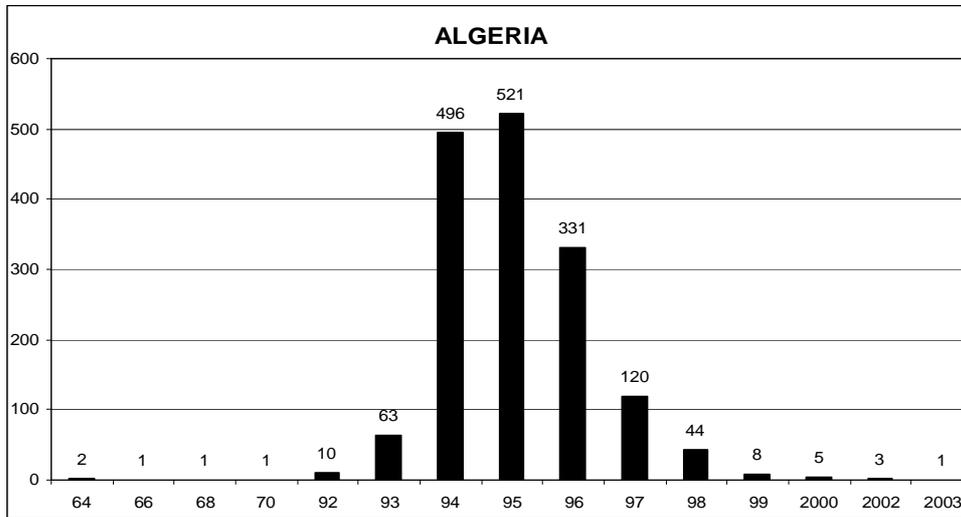
Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	No. of cases	Female	No. of cases	Female						
Tajikistan	8	-	6	-	-	2	1	-	1	-
Thailand	33	-	32	-	1	-	1	-	-	2
Timor-Leste	501	36	425	28	58	18	51	23	2	-
Togo	11	2	10	2	-	1	1	-	-	-
Tunisia	17	1	-	-	12	5	1	16	-	-
Turkey	181	11	88	4	44	49	56	22	15	-
Turkmenistan	2	-	-	-	2	-	-	2	-	-
Uganda	61	34	54	32	2	5	2	5	-	-
Ukraine	4	2	3	2	1	-	-	-	1	-
United Arab Emirates	1	-	-	-	1	-	1	-	-	-
United Kingdom of Great Britain and Northern Ireland	1	-	-	-	-	-	-	-	-	-
United Republic of Tanzania	2	-	-	-	2	-	2	-	-	-
United States of America	1	-	-	-	1	-	-	-	-	-
Uruguay	31	7	23	4	7	1	4	4	-	-
Uzbekistan	19	-	17	-	1	1	2	-	-	-
Venezuela	14	2	10	1	4	-	1	-	3	-
Yemen	150	-	90	-	59	1	60	-	-	-
Zambia	1	1	-	-	-	1	-	1	-	-
Zimbabwe	3	1	3	1	-	-	-	-	-	-

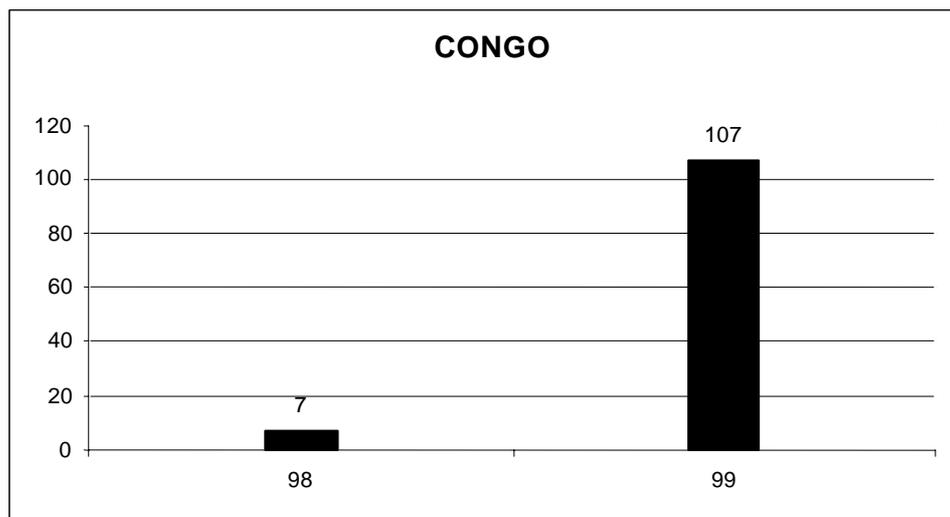
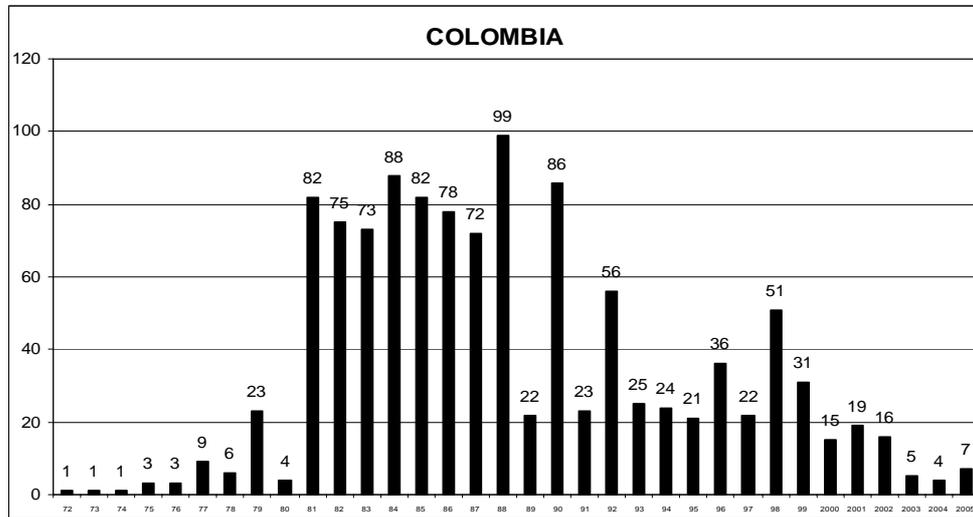
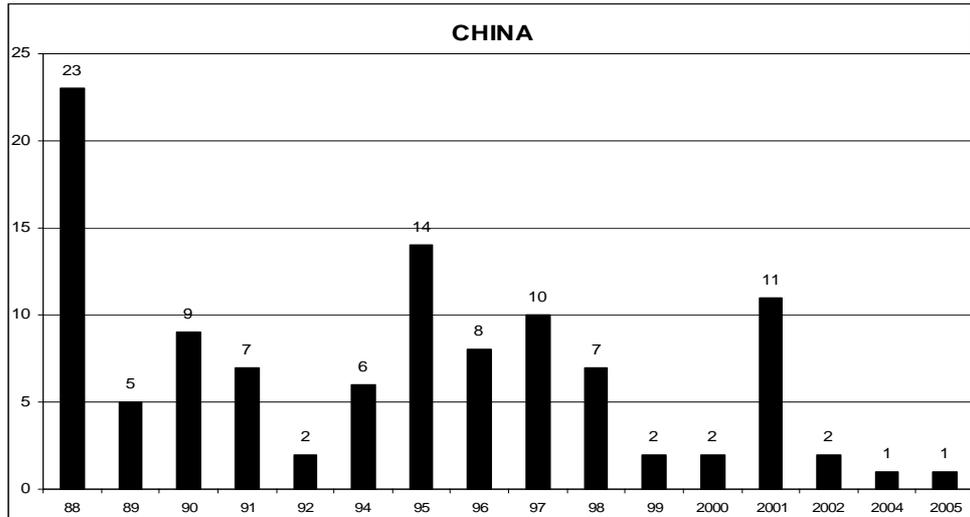
<sup>a</sup> The figures are being reviewed for accuracy.

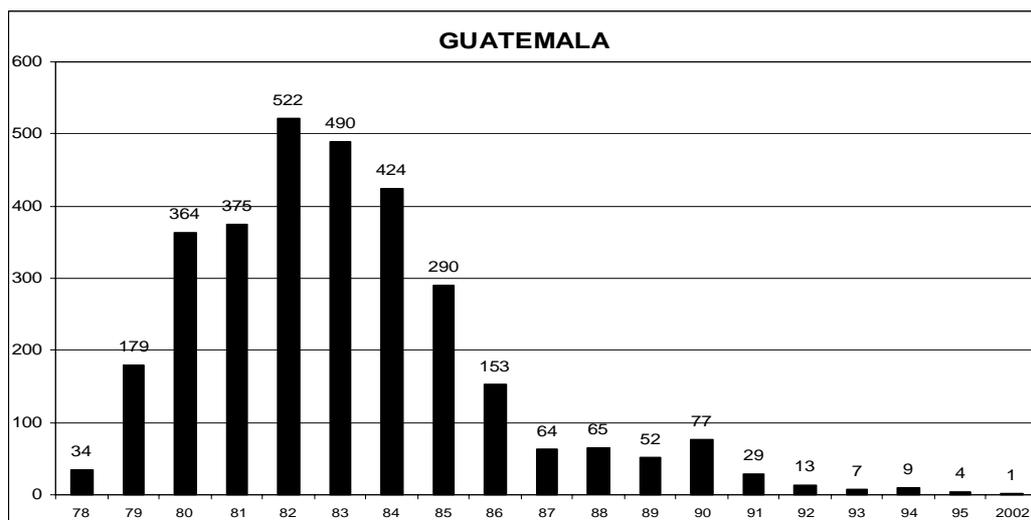
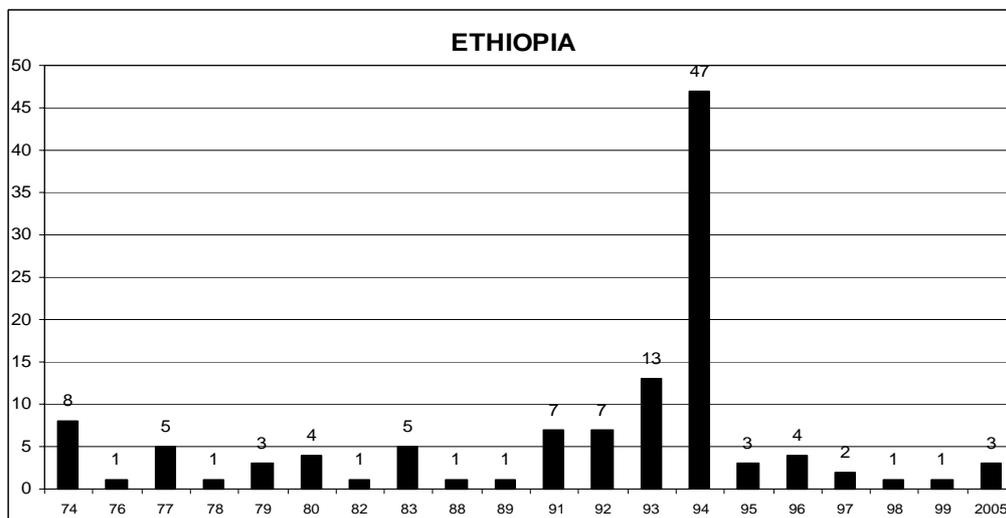
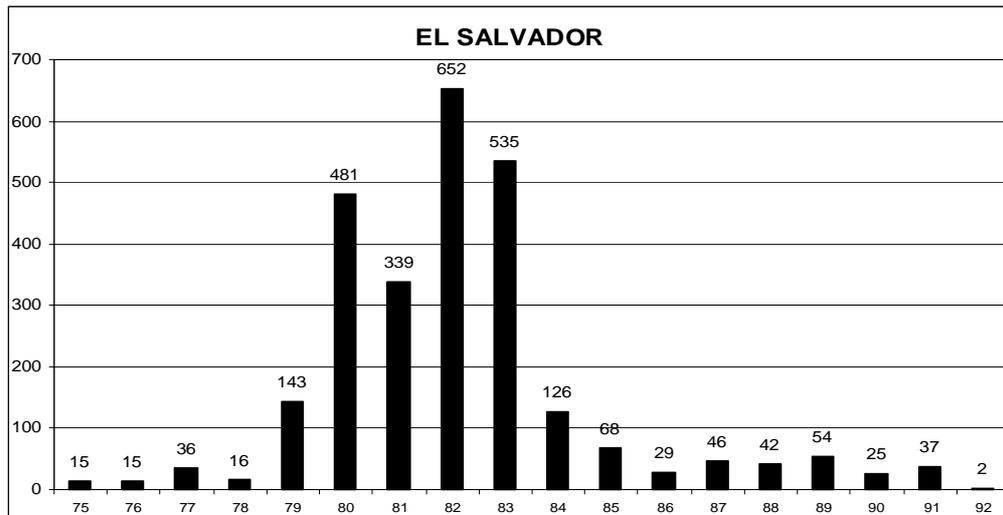
<sup>b</sup> On the basis of the identification of a duplication in the database, one case was deleted.

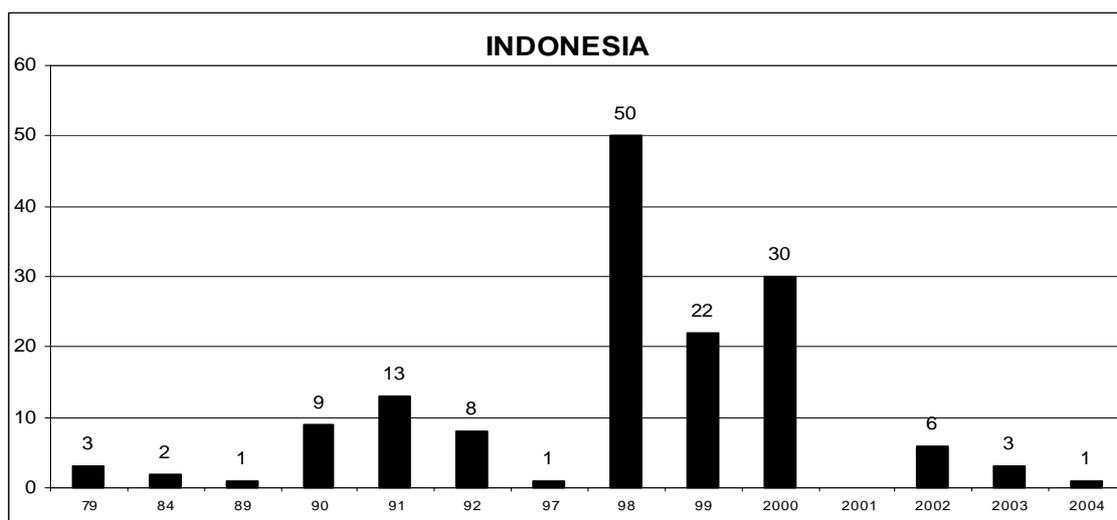
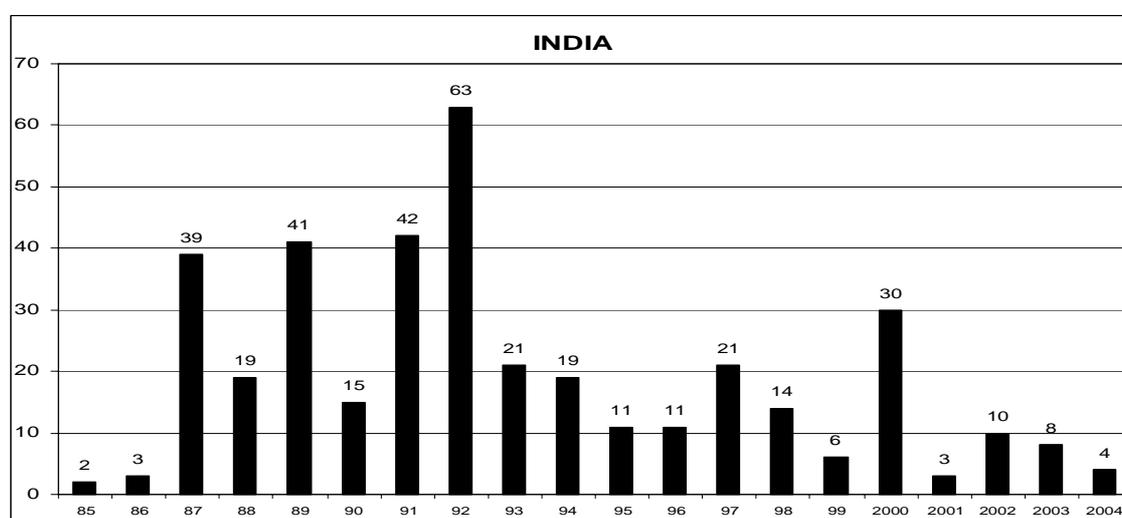
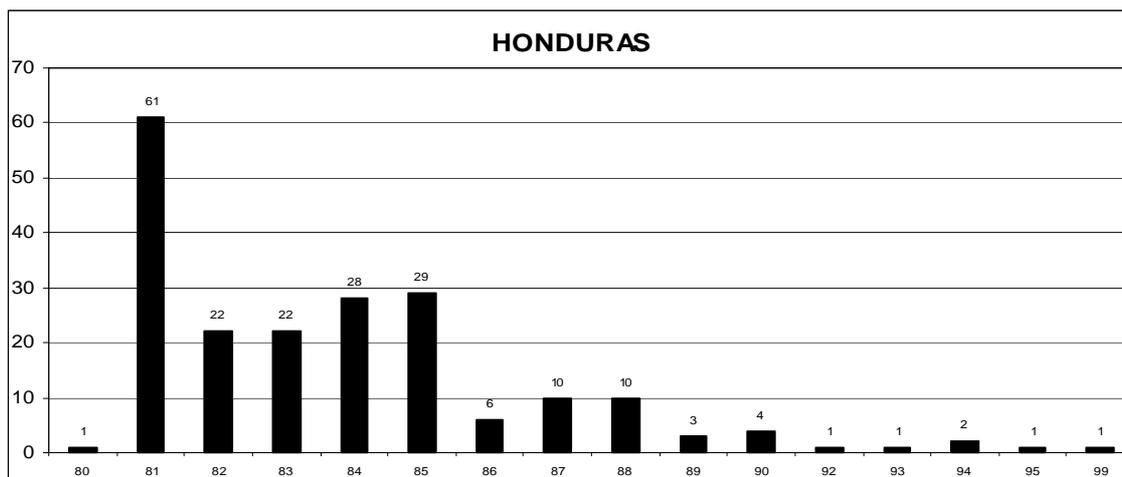
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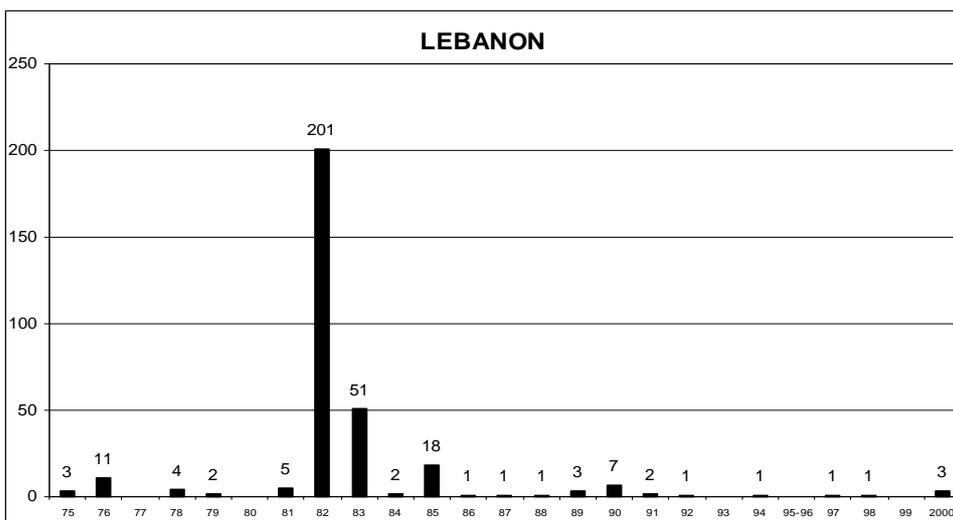
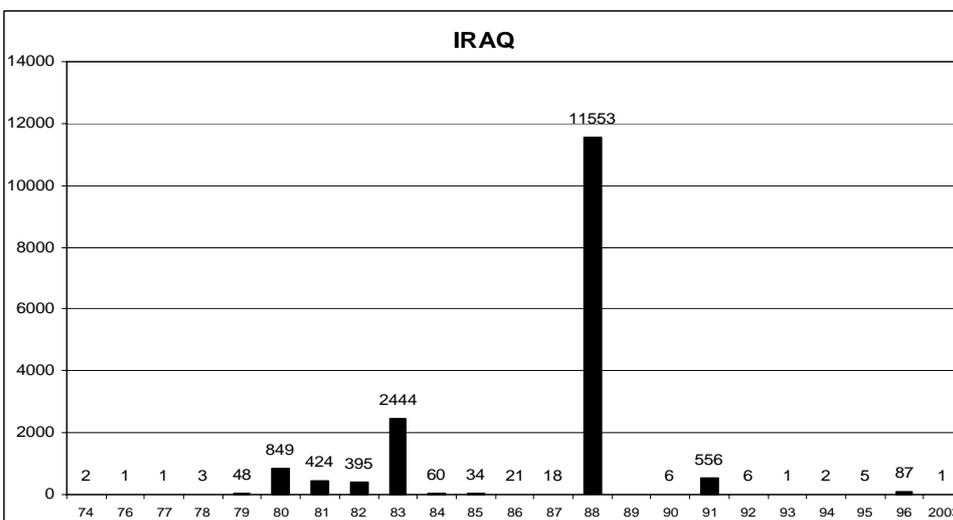
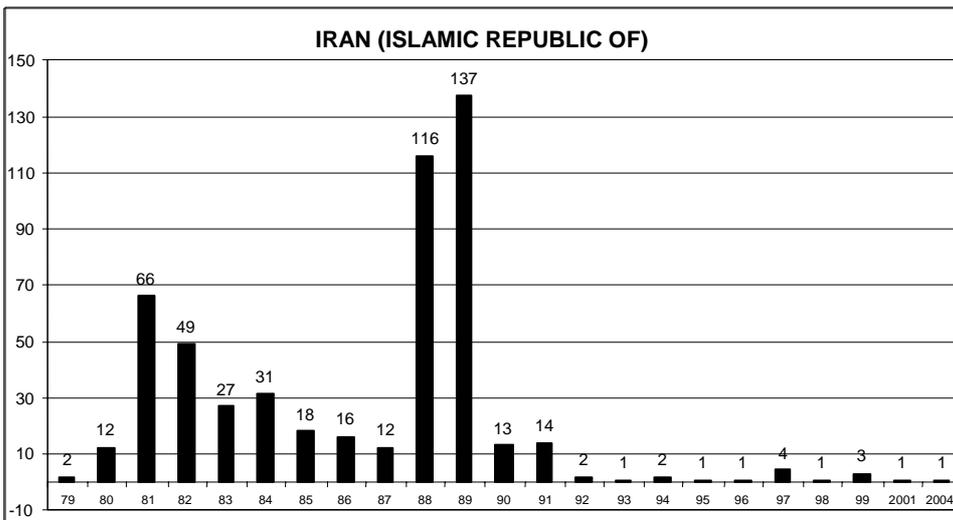
**Graphs showing the development of disappearances in countries with more than 100 transmitted cases during the period 1964-2005**

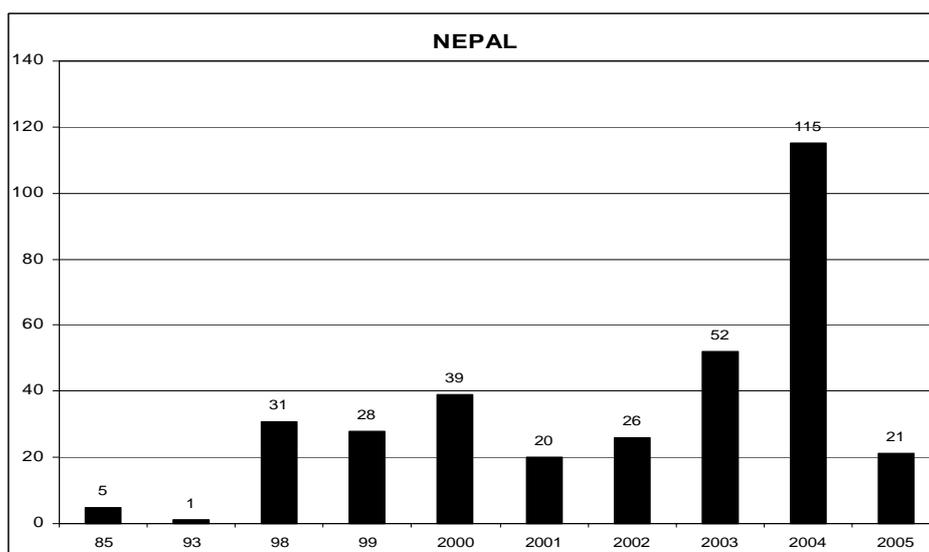
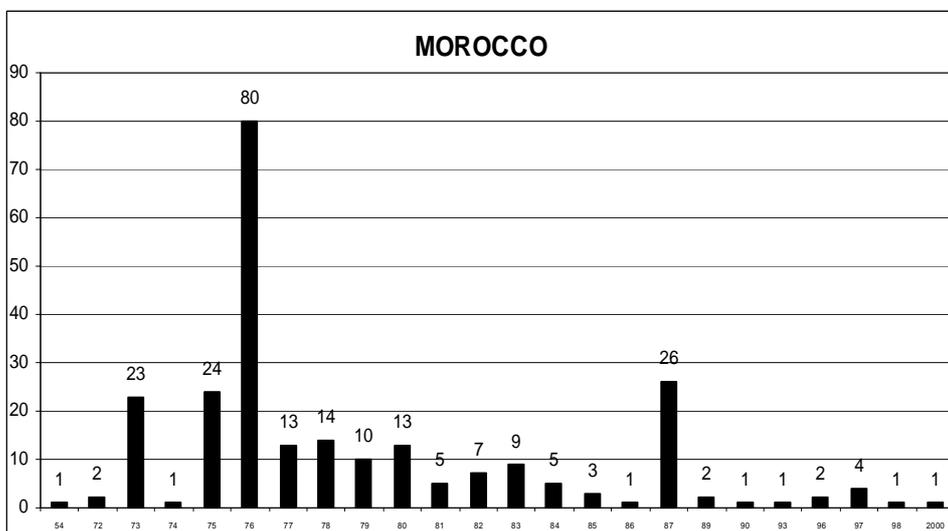
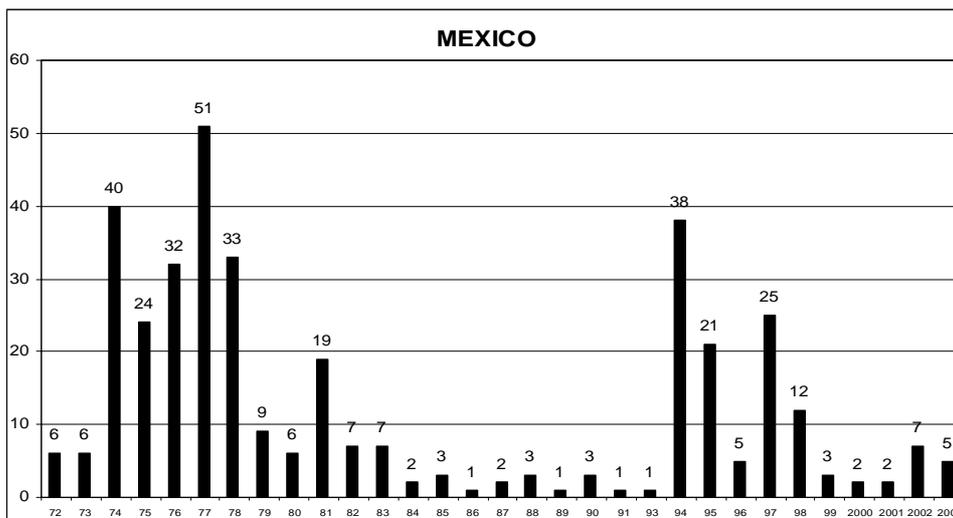


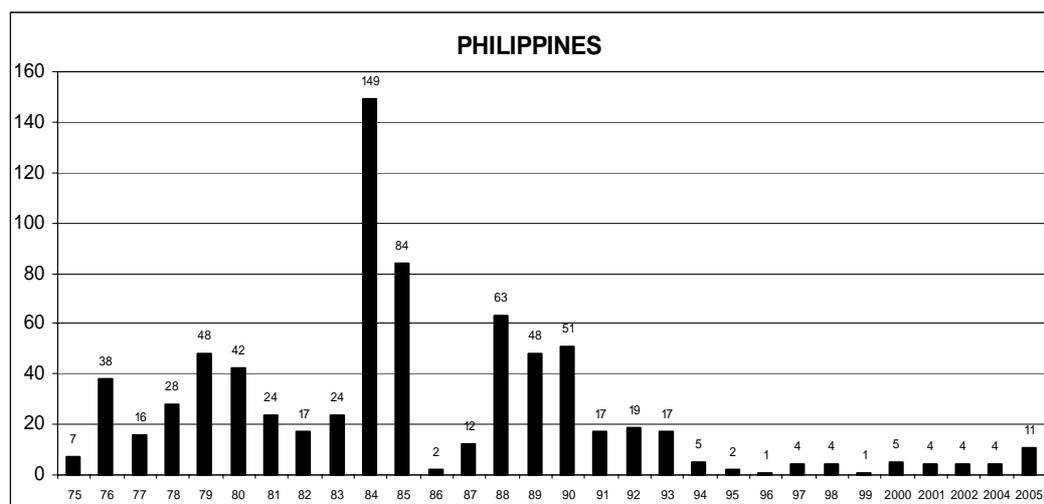
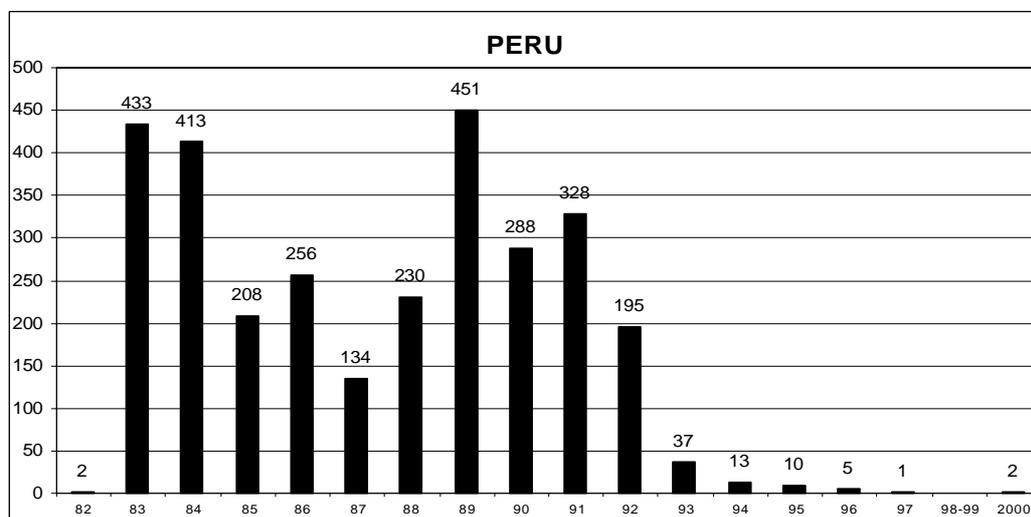
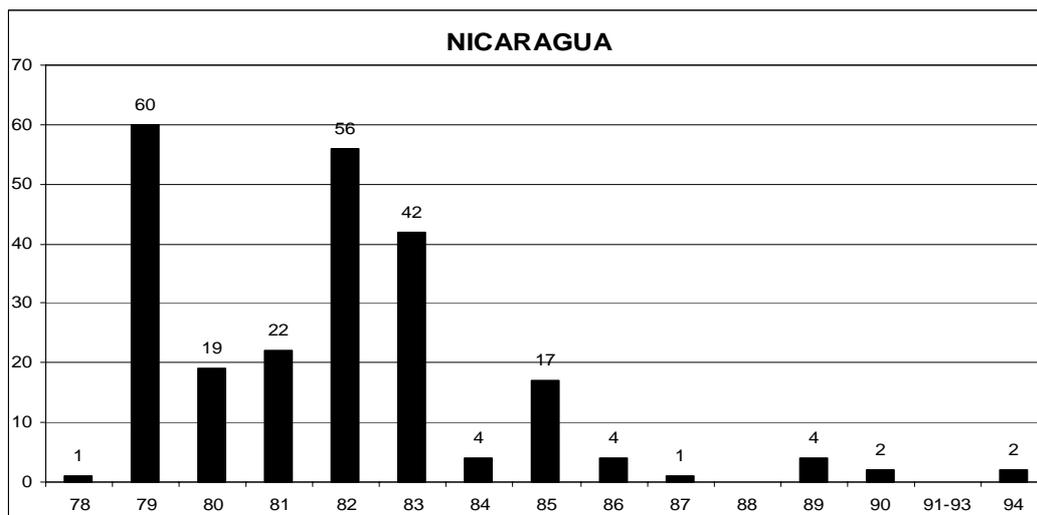


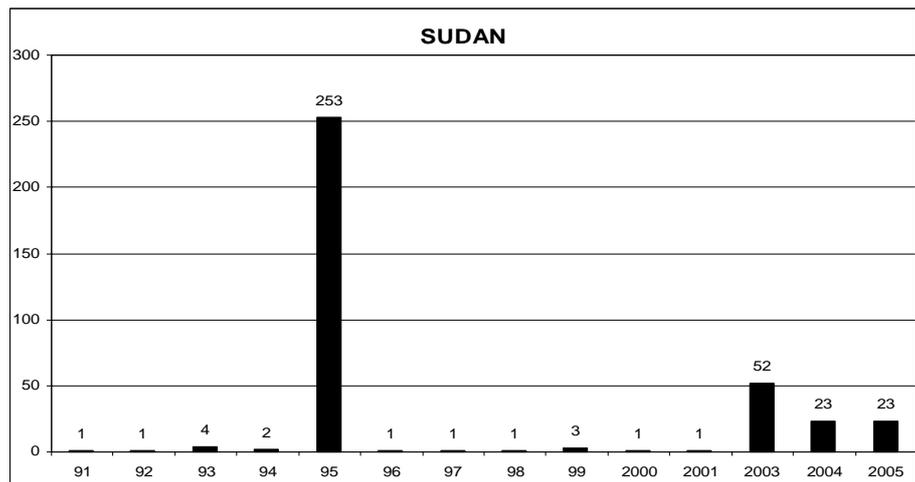
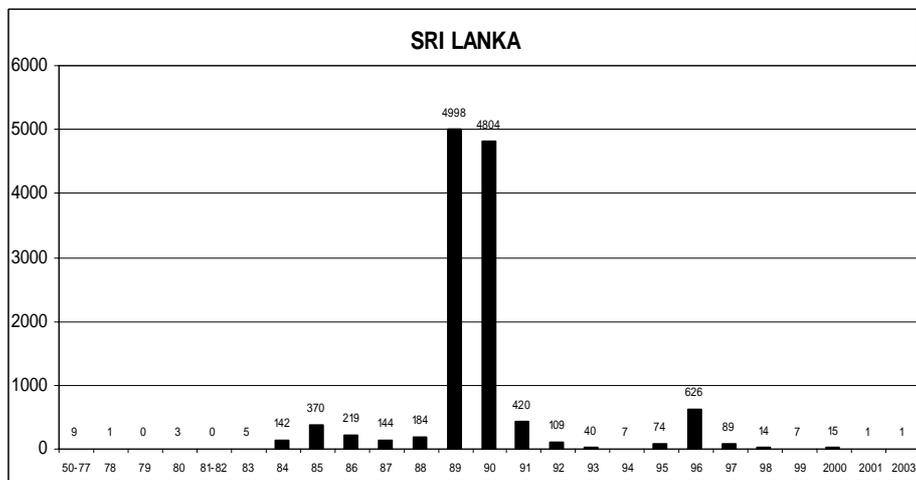
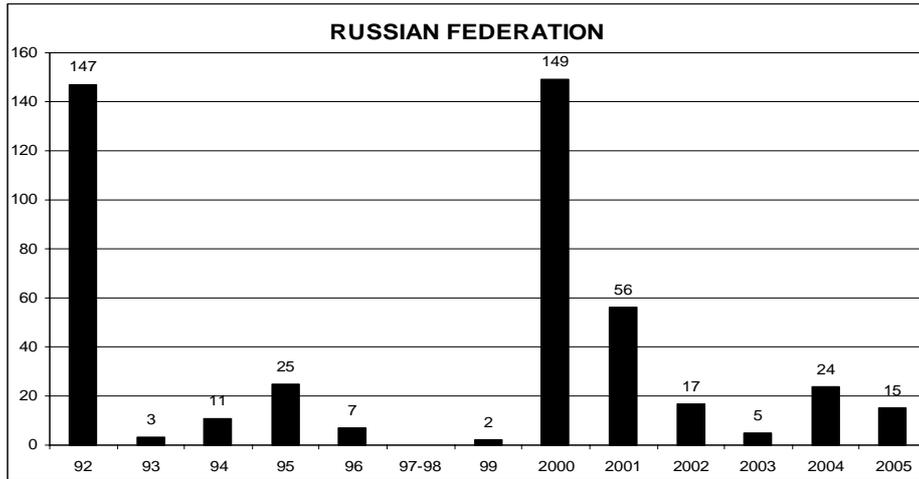


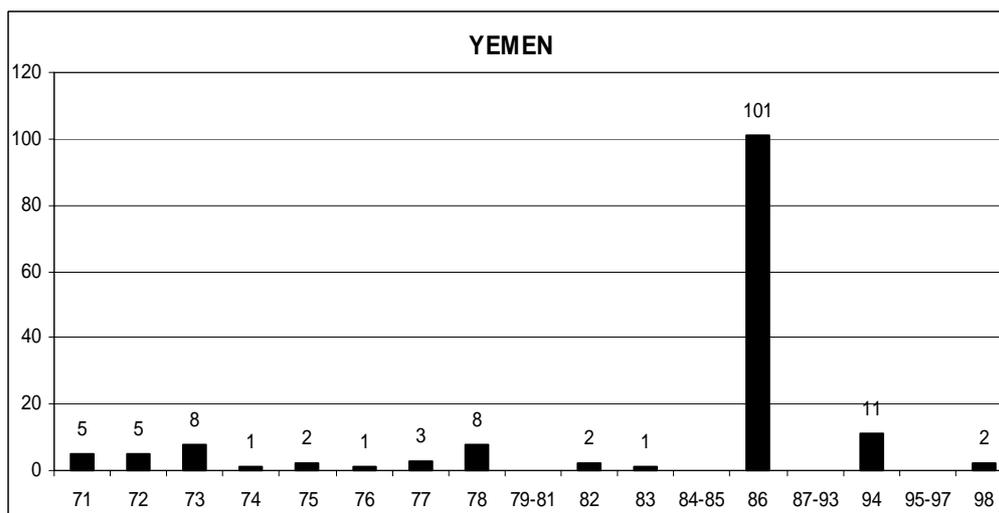
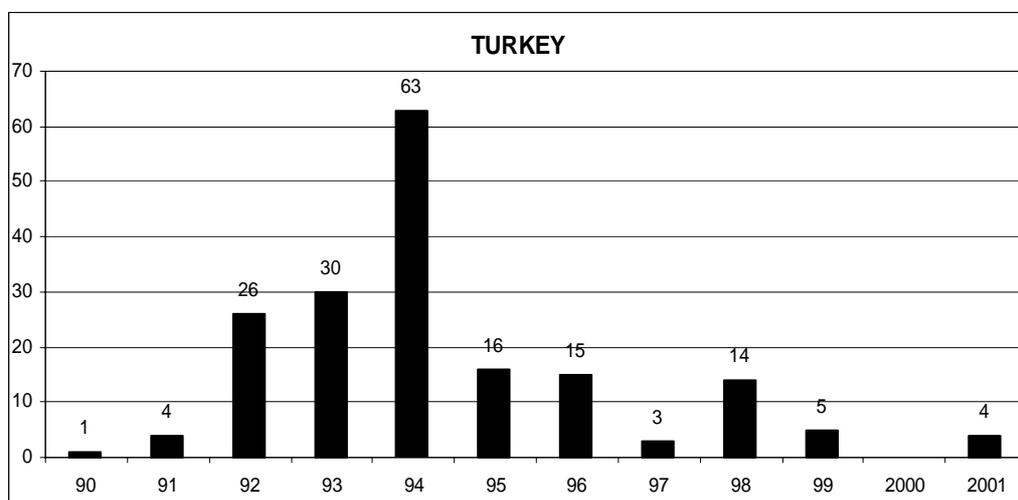
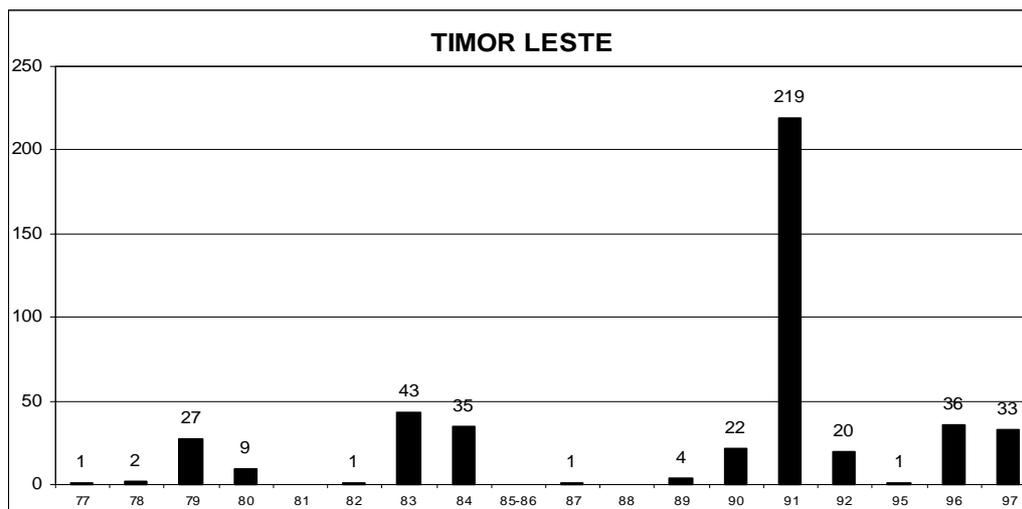












#### Annex IV

### List of names of newly reported cases, from countries where there were more than 10 newly transmitted cases during the last year

#### Algeria

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Normal cases</b>		
1. Ait Si Maamar	Djamel	1003094
2. Aliouane	Rabah	1003090
3. Aliouane	Fatah	1003115
4. Awad	Benhamou	1001476
5. Bedoui	Mohamed	1003068
6. Bekaddour	Lazreg	1003093
7. Belfekroune	Benkhadda	1003100
8. Belfekroune	Khaled	1003102
9. Belghali	Ghali	1003025
10. Belhadj	Benaouda	1003097
11. Belhout	Nadir	1003019
12. Benallou	Abdelaziz	1003085
13. Bengorine	Abdallah	1003077
14. Benyahia	Ahmed	1003080
15. Benzäid	Azzedine	1001776
16. Bouafia	Zoheir	1001777
17. Bouamra	Mohamed	1001482
18. Boucena	Youcef	1001561
19. Bouchareb	Boualem	1001778
20. Bouchetib	Boubekour	1003109
21. Bouchiba	Abdelkader	1001480
22. Boudahri	Kamel	1003089
23. Bouderba	Ahmed	1001779
24. Boughera	Mohamed	1001479
25. Bouhafs	Hassouna	1003079
26. Bouhbila	El Arbi	1003098
27. Bouheraoua	Samir	1003204
28. Boukebal	Djamal	1001556
29. Boukeroucha	Salah	1001557
30. Boulenuar	Ameur	1001481
31. Boumezibra	Mustapha	1003083
32. Bounemia	Maamar	1003075
33. Bourkachi	Wabil (Nabil)	1001888
34. Boutabout	Benyakoub	1003114
35. Bouti	Aissa	1001562
36. Bouzekri	Mohamed Seghir	1003113
37. Bouzemi	Brahim	1003205
38. Bouzid	Meziane	1001558

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
39. Brahimi	Amar	1003202
40. Brainis	Abdelkader	1003070
41. Braïnis	Larbi	1003071
42. Chatbi	Mourad	1001565
43. Chebira	Abdelkrim	1003203
44. Cherifi	Amar	1001421
45. Dardakh	Said	1001566
46. Debbah	Hakim	1003086
47. Dellache	Rachid	1003095
48. Derbal	Salah	1003021
49. Derdoug	Aissa	1001567
50. Derfoul	Foudhil	1001568
51. Derkaoui	Mohamed	1001276
52. Deroua	Ali Cherif	1003082
53. Derouiche	Benatia	1001492
54. Djaafar Khodja	Abdelhamid	1001569
55. Djelaili	Abdelkrim	1001495
56. Djemla	Nacer	1003078
57. Djerou	Hocine	1001570
58. Djillali	Hicham	1001890
59. Djoulem	Abdelkader	1001493
60. Djoulem	Saïd	1001494
61. Doumaz	Omar	1003087
62. Dra El Mizane	Younes	1001571
63. Drias	Hassen	1001424
64. El Aarafi	Mohamed Ibn	1003026
65. Elaidat	Djillali	1001496
66. Elaidat	Maâmar	1001497
67. Farrah	Salim	1003111
68. Fatah	Brahim	1001572
69. Fatmi	Mebarek	1001573
70. Ferrahi	Mohamed	1001574
71. Fettih	Rabah	1001780
72. Garroud	Belkacam	1001499
73. Gasmi	Fateh	1001575
74. Gasmi	Tahar	1001576
75. Gassa	Brahim	1001577
76. Ghazal	Tahar Ben Lakhder	1001500
77. Goumri	Tayeb	1001578
78. Guebli	Brahim	1003076
79. Guellal	Azzedine	1001579
80. Guellal	Mohamed	1001580
81. Guendouz	Abbas	1001581
82. Guerroud	Abdelhamid	1001501
83. HadeF	Mohamed	1003084
84. Halimi	Mohamed	1001435

	<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
85.	Hamadouche	Benada	1001432
86.	Hamani	Ali	1001433
87.	Hamdani	Djamel	1001434
88.	Hamdaoui	Ali	1003073
89.	Hamdoud	Mokhtar	1001781
90.	Hamida	Maamar	1001304
91.	Hamidi	Bouhadjar	1001305
92.	Hamidi	Habib	1001502
93.	Hamzi	Ali	1001891
94.	Handjar	Mohamed	1001437
95.	Haoua	Laïd	1001782
96.	Haouari	Abdelhakim	1001436
97.	Haramcha	Nasreddine	1001439
98.	Hassani	Belkacem	1001503
99.	Hbirat	Rachid	1001583
100.	Henni	Fethi	1003069
101.	Hersadou	Djamel	1001783
102.	Kabri	Lyes	1001271
103.	Kadachi	Mohamed	1001892
104.	Kaioua	Rabah	1001784
105.	Kalem	Messaoud	1001785
106.	Karaoui	Sidali	1001585
107.	Karfa	Mohamed	1001542
108.	Kebouche	Abderrahman	1001791
109.	Kedari	Benaouda	1001316
110.	Keddari	Rachid	1001507
111.	Kerik	Mouloud	1001467
112.	Kerrouche	Moussa	1003067
113.	Khaine	Ahmed	1001506
114.	Khalif	Abdelaziz	1001586
115.	Kharchi	Zouaoui	1001303
116.	Khedraoui	Boualem	1001505
117.	Kheireddine	Taoufiq	1001440
118.	Khelif	Rabah	1001793
119.	Kherifi	Ahmed	1001647
120.	Khetabet	Rabah	1001587
121.	Khobizi	Lakhdar	1003022
122.	Koreiche	Abdelmalek	1001270
123.	Kouicem	Hocine	1001441
124.	Kouider	Ayad Ali	1001589
125.	Koutti	Merzouk	1001504
126.	Kroud	Khelifa	1003108
127.	Kyzra	Sadek	1001796
128.	Lachhab	Lakhdar	1001516
129.	Ladjel	Tayeb	1001443
130.	Lahmer	Abbou Nouredine	1001510

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
131. Lahzail	Mohamed	1001511
132. Lahziel	Ibrahim	1003023
133. Lahzil	Saad Ben Ahmed	1003096
134. Lakehal	Mohamed	1001512
135. Lakel	Fouad	1001799
136. Lakhal	Salah	1001513
137. Lalioui	Lounis	1001800
138. Laouardj	Djillali	1003106
139. Laour	Mourad	1001801
140. Larbi	Ali	1003088
141. Lardjane	Abdelkader	1003065
142. Lounes	Mohamed	1001896
143. Maabiou	Mohamed	1001591
144. Madoui	Menouer	1001592
145. Magaz	Abdelkrim	1003020
146. Maghroui	Kuider	1001525
147. Mahi	Athmane	1001444
148. Makhlouf	Bouchakour (Bouchalem)	1001897
149. Malki	Kamel	1001802
150. Malki	Hassan	1001803
151. Malki	Khaled	1001804
152. Matouk	Baghdad	1001593
153. Mechalik	Ahmed	1001522
154. Mechti	Abdellah	1001805
155. Mechti	Djillali	1001806
156. Medaouar	Mahfoud	1001523
157. Medjeded	Lazreg	1001445
158. Mehdaoui	Abdelkader	1001446
159. Mehdi	Mohamed	1003107
160. Mehelllou	Djamel	1001594
161. Melzi	Aïssa	1001807
162. Menighed	Bachir	1001596
163. Merabet	Abdelhamid	1001447
164. Meskine	Boudaoud	1001521
165. Miloud Amar	Mohamed	1003105
166. M'lik	Hadj	1001520
167. Mokdad	Mohamed	1001597
168. Mokeddem	Rabah	1001448
169. Moulab	Ahmed	1001518
170. Moussaoui	Ahmed	1001519
171. Namane	Amar	1001449
172. Oamri	Abderrazak	1001808
173. Omrani	Bouziane	1001528
174. Omrani	Abdelkader	1001529
175. Orabi	Ali	1001613
176. Othmani	Ali	1001809

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
177. Ouaghlissi	Maamar	1001298
178. Ouahabi	Nadir	1001614
179. Ouahdadou	Rachid	1001279
180. Ouazane	Nadjib	1001617
181. Ouhabi	Nadir	1003099
182. Ounoughi	Hakim	1001620
183. Ouslimani	Ali	1003101
184. Rabhi	Douadi	1001450
185. Rachedi	Abdelkader	1001530
186. Rambi	Achour	1001297
187. Ramdane	Mohamed	1001810
188. Ramdani	Boualem	1001625
189. Razali	Abderezak	1001811
190. Rebahi	Djamel	1001296
191. Reggab	Mohamed	1003063
192. Reghissa	Said	1001627
193. Rezga	Nedder	1001295
194. Rouaïmia	Mokhtar	1001812
195. Saadoun	Djamel	1001628
196. Sadji	Safi	1001294
197. Sahoui	El-Hadj	1001534
198. Sahraoui	Djelloul	1001533
199. Salhi	Houari	1001281
200. Salmi	Azzedine	1001648
201. Samet	Hacène	1001531
202. Samet	Mohamed	1001532
203. Satal	Adda	1003104
204. Sayah	Aissa	1001632
205. Sayeh	Mahieddine-Mahmoud	1001451
206. Sedji	Abdelkader	1003066
207. Sefah	Miloud	1001634
208. Sellam	Hachemi	1003110
209. Semrani	Mohamed	1003074
210. Sennaoui	Benaouda	1001452
211. Si Ali	Abed	1001293
212. Slimani	Abdelkader	1001453
213. Sninat	Habib	1001280
214. Soukehal	Mohamed	1003064
215. Tahï	Mohamed	1001540
216. Taïbi	Djamel	1001457
217. Taïl	Ali	1001813
218. Tayeb	Belkacem	1003103
219. Taziou	Idriss	1001638
220. Tebenteche	Ali	1001454
221. Tefiche	Mokhtar	1003061
222. Terki	Elaid (Laid)	1001640

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
223. Tib	Belgacem	1001456
224. Tikialine	Abdelkader	1001459
225. Tintache	Ali	1001455
226. Tires	Said	1001539
227. Touafria	Djamel	1001282
228. Touahri	Ahmed	1001458
229. Touami	Djelloul	1001538
230. Touati	El-Hadj	1001535
231. Touati	Mustapha Ben Mohamed	1001536
232. Touati	Boudissa	1001537
233. Touati	Rachid	1001814
234. Toubal	Boualem	1001551
235. Toubal	Achour	1003024
236. Toukal	Zoheir	1001552
237. Tsouria (Belaid)	Abdelwahed	1001283
238. Yahia	Boualem	1001287
239. Yahia Tenfir	Djelloul	1003081
240. Yahmi	Akli	1001285
241. Yahmi	Abdelkader	1001286
242. Ykrelef	Rachid	1001284
243. Ykrelef	Mohamed	1001460
244. Zaamoun	El Hachemi	1003062
245. Zahi	Mohamed	1003060
246. Zaoui	Medjedded	1001291
247. Zaoui	Habib	1001541
248. Zebida	Abdenacer	1003112
249. Zemzoum	Nawel	1001462
250. Zidani	Ahmed	1001288
251. Zinenouar	Ghalem	1003018
252. Zinenouar	Mokhtar	1003072
253. Zitouni	Omar	1001641

### **Congo**

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Normal cases</b>		
1. Badela	Regis	1003033
2. Bakamba Fouakoyo	Joseph	1003166
3. Banzouzi	Blaise Cyriaque	1003034
4. Batantou	Christian	1003036
5. Batantou Foucki	Thaddés Florian	1003035
6. Benguele	Omer	1003162
7. Benguele	Eric	1003163
8. Bindika	Marcel	1003037
9. Biniakounou	Nsikabaka	1003038

	<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
10.	Bitemo	Hervé Rodrigue	1003039
11.	Bitsindou	Bertrand Gildas	1003040
12.	Bitsindou	Mesmin Rodrigue	1003041
13.	Biyouri	Léandre	1003042
14.	Biza Matondo	Gladis	1003043
15.	Bouesso	Chritsian	1003044
16.	Boukadia	Rodrigue	1003045
17.	Boukaka	Noël	1003046
18.	Bueba	Guy	1003047
19.	Diazabakana	Sinclair Lionel Armel	1003122
20.	Eballi	Joseph	1003050
21.	Ifoulidjouma	Stève	1003048
22.	Kaudila-Klaus	Adonis Rang	1003032
23.	Kebadio	Jean Pierre	1003049
24.	Kibamba	Brice Annicet	1003051
25.	Kibongui Missamou	Philippe	1003052
26.	Kimbembe	Wilfran Arnaud Saturnin	1003053
27.	Koutonda Kabarika	Patrick	1003054
28.	Louamba	Didier Emile	1003158
29.	Loubayi	Rufin Francis Alfred	1003056
30.	Loumouamou	Fabien	1003055
31.	Louyindoula Nzongo	Dazor Expédit	1003057
32.	Louzolo	Faustin	1003058
33.	Makoundou	Gotran	1003059
34.	Malanda	Aimé Didier	1003116
35.	Malanda	Severine J. R.	1003167
36.	Mamonimboua Ahmat	René	1003117
37.	Mandedi	Cléophace	1003121
38.	Massamba Manono	Carel	1003118
39.	Massamba Nkounkou	Igor Ulrich	1003119
40.	Matondo	Joseph	1003120
41.	Matondo	Bienvenu Judicaël	1003129
42.	Mbanzoumouna	Clotaire	1003130
43.	Mbouaka Bambi	Dan Valère	1003126
44.	Mboukou	Jerome Dieudonné	1003131
45.	Mienahata Himbessa	Fortuné	1003132
46.	Milandou Wa	Milandou	1003124
47.	Milongo	Jean Claude	1003165
48.	Mizelet	Pierre	1003133
49.	Mouanga	Bertin	1003134
50.	Mouanga	Jean De Verges	1003160
51.	Mouanga	Auguste	1003161
52.	Mouckayoulou	Rodolphe Thibaut	1003135
53.	Moukami	Amédée Pierre	1003136
54.	Moungaladio	Thomas	1003137
55.	Moussayandi	Elie Didier	1003164

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
56. Moutondia	Fortuné Jean Fredy	1003138
57. Mvouenze Samba	Parfait Tuburce	1003140
58. Mvoula	Frederic Symphorien	1003139
59. Ndandou	Joseph	1003141
60. Ndoudi	Jean Du Plaise	1003142
61. Nfoundou	Brice Duval	1003143
62. Ngoma	Guy Aristide	1003144
63. Nguama	Percy Ruth Jeffrey	1003145
64. Nguie	André	1003146
65. Niamankessi	Djekete	1003151
66. Nkatoudi Ndolo	Fabrice	1003147
67. Nkodia	Edgar	1003148
68. Nkonda	Jourdin Rostand A.	1003149
69. Nkouka Nioka	Fernand	1003150
70. Nouani	Roland Stanislas	1003152
71. Nsangou	Fortuné Distel F.D.	1003153
72. Peleka	Fabien	1003154
73. Samba	Roland	1003127
74. Samba	Damas	1003128
75. Samba Kounga Ngot	Severin	1003155
76. Sita	Blaise	1003159
77. Taleno Lafont	Cyriaque	1003123
78. Tchilouemba	Prince Teddy	1003156
79. Tchilouemba	Steve Vianey	1003157
80. Touanga	Narcisse	1003125

### **Nepal**

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Normal cases</b>		
1. Bhai Kaji	Ghimire	1003246
2. Hari Prasad	Luintel	1003247
3. Parbati	Poudyal	1003174
4. Shri Ghulam Mohammad	Sofi	1003245
5. Rupakheti	Kedar Nath	1003309
6. Dangal	Gopal Pradad	10000001
<b>Urgent appeals</b>		
1. Amod Prasad	Shah	1003292
2. Arjun Lal	Shrestha	1003009
3. Baburaja	Mali	1003007
4. Bajgain	Narayan	1003209
5. Bhim Kumar	Maharjan	1003251
6. Chail Bihari	Loniya	1003001

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
7. Damber	Pandey	1003212
8. Dilli Ram	Apagain	1003175
9. Geeta	Nepali	1003294
10. Kafle	Naniram	1002997
11. Keshab Prasad	Bimali	1003268
12. Khila Prasad	Chaulagain	1003002
13. Lok Prasad	Panta	1003264
14. Mina	Devi Bk	1003192
15. Muga Raj	Rai	1003267
16. Nava Raj	Bhandari	1003284
17. Nisha	Neupane	1003250
18. Om Krishna	Shrestha	1003008
19. Om Nath	Siwakoti	1003010
20. Prem Prasad	Chapagain	1003211
21. Pudasaini	Kedar	1002975
22. Punya Lal	Dahal	1003253
23. Radha	Bhusal	1003293
24. Ramesh	Shrestha	1003004
25. Santosh	Bista	1003017
26. Teli	Jhurri	1002974
27. Thapa	Prakash	1002995
28. Tika Ram	Uprety	1003210
29. Vijaya Kumar	Yadab	1003266
30. Yuv Raj	Dhakal	1003006

### **Philippines**

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Normal cases</b>		
1. Lagare	Jovencio	1003217
2. Lanzaderas	Teofilo	1003218
3. Laroya	Rodolfo	1003219
4. Licup	Rico	1003220
5. Llenaresas	Angelina A.	1003221
6. Luad	Enecito	1003222
7. Lupon	Haron	1003223
8. Mabeza	Roberto	1003224
9. Macadat	Noli	1003225
10. Madiva	Conrado	1003231
11. Madiva	Wenceslao	1003232
12. Maglangit	Mario	1003226
13. Mago	Alex	1003227
14. Malicdem	Jimmy	1003228
15. Manuel	Saldo	1003234
16. Maquiling	Rene	1003229

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
17. Matias	Victor	1003230
18. Peñero Villano	Jose	1003244
19. Sacluti	Benito	1003233
20. Sarmiento	Edmundo	1003235
21. Somera	Marilyn	1003236
22. Sta. Clara	Nonna H.	1003238
23. Sta. Rita	Eduardo	1003237
24. Talidong Jr.	Felomino	1003239
25. Tambula	Samuel	1003240
26. Tamparong	Cirilo	1003241
27. Tormes	Pedro	1003242
28. Unyong	Iglecerio	1003243

#### **Urgent actions**

1. Abrasaldo	Rico B.	10000014
2. Amahan	Joel	1003298
3. Casil	Arnulfo	1003295
4. Casil	Lolong	1003296
5. Casil	Lowi	1003297
6. Dayanan	Darry P.	10000013
7. Dionson	Morito	10000009
8. Gellegan	Jeremie A.	10000015
9. Villanueva	Marilou H.	10000010
10. Villanueva	Abraham D.	10000011
11. Villar	Charity A.	10000012

#### **Russian Federation**

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Normal cases</b>		
1. Bashaev	Akhmed	1001839
2. Abdulazizov	Salma Sultanovich	1001599
3. Sabdulaev	Makal	1003256
4. Aguev	Sayid-Selim Lechaevi	1001639
5. Demelkhanov	Adam	1003285
6. Kantaev	Badrudin	1003286
7. Dombaeva	Aset	10000003
8. Seriev	Sarali	10000004
9. Bargaev	Yusup	10000005
10. Tutaev	Rasul	10000008
11. Maaev	Murad	10000006

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Urgent actions</b>		
1. Abdulkadirova	Buchu Alievna	1003011
2. Abdurakhmanov	Elikh	1003168
3. Alapaev	Salambek	1003193
4. Barakhoev	Magomed-Ali	10000028
5. Bataev	Ruslan	1003000
6. Buraev	Baudin	10000025
7. Buraev	Ali	10000026
8. Buraeva	Zarema	10000024
9. Gaziev	Zaurbek	1003016
10. Ibishev	Magomed Emin	1003170
11. Khamhoev	Ilez	10000027
12. Khasimikov	Uvajs Elsievich	1002999
13. Magomadov	Makhmut Dchaparovic	1003028
14. Magomedov	Ivan Vahaevich	1003015
15. Maskhadov	Lecha Alievich	1003012
16. Maskhadov	Lem Alievich	1003014
17. Mukhaev	Vakha	1003171
18. Mukhaev	Atabi	1003172
19. Muradov	Murad Hamidovich	1003265
20. Nasipov	Shirvani	1003169
21. Rachiev	Adam Abdul-Karimovic	1003013
22. Sadullaeva	Khalimat	1002973
23. Satuev	Usman	1003194
24. Satueva	Khadizhat	1003195
25. Usmanov	Alisher	1003289
26. Yandiev	Ruslan	10000029
27. Zubiraev	Alis	1003196

**Sudan**

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
<b>Urgent appeals</b>		
1. Adam	Mohamed Aljazouli	1003282
2. Yousif	Yaseen	1003283
3. Abaker	Adam Suliman	1002981
4. Abaker	Adam Fadoul	1003259
5. Abdella	Abdel Aziz Mohamed	1002978
6. Abdella	Idrees Adam	1002983
7. Abdella	Mohamed Fadul	1002984
8. Abdella	Adam Hussein	1002988
9. Abdella	Abdella Adam	1002992

<u>Last name</u>	<u>First name</u>	<u>Case No.</u>
10. Abdella	Ibrahim Khidir	1003258
11. Abdella	Ibriahim Mohamed	1003281
12. Abdella Abaker	Mustafa	1003280
13. Adam	Yahya Ateam	1002985
14. Adam	Abraheam Suliman	1002994
15. Adam	Mohamed Ahmed	1003005
16. Adam	Abdel Mounim Yahya	1003261
17. Ahmed	Adam	1003191
18. Aldean	Abdella Tairab Saif	1002979
19. Ali	Ishag	1003003
20. Ali	Mahmoud	1003186
21. Alnabi Issaa	Hasabella Hasab	1003279
22. Alyas	Abakar	1003030
23. Amir	Abdel Rahman Yagoub	1003185
24. Ateam	Adam Ali	1002977
25. Badella	Mohamed Ahmed	1002993
26. Bush	Mohamed	1003029
27. Gibril Abakar	Mohamed Mokhtar	1003031
28. Hamad	Abdella Adam	1002991
29. Hussein	Ibraheam Mohamed	1002987
30. Idress	Adam Omer	1002976
31. Maalla	Ahmed Manees	1003252
32. Mahmoud	Ahmed Abdel	1003190
33. Mohamed	Hamid Abdel Rahman	1002986
34. Mohamed	Adam Ahmed	1002989
35. Mohamed	Adam Alnour	1003188
36. Mohamed Tor	Adam Adbella	1003257
37. Musa Ali	Khayri Ali	1003263
38. Nour	Ishag Ahmed Mohamed	1002990
39. Osman	Igraheam Abaker	1002982
40. Salih	Mohamed Abdel Rahman	1003260
41. Shaibo	Abdella Souliman	1003173
42. Soulieman	Dawood	1003187
43. Taha	Abdella Ali	1003189
44. Tairab	Abdella Yousif	1002980

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