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**Human Rights Council**  
**Working Group on Enforced or Involuntary Disappearances****Communications, cases examined, observations, and other activities conducted by the Working Group on Enforced or Involuntary Disappearances\*****111th session (6-10 February 2017)****I. Introduction**

1. The present document reflects the communications and cases examined and other activities carried out by the Working Group on Enforced or Involuntary Disappearances at its 111th session held in Seoul.
2. The Working Group thanks the Government of the Republic of Korea for hosting and facilitating the successful development of its 111th session.

**II. Communications**

3. Between its 110th and 111th sessions, the Working Group transmitted 71 cases under its urgent action procedure to: Bahrain (1); Bangladesh (2); China (1); Egypt (48); Iran (Islamic Republic of) (2); Libya (2); Mozambique (1); Nigeria (1); Pakistan (10); the Sudan (1); Turkey (1); and the United Arab Emirates (1).
4. At its 111th session, the Working Group decided to transmit 348 newly reported cases of enforced disappearance to 15 States. It also clarified 40 cases, in Bahrain (1), Egypt (27), Jordan (1), Libya (1), Mexico (3), Pakistan (3), Turkey (1), Ukraine (1) and the United Arab Emirates (2). Twenty-one cases were clarified on the basis of information provided by the Governments and 19 on the basis of information provided by sources.
5. Between its 110th and 111th sessions, the Working Group also transmitted 18 communications jointly with other special procedure mechanisms: nine urgent appeals to Bangladesh (1), China (2), Ethiopia (1), the Sudan (3), Iran (Islamic Republic of) (1) and Pakistan (1); two joint allegation letters to Algeria (1) and Argentina (1); six prompt intervention letters to India (2), Iran (Islamic Republic of) (2), Mexico (1) and Morocco (1); and an "other letter" to Sri Lanka.
6. At its 111th session, the Working Group also reviewed and adopted four general allegations concerning Bangladesh, Eritrea, Indonesia and the Islamic Republic of Iran.

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\* The annexes to the present document are reproduced as received, in the language of submission only.



### **III. Other activities**

7. At its 111th session, the Working Group met with relatives of victims of enforced disappearances, and with non-governmental organizations working on the issue. The Working Group also held formal meetings with representatives of the Governments of Iraq, Japan and the Republic of Korea.

8. On 5 February 2017, the Working Group held an expert consultation on enforced disappearances in the context of migration, receiving inputs and contributions to inform a report to be presented at the thirty-sixth session of the Human Rights Council in September 2017.

9. During its sessions, the Working Group also participated in an academic event on enforced disappearances in the context of transitional justice. The Working Group also discussed the drafting of the country visit report to Albania, other internal matters and activities including future visits.

### **IV. Information concerning enforced or involuntary disappearances in States reviewed by the Working Group during the session**

#### **Albania**

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

10. On 2 December 2016, the Government of Albania provided information on one outstanding case. The information provided was considered insufficient to lead to a clarification.

#### **Algeria**

##### **Standard procedure**

11. The Working Group transmitted six cases to the Government, concerning:

(a) El Hacène Nait Djoudi, allegedly arrested on 17 July 1996 as he was leaving his place of work, the regional service of Algiers, by police officers;

(b) Lofti Rahim, allegedly arrested on 25 August 1995 on the road to Barbissa, in Koléa, by communal guards;

(c) Abdelkrim Ibziz, allegedly arrested on 18 July 1996 in the street on his way to the beach;

(d) El Hadi Oudina, allegedly arrested on 22 August 1996 at his home, by military officials;

(e) Brahim Hadj Kouider, allegedly arrested on 1 November 1994 at his home, by gendarmes of Oued El Alleug (*wilaya* of Blida);

(f) Benyoucef Hacine, allegedly arrested on 23 March 1995 at the military roadblock situated between Haouch El Gros and Boufarik, by the military and gendarmes from Bouinane.

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

12. On 18 August 2015, the Government of Algeria provided information on nine outstanding cases. The information provided was considered insufficient to lead to a clarification.

**Joint allegation letter**

13. On 1 November 2016, the Working Group transmitted, jointly with other special procedure mechanisms, an allegation letter concerning reports of arbitrary arrests and detentions following a peaceful assembly of relatives of disappeared persons, and of excessive use of force in connection with the demonstration.

**Observations**

14. With regard to the above allegations, the Working Group recalls article 13 (3) of the Declaration, which states that “steps shall be taken to ensure that all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal.” Furthermore, the Working Group recalls Human Rights Council resolution 7/12, in which the Council urged States to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation or ill-treatment to which they might be subjected.

**Argentina****Joint allegation letter**

15. On 26 September 2016, the Working Group transmitted, jointly with other special procedure mechanisms, an allegation letter concerning reports of threats and intimidation against human rights defenders Laura Figueroa and Cesar Sivo.

**Reply to a joint allegation letter**

16. On 28 November 2016, the Government of Argentina transmitted a reply to the joint allegation letter sent on 26 September 2016. In its reply, the Government provided information on some steps taken to address the alleged acts of threats and intimidation against Ms. Figueroa.<sup>1</sup>

**Bahrain****Urgent action**

17. On 24 November 2016, the Working Group, following its urgent action procedure, transmitted a case to the Government concerning Sayyed Alawi Al-Alawi, who was allegedly arrested on 24 October 2016 by Bahraini State agents in the area of Galali and taken to an unknown location. The case was later clarified by the source (see para. 18 below).

**Clarification based on information from sources**

18. On the basis of the information provided by the source, the Working Group decided to clarify the case concerning Sayyed Alawi Al-Alawi, who is reportedly in pretrial detention at the Criminal investigation Department.

**Bangladesh****Urgent action**

19. On 9 September 2016, the Working Group, following its urgent action procedure, transmitted to the Government the case of Yasin Muhammad Abdus Samad Talukder, allegedly arrested on 14 July 2016 by plain-clothed officials at the Kakoli Bus Stop, near DOHS Banani, Dhaka.

<sup>1</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32048>.

20. On 30 November 2016, the Working Group, following its urgent action procedure, transmitted to the Government the case of Abdullahil Azmi, allegedly taken from his home on 22 August 2016 by plain-clothed officials of the Detective Branch of the Bangladesh Police Force.

#### **Standard procedure**

21. The Working Group transmitted five cases to the Government, concerning:

(a) Mahabub Hasan Sujon Hasan, allegedly abducted on 7 December 2013 from a farmhouse located in Noakandi village in Shanmandi Union, Narayanganj, by members of a law enforcement agency;

(b) Kazi Farhad Kazi, allegedly abducted on 7 December 2013 from a farmhouse located in Noakandi village in Shanmandi Union, Narayanganj, by members of a law enforcement agency;

(c) Somrat Molla and Khaled Hasan Sohel Hasan, allegedly abducted on 28 November 2013 in front of the Dhaka Central Jail, by members of law enforcement agencies;

(d) Mohammad Tariqul Alam, allegedly abducted on 7 March 2013 when he left the “Nam” building, where government employees and officers live, at Sher-e-Bangla Nagar in Dhaka, by members of the Rapid Action Battalion;

(e) Hummam Quader Chowdhury, allegedly detained on 4 August 2016 while travelling in his motor vehicle with a number of friends, by members of the Bangladesh Security Services.

#### **Information from sources**

22. A source provided updated information on one outstanding case.

#### **Joint urgent appeal**

23. On 28 October 2016, the Working Group transmitted, jointly with two other special procedure mechanisms, a joint urgent appeal concerning the alleged abduction of lawyer Ahmad Bin Quasem, which seems to be directly related to his work as part of the legal defence team that represented his father, Mir Quasem Ali, before the International Crimes Tribunal. The case of Ahmad Bin Quasem had been transmitted to Bangladesh, through the urgent action procedure of the Working Group, on 11 August 2016 (see A/HRC/WGEID/110/1, para. 17 (a)).

#### **General allegation**

24. The Working Group received information from credible sources alleging obstacles to implementing the Declaration on the Protection of All Persons from Enforced Disappearance in Bangladesh. The general allegation is reproduced in annex II.

#### **Observation**

25. The Working Group is concerned about the fact that it continues to receive new reported cases of alleged enforced disappearances in Bangladesh and about the lack of replies from the Government to its cases and communications. The Working Group stresses that, as provided for in article 7 of the Declaration, no circumstances whatsoever may be invoked to justify enforced disappearances and that, according to article 10 (2), accurate information on the detention of such persons and their place or places of detention, including transfers, should be made promptly available to their family members, their counsel or to any other persons having a legitimate interest in the information.

## **Bhutan**

### **Information from sources**

26. A source provided updated information on five outstanding cases. On the basis of the information received, the Working Group decided to transfer these five cases from the records of Bhutan to those of India.

## **Burundi**

### **Standard procedure**

27. The Working Group transmitted two cases to the Government, concerning:

(a) Savin Nahindavyi, allegedly abducted on 1 May 2016 at the National Intelligence Service in Bujumbura, by its Director and agents;

(b) Eric Niyungeko, allegedly abducted on 31 October 2015 on the Bujumbura-Karuzi road, by agents of the National Intelligence Service.

### **Information from the Government**

28. On 4 January 2017, the Government of Burundi provided information on two outstanding cases. The information provided was considered insufficient to lead to a clarification.

## **Chile**

### **Information from sources**

29. A source provided updated information on one outstanding case.

## **China**

### **Urgent action**

30. On 2 December 2016, the Working Group, following its urgent action procedure, transmitted to the Government the case of Jiang Tianyong, allegedly disappeared on 21 November 2016 while travelling between Changsha and Beijing by State security officers.

### **Information from sources**

31. A source provided updated information on one outstanding case.

### **Joint urgent appeal**

32. On 5 December 2016 and on 28 December 2016, the Working Group transmitted, jointly with four other special procedure mechanisms, two joint urgent appeals concerning the above-mentioned alleged disappearance of Jiang Tianyong.

## **Colombia**

### **Information from the Government**

33. On 2 September 2016, the Government of Colombia transmitted information concerning one outstanding case. The information provided was considered insufficient to lead to a clarification.

### **Reply to a general allegation**

34. On 6 September 2016, the Government of Colombia transmitted a reply to the general allegation letter sent on 9 March 2016, regarding the enforced disappearances of

women. In its reply the Government refers to the measures taken by the Search Commission for Disappeared Persons to combat the enforced disappearance of women in Colombia and to determine their whereabouts while applying a differential approach. It also refers to measures adopted by other institutions to ensure the provision of reparations from a gender perspective. The reply, in Spanish, is reproduced in full in annex III.

### **Observations**

35. The Working Group thanks the Government of Colombia for the information received on 6 September 2016 in relation to the general allegation. The Working Group recalls its general comment on women affected by enforced disappearances (A/HRC/WGEID/98/2), which stresses that a gender perspective should be incorporated in all measures, including legislative, administrative, judicial and others, taken by States, when dealing with enforced disappearance. Gender equality requires that all individuals — regardless of their sex or gender — enjoy without discrimination the rights enshrined in the Declaration on the Protection of All Persons from Enforced Disappearance.

## **Democratic People's Republic of Korea**

### **Standard procedure**

36. The Working Group transmitted 34 cases to the Government. A summary of these cases is included in annex I.

37. In accordance with the methods of work of the Working Group, the Government of the Republic of Korea also received a copy of the cases involving its nationals.

### **Information from the Government**

38. On 21 October 2016, the Government of the Democratic People's Republic of Korea transmitted information concerning 16 outstanding cases. The information provided was considered insufficient to lead to a clarification.

### **Observation**

39. The Working Group is concerned about the fact that the Government, instead of cooperating with the Working Group in relation to very serious allegations of grave and systematic enforced disappearances in the country, accuses it of being partial and being involved in an alleged political plot against the Democratic People's Republic of Korea. The Working Group would like to firmly reiterate that it operates with the highest levels of objectivity, independence and impartiality.

## **Egypt**

### **Urgent action**

40. During the reporting period, the Working Group transmitted 48 cases to the Government under its urgent action procedure, concerning:

(a) Ali Abdul Rahman Hussein, allegedly arrested on 4 October 2016 in Matariyia District, Cairo, by police officers;

(b) Salih Hussein, allegedly arrested on 4 October 2016 in Matariyia District, by police officers;

(c) Ahmed Abdelrahim Hanafi Abdelrahim, allegedly abducted on 7 September 2016 while travelling from his house in Al Wardian to the Sidi Gaber neighbourhood in Alexandria, by Homeland Security officers or police forces of the Ministry of Interior;

(d) Ahmed Atef Ahmed Abdelrahim Baghdadi, allegedly abducted on 30 August 2016 in New Cairo, by Homeland Security officers;

- (e) Sherin Said Hamed Bekhit, allegedly arrested on 19 October 2016 at her home in Berket Elsabea, Monofeya, by security forces;
- (f) Qadry Sami Zaki Abdulrahman Mwafi, allegedly abducted on 29 October 2016 in Cairo, by Police forces;
- (g) Omar Khaled Abdelrahman Mahmoud, allegedly abducted on 27 October 2016 in Cairo, by police officers;
- (h) Hamdi Taha Abdelrahim Elabasi, allegedly abducted on 29 October 2016 in Cairo, by police forces;
- (i) Mohamed Saad Mohamed Awad Zekilah, allegedly abducted on 9 November 2016 at his home in Kafr Al Dawar, by police forces;
- (j) Ahmed Abdelrahman Ahmed Youssef Mabrouk, allegedly abducted on 6 September 2016 in 6 October City, by Homeland Security officers;
- (k) Omar Ali Elsayed Ahmed Bateekh, allegedly abducted on 20 September 2016 at a checkpoint in Aswan City, by police forces;
- (l) Saber Mohamed Saber Mohamed, allegedly abducted on 21 September 2016 in Sidi Bachar Qibli, Alexandria, by security forces;
- (m) Ali Khaled Ali Eltablawy, allegedly abducted on 2 October 2016 in 6 October City, by a police officer and two soldiers;
- (n) Mohamed Abd el Majeid Abd al Aziz Abdual Rahman, allegedly abducted on 3 November 2016 from 45 street in Alexandria, by police officers;
- (o) Ahmed Omar Makram, allegedly abducted on 6 December 2016 in Balteem at Kafr El-Sheikh, by police officers;
- (p) Maher Abd el Hamied Nagy, allegedly abducted on 28 November 2016 inside the Court of Quesna, by police officers;
- (q) Moaz Ebrahim Lofti el Sayed, allegedly abducted on 8 December 2016 in Cairo, by police officers;
- (r) Mohamed Abu Rawash Mohamed al Daushiy, allegedly abducted on 8 December 2016 in Manshaet Sultan village, by State security agents;
- (s) Osama Mohamed Shaban, a high school student, born on 11 December 1998 in Ain Shams, Cairo, allegedly abducted on 20 November 2016 from the street, by uniformed police officers;
- (t) Ebrahim Khalaf Thabet Hardiy, allegedly abducted on 17 November 2016 in the El Marag area, Cairo, by police officers;
- (u) Khalaf Thabet Hardiy, allegedly abducted on 17 November 2016 in the El Marag area, by police officers;
- (v) Hussein Mohamed Hassan Farrag, allegedly abducted on 22 August 2016 at a police checkpoint on the Asyut Governorate border, by national security forces;
- (w) Omar Tarek El Sayed Tarek El Sayed El Nomrosy, allegedly abducted on 10 September 2016 in Sidi Bishr, by the national Security police;
- (x) Ehab Salah El Din Attito, allegedly abducted on 17 September 2016 from his home, by police agents;
- (y) Abdel Rahman Taha El Sayed Ahmed El Kassaby, allegedly abducted on 5 October 2016 in the village of Qulinjeel, Al Mansurah Center, Dakahliya, by the national security forces;
- (z) Abd Al Rahman Nasr Al Deen Amin, allegedly abducted on 25 September 2016 by police officers in Ahmed Orabi Ard El Geneina Street;
- (aa) Helal Omar Mohamed Ahmed Nasr, allegedly abducted on 25 September 2016 in Fiesal, Giza Governorate, by police officers;

- (bb) Abd Al Rahman Ahmed Abd Al Aal, allegedly abducted on 29 September 2016 in Arab el walda - Helwa, by security forces;
- (cc) Mohamed Gomaa Ali Ismail Hassan, allegedly abducted on 29 September 2016 in Abu Hamad, Sharqiyah, by State security agents;
- (dd) Ali Said Khedr Abd Al Motagaly, allegedly disappeared on 2 October 2016 after he was released from Dirout police station;
- (ee) Abed Mohamed Ali Eltablawy, allegedly abducted on 2 October 2016 in 6 October City, by the police;
- (ff) Yahiya Abd Al Fattah Shaheen, allegedly abducted on 6 October 2016 in Heliopolis, Cairo, by police officers;
- (gg) Nabil Ibrahim Al Desouky Mohamed Helmy, allegedly abducted on 8 October 2016 in Al Oubour, Cairo, by police officers;
- (hh) Ahmed Magdy Hassan, allegedly abducted on 9 October 2016 at the second police station in Zagazig city, by State security agents;
- (ii) Yahya Mohamed Abu Al Saoud Yahya Ali Ramadan, allegedly abducted on 9 October 2016 in Zefta Center, by police officers;
- (jj) Abd Al Latif El Dieb, allegedly abducted on 10 October 2016 in New Burj Al Arab, Alexandria, by security forces;
- (kk) Ibrahim Kamel Qandil, allegedly abducted on 17 October 2016 in Damietta, by police officers;
- (ll) Ahmed Saied Abd Al Salam Al Ashmawey, allegedly abducted on 17 October 2016 in Al Oubour, by police officers;
- (mm) Abd Al Fattah Al Sayed Shaheen, allegedly abducted on 16 October 2016 in Sheben Al sheben Al Qanater, Al Qaliuba, by police officers;
- (nn) Ahmed Masoud Salem, allegedly abducted on 17 October 2016 in Damietta, by police officers;
- (oo) Mohamed Abd Al Latif El Sayed Ibrahim Makawy Makawy, allegedly abducted on 23 October 2016 in Alexandria, by armed security forces;
- (pp) Ibrahim Ahmed Ibrahim Al Subki, allegedly abducted on 2 November 2016 in El Amireya, by police officers;
- (qq) Ahmed Magdy Abd Al Aalim Mohamed, allegedly abducted on 3 November 2016 from his home located in Noor El Islam Mosque Street, by police officers;
- (rr) Abd Al Rahman Mohamed Mahmud Abd Al Gawad, allegedly abducted on 4 November 2016 in the Sinai desert, by police officers;
- (ss) Ahmed Samir Mohamed Al Sayed Hindy, allegedly abducted on 7 November 2016 in Raas el Tin, Alexandria, by police officers;
- (tt) Taher Abdullallah Abd Al Ghany Abd Al Ghany, allegedly abducted on 10 November 2016 in Zawyat Kerdasa, by police officers;
- (uu) Amr Jamal Hassan, allegedly abducted on 5 December 2016 in 6 October City, by police officers;
- (vv) M Samir Mohamed Al Sayed Hindy, allegedly abducted on 15 December 2016 in Carmouz, Alexandria, by police officers.

#### **Standard procedure**

41. The Working Group transmitted two cases to the Government, concerning:

- (a) Aly Mohamed Naguid Abdel Hamid, allegedly arrested on 7 August 2016 at a clinic in Al Sharquia, by police officers;

(b) Ahmed Nasr El Din Abd Al Salam Radwan, allegedly arrested on 23 September 2016 following a police operation at Marsa Matrouh Gate.

#### **Clarification based on information from sources**

42. On the basis of the information provided by sources, the Working Group decided to clarify five cases, concerning:

(a) Hassan Abderrahmane Elsayd Mahmoud, who is reportedly detained in Tora prison;

(b) Abdelrahman Gamal Mohamed Ahmed, who was reportedly killed on 6 December 2016 in a police raid on an apartment in Asyout City;

(c) Mohamed Saad Mohamed Awad Zekilah, who reportedly reappeared before Bab Sharq district Public Prosecution Office in Alexandria Governorate;

(d) Omar Makram Ali, who reportedly appeared on 11 January 2017 before the court of Kafr El Sheikh;

(e) Ehab Salah El Din Attito, who reportedly reappeared on 22 December 2016 in Tora prison.

#### **Information from sources**

43. Sources provided updated information on three outstanding cases. The information was transmitted to the Government of Egypt.

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

44. During the period under review, the Government transmitted information concerning 31 outstanding cases. On the basis of the information provided, which was also confirmed by sources (see para. 43 above), the Working Group decided to apply the six-month rule to 28 cases and to clarify 2 others. The information provided on the last case was considered insufficient to lead to a clarification.

#### **Clarification**

45. On the basis of information previously provided by the Government, the Working Group decided to clarify 18 cases following the expiry of the period prescribed by the six-month rule (see A/HRC/WGEID/109/1, para. 38) and one other case based on information provided by the source before the expiry of the period prescribed by the six-month rule (see A/HRC/WGEID/110/1, para. 41), concerning Mostafa Samir Ibrahim, Al Sayed Saad Al Deen Al Saadani, Salah Ahmed Metwally Galal, Aly Mohamed Abdul Fattah, Mohammed Abdelaziz Farag, Abdelaziz Mohammed Abdelaziz Farag, Ismael Abdelaziz Farag, Mohamed Hassan Ahmed Kadiha, Mohamed Ibrahim Ahmed Lasheen, Islam Ali Abu Alma'aty Salem, Anas Emad Al Sayed Shosha, Anas Khamis Abdul Moniem, Ahmed Abdel Moneim Musharraf Issawi, Abd el-Rahman Abd el-Salam Ayoub, Desoky Abdul Mawgood Eissa, Mohamed Abd al-Twwab Ahmed, Ahmed Abdullah Ibrahim Saloma, Abdul Rahman Mahmoud Ramadan and Ahmed Awany Abdelbasir Mohammed. Three individuals were reportedly released from detention and 16 others are reportedly detained in a revealed location.

#### **Reply to a general allegation**

46. On 31 August 2016, the Government of Egypt transmitted a reply to the general allegation sent on 17 June 2016 regarding the reported sharp increase in the number of cases of enforced disappearance since mid-2014, allegedly establishing a pattern of widespread "short-term disappearances". In the reply it is indicated that Egypt is facing malicious attacks based on false information designed to harm the country and tarnish its image abroad and that there is no cogent evidence of cases of enforced disappearance in Egypt, since such acts constitute an offence under Egyptian law entailing severe penalties. A number of constitutional and other legislative provisions are included in the reply. The reply is reproduced in full in annex III.

**Observation**

47. The Working Group thanks the Government of Egypt for the reply to the general allegation (see para. 46 above). It nevertheless regrets that the reply merely rejects the allegations of enforced disappearance as “malicious attacks based on false information”, seemingly without fully taking the seriousness of these allegations into account. With reference to the internal regulations to safeguard individual rights and freedoms, the Working Group urges the Government to strictly monitor and ensure the enforcement of these regulations and draws its attention to the necessity to guarantee an effective remedy for acts of enforced disappearance. It also recommends that the Government should take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance as provided in article 3 of the Declaration on the Protection of All Persons from Enforced Disappearance; and to ensure that accurate information on the detention of persons deprived of liberty and their place or places of detention, including transfers, shall be made promptly available to their family members, their counsel or to any other persons having a legitimate interest in the information (art. 10 (2)).

48. With reference to paragraph 42 (b) above, the Working Group remains concerned about the circumstances surrounding the reported death of Abdelrahman Gamal Mohamed Ahmed, a medical student allegedly killed along with two other individuals, in a police raid on 6 December 2016, in Asyout City. It has been brought to the attention of the Working Group that Abdelrahman Gamal Mohamed Ahmed was already in the hands of the security forces following his alleged abduction on 25 August 2016 by individuals wearing uniforms of the National Security Agency. The Working Group calls upon the Government to thoroughly investigate this allegation and requests that it be informed of the results.

49. The Working Group thanks the Government of Egypt for the multiple replies received on 30 January 2017 and after the 111th session, which will be processed and considered by the Working Group as soon as a translated version of them is received.

**El Salvador****Information from sources**

50. A source provided information on three outstanding cases.

**Information from the Government**

51. On 23 January 2017, the Government of El Salvador transmitted information concerning three outstanding cases. The information provided was considered insufficient to lead to a clarification.

**Eritrea****General allegation**

52. The Working Group received information from credible sources alleging obstacles to implementing the Declaration on the Protection of All Persons from Enforced Disappearance in Eritrea. The general allegation is reproduced in annex II.

**Ethiopia****Information from sources**

53. A source provided information on one outstanding case.

54. In accordance with its methods of work, the Working Group transmitted a copy of the case to the Government of Kenya.

**Joint urgent appeal**

55. On 7 October 2016, the Working Group transmitted, jointly with seven other special procedure mechanisms, a joint urgent appeal concerning the alleged repression of protests that had been ongoing since November 2015, especially in the Oromia and Amhara regions, and the alleged enforced disappearance of hundreds of persons.

**Greece****Information from the Government**

56. On 31 October 2016, the Government of Greece transmitted information concerning one outstanding case. The information provided was considered insufficient to lead to a clarification.

**Guyana****Information from sources**

57. A source provided information on one outstanding case.

**India****Standard procedure**

58. The Working Group transmitted four cases to the Government, concerning:

(a) Jalal-ud-din Tass, allegedly last seen on 28 December 1999 at the Choolan Army Camp of the “9 Rajput Rifles” in Zamboor Pattan, Jammu and Kashmir, after being summoned to collect his identity papers, previously confiscated by the head of the Camp;

(b) Mohammad Ismaiel Tass, allegedly last seen on 28 December 1999 at the Choolan Army Camp of the “9 Rajput Rifles”, after being summoned to collect his identity papers, previously confiscated by the head of the Camp;

(c) Javaid Ahmed Bhat, a 16-year-old boy, allegedly arrested on 14 June 1995, by the 22 Rashtriya Rifles;

(d) Farooq Ahmad Shalbab, allegedly arrested on 14 June 1995, by the 22 Rashtriya Rifles.

**Information from sources**

59. A source provided updated information on five outstanding cases originally registered under Bhutan. On the basis of the information received, the Working Group decided to transfer these five cases from the records of Bhutan to the records of India.

**Prompt intervention letter**

60. On 11 October 2016, the Working Group transmitted, jointly with other special procedure mechanisms, an urgent appeal concerning allegations of arbitrary arrest, detention, intimidation and a travel ban against Khurram Parvez. The concerns of the Working Group in relation to this case were expressed publically in a press statement issued jointly with other special procedure mechanisms on 24 November 2016.<sup>2</sup>

**Reply to a joint urgent appeal**

61. On 5 September 2016, the Government of India transmitted a reply to a joint prompt intervention letter sent on 9 October 2015 (see A/HRC/WGEID/108/1, para. 56), regarding

<sup>2</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20697&LangID=E#sthash.56bdr9PJ.dpuf](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20697&LangID=E#sthash.56bdr9PJ.dpuf). Mr. Parvez was released on 29 November 2016.

the alleged continued refusal to renew the passport of a human rights lawyer in an attempt to restrict his work in relation to investigations of enforced disappearances. The reply includes information denying the allegations contained in the communication.<sup>3</sup>

62. On 29 September 2016, the Government of India transmitted a reply to a joint prompt intervention letter sent on 16 September 2016 concerning allegations of arbitrary arrest, detention, intimidation and a travel ban against Khurram Parvez (A/HRC/WGEID/110/1, para. 52). The reply includes information on the developments related to the detention of human rights defender Khurram Parvez.<sup>4</sup>

## **Indonesia**

### **General allegation**

63. The Working Group received information from credible sources alleging obstacles to implementing the Declaration on the Protection of All Persons from Enforced Disappearance in Indonesia. The general allegation is reproduced in annex II.

## **Iran (Islamic Republic of)**

### **Urgent action**

64. On 16 November 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of the Islamic Republic of Iran concerning Mohammad Ali Taheri, allegedly disappeared on 16 October 2016 from Evin Prison in Tehran.

65. On 12 December 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of the Islamic Republic of Iran concerning Saber Naderi, allegedly abducted from his home on 4 December 2016, by officers of the Ministry of Intelligence (Etelaat).

### **Joint urgent appeal**

66. On 22 November 2016 and 26 January 2017, the Working Group transmitted, jointly with four other special procedure mechanisms, two joint urgent appeals concerning the alleged acts of reprisal against Raheleh Rahemipor, the relative of two persons whose cases are outstanding before the Working Group.

67. On 13 January 2017, the Working Group transmitted, jointly with five other special procedure mechanisms, one urgent action concerning the alleged disappearance from prison of Ali Moezzi, whose two-year prison sentence at the high security Gohardasht prison of Karaj in western Tehran was reportedly coming to an end.

### **General allegation**

68. The Working Group received information from credible sources alleging obstacles to implementing the Declaration on the Protection of All Persons from Enforced Disappearance in the Islamic Republic of Iran. The general allegation is reproduced in annex II.

### **Observation**

69. The Working Group remains gravely concerned about the information received regarding the alleged reprisals against Raheleh Rahemipor (see para. 66 above), which appears to be directly related to her claim for truth and justice regarding her relatives. It has

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<sup>3</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=31948>.

<sup>4</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=31865>.

also been brought to the attention of the Working Group that Ms. Rahemipor has now been sentenced to two years' imprisonment for "propaganda against the State".<sup>5</sup>

70. The Working Group would like to emphasize article 13 (3) of the Declaration on the Protection of all Persons from Enforced Disappearance, which states that "steps shall be taken to ensure that all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal". Furthermore, in its resolution 7/12, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation or ill-treatment to which they might be subjected. The families of disappeared persons should be protected, regardless of whether a criminal investigation has been launched.

## **Iraq**

### **Information from the Government**

71. On 19 January 2017, the Government of Iraq provided information on one outstanding case. The information provided was considered insufficient to lead to a clarification.

## **Jordan**

### **Clarification based on information from sources**

72. On the basis of the information provided by the source, the Working Group decided to clarify one case, concerning Abdelsalam Abdulmalik Mohammad Yousef Othman. The individual has reportedly been released around 29 June 2016 from the premises of the General Intelligence Directorate in Amman.

## **Kuwait**

### **Information from sources**

73. A source provided updated information on one outstanding case.

## **Libya**

### **Urgent action**

74. On 15 November 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of Libya concerning Nader Snoussi Ali Al Omrani, allegedly abducted on 6 October 2016, while on his way to the Al Fuatir mosque in the centre of the Damascus Neighbourhood, district of Al Hadhba Al khadra, Hawazet Al Batata, Tripoli, by several armed men in plain clothes.

75. On 30 December 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of Libya concerning M. Gabir Mokhtar Zain Elabdeen Mahmoud, allegedly abducted on 25 September 2016 at the café "AT Home", Gargarish area, western coast of Tripoli, by the Second Support Brigade, a group reportedly aligned to the Ministry of Interior.

76. In accordance with its methods of work, the Working Group transmitted a copy of this case to the Government of the Sudan.

<sup>5</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20928&LangID=E#sthash.HTM67kLT.dpuf](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20928&LangID=E#sthash.HTM67kLT.dpuf).

### **Standard procedure**

77. The Working Group transmitted three cases to the Government, concerning:

(a) Muftah Al Kadiki, allegedly abducted on 2 November 2014 outside Nour al Mubeen's mosque, district area of Benghazi, al-Jadida, by armed civilian volunteers — affiliated to Operation Dignity's forces;

(b) Ibrahim Al Sour, allegedly last seen on 18 January 2015 after leaving his home in Benghazi;

(c) Al Sunissi Khalifa Bedar Abu Samara, allegedly arrested in June 1994 from his home in Al-Wahedah, by officers of the internal security agency of the Ajadabia's branch.

### **Clarification based on information from sources**

78. On the basis of the information provided by the source, the Working Group decided to clarify one case, concerning Nader Snoussi Ali Al Omrani. The individual was reportedly extrajudicially executed.

### **Observation**

79. The Working Group calls upon the Government to fully investigate the allegation concerning the reported extrajudicial execution of Nader Snoussi Ali Al Omrani and requests that it be informed of the results.

## **Mexico**

### **Clarification based on information from sources**

80. On the basis of the information provided by the source, the Working Group decided to clarify three cases, concerning Adriana Guadalupe Castañeda Bernal, Diana Lizeth Bernal Hernandez and Julio César Castañeda Bernal, who were all reportedly rescued.

### **Information from sources**

81. A source provided updated information on six outstanding cases.

### **Information from the Government**

82. On 23 December 2016, the Government transmitted information regarding one outstanding case. The information provided by the Government was considered to be insufficient to lead to a clarification.

### **Reply to a joint urgent appeal**

83. On 14 October and 8 November 2016, the Government responded to two joint urgent appeals transmitted jointly with other special procedure mechanisms on 25 July 2016 and 19 August 2016<sup>6</sup>

84. The first joint urgent appeal concerned the alleged murder of José Jesús Jiménez Gaona and the attempted murder against Francisca Vázquez Mendoza, as well as acts of intimidation and harassment against persons defending human rights and belonging to the Committee of Relatives of Detained Missing Persons "Hasta Encontrarlos". In its reply, the Government stated that an investigation had been launched with the Office of the Attorney General of the State of Veracruz, and provided details of the assistance and protection measures offered to the family members of Mr. Jiménez Gaona. With regard to Gabriel Alberto Cruz Sánchez and his family, the Government reported that it had no knowledge of the alleged facts set out in the urgent appeal in question, but that the Office of the Attorney

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<sup>6</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32011> and <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32033>.

General of the State of Oaxaca and the Ministry of Public Security of that State had both been instructed to indicate whether, within their areas of competence, they had registered any reports related with the alleged facts and they were also allegedly instructed to implement the actions necessary to safeguard the physical and psychological integrity of the family members of Gabriel Alberto Cruz Sánchez.

85. The second joint urgent appeal concerned the allegations of undue interference in the private communications between the lawyer Vidulfo Rosales Sierra and the father of one of the 43 disappeared students of Ayotzinaba, as well as other actions which could contribute to the delegitimization of human rights defenders. In its reply, the Government reported on the protection measures offered, in particular by the Mechanism for the Defence of Human Rights Defenders and Journalists.

#### **Prompt intervention letter**

86. On 11 October 2016, the Working Group transmitted, jointly with other special procedure mechanisms, a prompt intervention letter concerning alleged threats and attacks against human right defenders and relatives of a victim of forced disappearance in the State of Querétaro, as well as about the alleged threats addressed to the members of the Miguel Agustín Pro Juárez A.C. Human Rights Centre (Prodh Centre).

#### **Observation**

87. The Working Group wishes to recall article 13 (3) of the Declaration on the Protection of all Persons from Enforced Disappearance, which states that “steps shall be taken to ensure that all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal.” Furthermore, in its resolution 7/12, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation or ill-treatment to which they might be subjected.

### **Morocco**

#### **Standard procedure**

88. The Working Group transmitted four cases to the Government, concerning:

- (a) Bulaila Aomar Mahayub, allegedly abducted on 10 July 1976 in his shop in Smara, by members of the Royal Gendarmerie;
- (b) Buseid Alamin Abdal-la, allegedly abducted on 11 July 1976 from his home in Rbeib, Smara, by members of the Royal Gendarmerie;
- (c) Hamudi Saleh Brahim, allegedly abducted on 10 July 1976 in Rbeib, by members of the Royal Gendarmerie;
- (d) Brahim-Salem Ahmed Hmeida, allegedly abducted in July 1976 in Amgala, by soldiers of 6th company of the royal armed forces.

89. In accordance with its methods of work, the Working Group transmitted a copy of the last case to the Government of Spain.

#### **Prompt intervention letter**

90. On 31 October 2016, the Working Group transmitted, jointly with other special procedure mechanisms, a prompt intervention letter concerning alleged acts of intimidation and reprisal against Carlos Martin Beristain, Gloria Guzman and Arantza Chacon by the security forces, which denied them entry into the country and therefore impeded their participation in activities organized by non-governmental organizations in relation to cases of enforced disappearance in Western Sahara.

### **Reply to a prompt intervention letter**

91. On 19 January 2017, the Government responded to the prompt intervention letter transmitted on 31 October 2016, and stated that the visit was part of activities susceptible to constitute a threat to the public order. The individuals concerned were therefore banned from the Moroccan territory in accordance with law n° 02-03 of 11 November 2003 on the entry and stay of foreigners in Morocco.

### **Observation**

92. The Working Group thanks the Government of Morocco for the information dated 19 January 2017 concerning the prompt intervention letter dated 31 October 2016, while being surprised by the content of the reply. The Working Group recalls that the right of relatives to know the truth of the fate and whereabouts of disappeared persons is an absolute right, not subject to any limitation or derogation. No legitimate aim, or exceptional circumstances, may be invoked by the State to restrict this right.

93. Furthermore, the Working Group recalls that article 13 (3) of the Declaration on the Protection of all Persons from Enforced Disappearance states that “steps shall be taken to ensure that all involved in the investigation [of enforced disappearance], including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal.” Furthermore, in its resolution 7/12, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation or ill-treatment to which they might be subjected.

## **Mozambique**

### **Urgent action**

94. On 15 November 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of Mozambique concerning Américo António Melro Sebastião, allegedly abducted on 29 July 2016 in Nhamapaza, Sofala, by uniformed agents.

95. In accordance with its methods of work, the Working Group transmitted a copy of this case to the Government of Portugal.

### **Information from the Government**

96. On 10 January 2017, the Government of Portugal transmitted information regarding the above-mentioned case. The information provided was considered to be insufficient to lead to a clarification.

## **Nepal**

### **Standard procedure**

97. The Working Group transmitted nine cases to the Government, concerning:

(a) Jung Bahadur Chaudhary, allegedly arrested on 18 September 2002, by police officers from the Belauri Police Station, in Kanchanpur;

(b) Natthu Ram Chaudhary, allegedly arrested on 18 September 2002 during a security check in front of the Belauri Police Station, Kanchanpur, by police officers;

(c) Bhagi Ram Chaudhary, allegedly arrested on 12 December 2002 at his home in Motipur, by the police;

(d) Pushpa Kumar Giri, allegedly arrested on 7 November 2003 in Bagbazaar, by the army;

(e) Dil Bahadur Thapa (Magar), allegedly last seen on 12 April 2003 in the Nepali Chautara army barracks, in Sidhupalchowk, after being reportedly abducted on 9 April 2003 in the Chautara Bazaar, by the army;

(f) Durg Bahadur Oli, reportedly abducted on 28 September 2002 from his home, by members of the army;

(g) Milap Singh Rana, allegedly arrested on 11 November 2002, by the combined forces of the Royal Nepal Army and the police;

(h) Rajendra Bahadur Chaurel, allegedly abducted on 9 January 2004 from his home by men from the Royal Nepal Army, Jagadal Battalion in Chaunni, Kathmandu;

(i) Shanta Pokharel, allegedly arrested on 15 February 2008, by a group of policemen from the District Police Station, in Surkhet.

## **Nigeria**

### **Urgent action**

98. On 17 November 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of Nigeria concerning Sunday Chucks Obasi, allegedly abducted on 16 August 2016 at the Chukwudi compound Nnewi-Ichi, Nnewi Anambra State, by five armed men suspected to be security agents from the Department of State Security.

## **Pakistan**

### **Urgent action**

99. During the period under review, the Working Group transmitted 10 cases under its urgent action procedure to the Government, concerning:

(a) Usmana Junaid, allegedly abducted on 11 July 2016 near the Master's Coaching Centre, in North Nazimabad, Karachi, by members of the intelligence service;

(b) Akbar Ali Khan, allegedly abducted on 12 August 2016 from his home, by the Army;

(c) Ishrat Ali Mohammad Ahmed, allegedly abducted on 8 October 2016 from his home, by paramilitary rangers;

(d) Usman Riaz, reportedly disappeared on 6 October 2016 from the Gulberg area of Lahore;

(e) Shabir Ahmed, allegedly arrested on 4 October 2016 in Gwarkop, Balochistan, by members of the Frontier Corps and the Inter Service Intelligence;

(f) Armghan Mehmood, allegedly abducted on 7 December 2016 near the Standard Chartered Bank on Tufail Road in Lahore;

(g) Saleem Shazad Mehboob Elahi, allegedly abducted on 31 December 2016 from his house in Karachi, by paramilitary rangers;

(h) Mohammad Ashraf Noor Mohammad, allegedly abducted on 31 December 2016 from his house in Karachi, by paramilitary rangers;

(i) Iqbal Hussain Khan, allegedly arrested on 7 September 2016 in Buner, by the military;

(j) Muhammad Arif Muhammad Haider, allegedly abducted on 12 January 2017 from Karachi University Campus, by paramilitary rangers.

### **Standard procedure**

100. The Working Group transmitted 48 cases to the Government. A summary of these cases is included in annex I.

### **Information provided by sources**

101. A source provided updated information on one outstanding case.

### **Clarification on the basis of information provided by sources**

102. On the basis of information provided by sources, the Working Group decided to clarify the case of Syed Abdul Naved Syed Abdul Saeed. The individual is reportedly deceased.

### **Information from the Government**

103. On 19 December 2016, the Government transmitted information concerning one outstanding case. On the basis of the information provided, the Working Group decided to apply the six-month rule to the case.

### **Clarification**

104. On the basis of information previously provided by the Government, the Working Group decided to clarify the case of Burg Ali Muhammad Rashid Ali, following the expiration of the period prescribed by the six-month rule.

### **Joint urgent appeal**

105. On 11 January 2017, the Working Group transmitted, jointly with two other special procedure mechanisms, a joint urgent appeal concerning the alleged disappearance of four human rights activists, who went missing between 4 and 7 January 2016: Waqas Goraya, Asim Saeed, Salman Haider and Ahmed Raza Naseer.

### **Observation**

106. The Working Group again draws attention to articles 7 and 10 (2) of the Declaration (see para. 25 above).

## **Peru**

### **Information from sources**

107. Sources provided information on three outstanding cases.

## **Republic of Korea**

### **Information from the Government**

108. On 23 December 2016, the Government of the Republic of Korea provided information on three outstanding cases. The information provided was considered insufficient to lead to a clarification.

## **Russian Federation**

### **Standard procedure**

109. The Working Group transmitted 116 cases to the Government of the Russian Federation, concerning the following persons (whose date of alleged disappearance is given in parentheses), allegedly abducted by Russian military forces in Chechnya:

- Idris Abdulazimov (2 June 2002)

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- Sylimbek Akhmarov (9 February 2000)
  - Abybakar Akhmatov (24 November 2005)
  - Angela Akhmedkhanova (18 January 2000)
  - Ramzan Aliev (13 November 2002)
  - Zajindi Aliev (30 July 2002)
  - Shamsyidin Alisyltanov (16 May 2002)
  - Akhmed Alsyltanov (2 January 1995)
  - Isa Arsagiriev (14 May 1995)
  - Ilyas Arsakhanov (21 March 1995)
  - Ayub Arsambiev (7 June 2002)
  - Ramzan Babyshev (4 February 2003)
  - Farkhad Bachaev (1 November 1999)
  - Apti Bagaev (10 June 1995)
  - Yakub Bagazaev (28 March 2002)
  - Akhmed Baisyltanov (31 December 2002)
  - Khampasha Baisyltanov (31 December 2002)
  - Syliman Baisyltanov (31 December 2002)
  - Ayub Bakhaev (13 March 2001)
  - Salambek Bamatgiriev (15 November 2004)
  - Badrydi Barkhanov (19 December 2002)
  - Iskhadjy Batykaev (15 December 2001)
  - Shaiman Batykaev (26 June 1995)
  - Aslan Bazaev (31 December 2000)
  - Sobyry-Ali Bedigov (14 July 2002)
  - Shirvani Chabaev (19 November 2004)
  - Aslan Chapanov (12 September 2000)
  - Lema Chapanov (12 September 2000)
  - Khamzat Chapsyrkaev (17 July 2002)
  - Akhmed Cherniskaev (08 July 2002)
  - Isa Chokmyrzaev (08 July 2003)
  - Jamaldi Dadaev (22 April 2004)
  - Vakha Dadaev (06 March 1995)
  - Magomed Djabrailov (30 August 2001)
  - Tyrpal-Ali Djabrailov (27 May 2000)
  - Said-Sali Djamalkhanov (22 May 2001)
  - Rustam Dokhshykaev (28 March 2001)
  - Aminat Dokhtykaeva (19 June 2002)
  - Said-Khasan Dydyrkaev (22 October 2003)
  - Slavik Edilsyltanov (8 July 2002)
  - Said-Khysein Elembaev (29 March 2001)

- Said-Khysein Elgakaev (2 June 2001)
- Khavaj Elikhanov (4 December 2001)
- Eli Eljyrkaev (31 December 1994)
- Alash Elmyrzaev (23 May 2005)
- Apti Elmyrzaev (8 July 2002)
- Magomed Elmyrzaev (30 July 2002)
- Mirza Elmyrzaev (2 February 2000)
- Ziyavdi Elmyrzaev (21 April 2002)
- Vakhid Elsaev (17 December 2001)
- Vakha Ersiev (19 November 2002)
- Islam Eskaev (23 April 2002)
- Adam Eskiev (30 July 2002)
- Adam Eskirkhanov (5 November 2002)
- Anzor Gadaev (5 August 2008)
- Rystam Gadaev (1 June 2000)
- Bislan Gaitykaev (1 October 2004)
- Sultan Gazakbiev (11 January 2003)
- Ruslan Gerikhanov (14 July 2003)
- Bykhara Ibakov (23 July 2002)
- Movlid Ibragimov (21 March 2002)
- Aslambek Imakaev (6 March 2000)
- Balavdi Imakaev (6 March 2000)
- Aslan Inalov (23 September 2004)
- Denis Istamylov (14 July 2003)
- Gilani Khabilyaev (3 October 2000)
- Ziyavdi Khabilyaev (3 October 2000)
- Bilykhadji Khachykaev (26 December 2002)
- Ali Khadaev (5 January 2003)
- Khasan Khadjiev (17 March 2003)
- Aslan Khadyzov (29 April 2001)
- Bislan Khalidov (11 August 2003)
- Isa Khalidov (29 November 2002)
- Aby Khasyev (30 August 2001)
- Salamo Khyliyev (25 November 2004)
- Saikhan Lylyev (4 June 2000)
- Magomed Magamadov (1 March 2002)
- Alkhazur Magomadov (30 July 2002)
- Rasul Magomadov (12 November 2002)
- Anzor Malikov (6 March 2000)
- Zilaydi Malikov (6 March 2000)

- Adam Mamakaev (25 October 2002)
- Lema Matsaev (13 November 2002)
- Avga Mejiev (17 January 2003)
- Idris Midaev (26 July 2002)
- Luiza Osmaeva (18 January 2000)
- Tymisha Sadykova (15 March 2006)
- Aslanbek Saidal-Aliev (4 September 2002)
- Rustam Sakhabov (30 July 2002)
- Bislan Saparbiev (9 October 2002)
- Islam Shabaev (16 April 2002)
- Lema Shadaev (27 October 2005)
- Shaikhi Shadaev (27 October 2005)
- Akhmed Shaipov (9 April 2003)
- Ramzan Shaipov (8 May 2004)
- Akhiyad Shakhidov (14 May 2002)
- Khamzat Shakhidov (14 May 2002)
- Alkhazyr Shamaev (17 May 2002)
- Said-Ali Sharshyev (20 July 2003)
- Aslambek Shavanov (24 September 2001)
- Mairbek Shavanov (24 September 2001)
- Abyiazid Shidaev (25 October 2002)
- Aslan Shovkhalov (9 June 1995)
- Salambek Sylipov (11 February 1995)
- Islam Syrkhayev (12 November 2002)
- Timur Tsakaev (2 November 2001)
- Zybair Tsakaev (9 July 2002)
- Galavdi Tsaldaev (22 January 2000)
- Mansyr Tsaldaev (22 January 2000)
- Aslan Tsamaev (21 July 2002)
- Abi Tsartsaev (21 November 2000)
- Islam Tsonaev (24 July 2003)
- Aly Tsymaev (06 April 2000)
- Khasain Vakhaev (12 April 2001)
- Sharpydin Visaitov (22 December 2001)
- Adam Visarkhanov (22 September 2001)

**Information from sources**

110. Sources provided information on one outstanding case.

### **Reply to a general allegation**

111. On 6 December 2016, the Government of the Russian Federation transmitted a reply to the general allegation sent on 1 December 2016, concerning reported obstacles to implementing the Declaration on the Protection of All Persons from Enforced Disappearance in the Autonomous Republic of Crimea. In its reply, the Government states that it cannot comment on the general allegation, as it contains “unacceptable wording relating to the territorial status of the Republic of Crimea, namely a reference to General Assembly resolution 68/262”.

### **Observation**

112. The Working Group thanks the Government of the Russian Federation for the reply received, yet regrets that no substantive information on the allegations was included therein. The Working Group reiterates that references to the Autonomous Republic of Crimea should be understood in accordance with the General Assembly resolution 68/262 of 27 March 2014.

## **Sri Lanka**

### **Standard procedure**

113. The Working Group transmitted 55 cases to the Government. A summary of these cases is included in annex I.

### **Information from sources**

114. Sources provided information on one outstanding case.

### **Other letter**

115. On 2 December 2016, one “other letter” was sent to the Government of Sri Lanka concerning the Policy and Legal Framework of its proposed Counter Terrorism Act.

## **Syrian Arab Republic**

### **Standard procedure**

116. The Working Group transmitted 22 cases to the Government. A summary of these cases is included in annex I.

### **Information from sources**

117. Sources provided information on two outstanding cases.

## **Sudan**

### **Urgent action**

118. On 21 December 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of the Sudan, concerning Ibrahim Adam Mudawi, allegedly abducted on 7 December 2016 at the Khartoum University campus, by members of the National Intelligence and Security Services.

### **Joint urgent appeal**

119. On 17 November 2016, the Working Group transmitted, jointly with two other special procedure mechanisms, a joint urgent appeal concerning the alleged arbitrary arrest and enforced disappearance of 10 Sudanese doctors.

120. On 12 December 2016, the Working Group transmitted, jointly with four other special procedure mechanisms, a joint urgent appeal concerning the alleged arbitrary arrest

and enforced disappearance of 24 Sudanese political activists and opponents by the National Intelligence and Security Services between 4 and 27 November 2016.

121. On 13 December 2016, the Working Group transmitted, jointly with three other special procedure mechanisms, a joint urgent appeal concerning the alleged enforced disappearance of the human rights defenders Hafiz Idris and Ibrahim Adam Mudawi, following their arrests in Khartoum by the National Intelligence and Security Services, on 24 November 2016 and on 7 December 2016, respectively.

### **Reply to joint urgent appeals**

122. On 23 November 2016 and on 29 December 2016, the Government of the Sudan transmitted two replies to two joint urgent appeals sent on 17 November 2016<sup>7</sup> and on 12 December 2016, respectively. The Government reported that all the individuals subject of both communications had been released.

123. The Working Group thanks the Government of the Sudan for the letter sent on 20 December 2016, in which the Government welcomed a visit of the Working Group in the last quarter of 2017.

## **Tajikistan**

### **Information from the Government**

124. On 22 August 2016, the Government of Tajikistan provided information on three outstanding cases. The information provided was considered insufficient to lead to a clarification.

## **Thailand**

### **Information from sources**

125. Sources provided information on one outstanding case.

## **Turkey**

### **Urgent action**

126. On 15 December 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of Turkey concerning Mugjan Ekin, reportedly abducted on 24 October 2016 in the Batikent District of Ankara, by alleged members of the security forces.

### **Standard procedure**

127. The Working Group transmitted 18 cases to the Government, concerning:

- (a) Hamdo Simsek, allegedly disappeared on 14 July 1993 after the army reportedly placed him into police custody;
- (b) Fahri Balyeci, allegedly arrested on 29 September 1996 in Diyarbakir;
- (c) Ilhan Ibak, allegedly arrested on 12 August 1994 during a search operation conducted by the Regional Command of Findik;
- (d) Vasif Öztürk, allegedly arrested on 1 June 1994 as he entered the village of Salkimli, Kulp, Diyarbakir, by military forces;
- (e) Nezir Tekçi, allegedly taken into custody on 27 April 1995, by members of the Bolu Ranger Brigade;

<sup>7</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32045>.

(f) Hizni Bilmen, allegedly arrested together with seven other persons on 14 May 1993 following a raid conducted in the Budakli village, by soldiers from the Mardin Gendarmerie Command;

(g) Davut Altinkaynak, allegedly taken into custody together with six other persons on 5 November 1995 following a raid to Ulas village, by a group of special operation forces and paramilitary forces;

(h) Cezayir Örfan, allegedly detained on 24 May 1994 after a raid on his village, by members of the Bolu Commando Unit;

(i) Mehmet Salim Acar, allegedly arrested on 20 August 1994 when he was working in a cotton field close to Ambar Köyü, by two armed men who claimed to be police officers;

(j) Ahmet Üstün, allegedly arrested on 15 March 1993 during a raid on his village by members of the Gendarmerie Intelligence Organization "JITEM";

(k) Adil Ölmez, allegedly disappeared in April 1995 from Elazig prison;

(l) Cemile Sarli, allegedly arrested on 24 December 1993 from a house in the Ulusoy village of Tatvan, by six armed members of a security force;

(m) Abdurrahman Olcay, a 10-month-old baby boy allegedly taken into custody together with six other persons on 5 November 1995 following a raid on Ulas village, by a group of special operation forces and paramilitary forces;

(n) Ihsan Aslan, allegedly arrested on 24 December 2012 following an operation in the Cudi District, by members of the paramilitary power;

(o) Kemal Birlik, allegedly arrested on 29 March 1995 in front of the Kiziltepe prison, when released after serving a three-year sentence, by members of a security forces;

(p) Edip Aksoy, allegedly abducted together with another person on 7 June 1995, in Dagkapt;

(q) Faruk Aksan, allegedly last seen on 11 November 1994 in Nusaybin, Mardin;

(r) Orhan Cingöz, allegedly abducted on 7 June 1995 together with another person, in Dagkapt.

#### **Clarification based on information from sources**

128. On the basis of information provided by sources, the Working Group decided to clarify the case of Mugjan Ekin. The individual is reportedly at liberty.

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

129. On 9 January 2017, the Government of Turkey also transmitted information concerning the case of Mugjan Ekin. On the basis of the information provided by the source, which was confirmed by the Government, the Working Group decided to clarify the case (see para. 128 above).

130. On 9 January 2017, the Government transmitted information concerning five outstanding cases. On the basis of the information provided, the Working Group decided to apply the six-month rule to the five cases.

131. The Government also provided information on 33 outstanding cases. The information provided was considered insufficient to lead to a clarification.

#### **Duplication**

132. The Working Group decided to consider two cases as duplicates. The duplicate case was subsequently deleted from the records of the Working Group.

### **Reply to a joint urgent appeal**

133. On 1 December 2016, the Government of Turkey transmitted a reply to a joint urgent appeal sent on 19 August 2016. The reply included information on the measures taken to respond to the coup attempt of 15 July 2016.<sup>8</sup>

### **Observation**

134. On 9 January 2017, the Government transmitted information regarding cases in which a decision of non-prosecution was issued due to a statute of limitation. The Working Group recalls the observations made in its country visit report on Turkey (A/HRC/33/51/Add.1, paras. 19-20). In particular, the Working Group would like to recall that when the remedies provided for in article 2 of the International Covenant on Civil and Political Rights are no longer effective, the statute of limitations relating to acts of enforced disappearance shall be suspended until these remedies are re-established (art. 17 (2) of the Declaration). Where they exist, statutes of limitations shall be substantial and commensurate with the extreme seriousness of the offence (art. 17 (3)), and shall be counted only starting from the moment when light is shed on the fate or the whereabouts of the person.

## **United Arab Emirates**

### **Urgent action**

135. On 4 November 2016, the Working Group transmitted, under its urgent action procedure, a case to the Government of United Arab Emirates concerning Abdulaziz Al-Yassi, allegedly arrested on 8 September 2016 at the Al Hamidiya Police station, by police officers.

### **Clarification**

136. On the basis of information provided by sources, the Working Group decided to clarify the case of Abdulaziz Al-Yassi. The individual has reportedly been held in cell n° 9 in Al Wathba prison since December 2016.

137. On the basis of the information provided by the Government, the Working Group decided to clarify the case of Walid Mohammed Ahmed Saeed Alabdouli, following the expiration of the period prescribed by the six-month rule. The individual was reportedly released on 14 March 2016.

### **Information from the Government**

138. On 23 August 2016, the Government transmitted information regarding five outstanding cases. The information provided was considered insufficient to lead to a clarification.

## **Ukraine**

### **Reply to a general allegation**

139. On 9 December 2016, the Government of Ukraine transmitted a reply to the general allegation sent on 1 December 2016 (see para. 111 above) indicating that the general allegation should be considered in full accordance with the General Assembly resolution 68/262.

### **Clarification based on information from sources**

140. On the basis of information provided by sources, the Working Group decided to clarify the case of Vladimir Bezobrazov. The individual is reportedly at liberty.

<sup>8</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32050>.

## **Uzbekistan**

### **Information from the Government**

141. On 18 September 2016, the Government transmitted information regarding seven outstanding cases. The information provided was considered insufficient to lead to a clarification.

## **Venezuela (Bolivarian Republic of)**

### **Information from the Government**

142. On 2 September 2016, the Government of Colombia transmitted information regarding two outstanding cases under the records of the Bolivarian Republic of Venezuela. The information provided was considered insufficient to lead to a clarification.

## **Yemen**

### **Standard procedure**

143. The Working Group transmitted one case to the Government, concerning Mujahed Mohamed Ahmed Al Hamdani, allegedly arrested on 1 January 2015 while travelling on the road between Marib and Shabwa province, by members of the Military Special Security Forces (under control of the Hadi government).

## Annex I

### Standard procedure cases

#### Democratic People's Republic of Korea

1. The Working Group transmitted 34 cases to the Government, concerning:
  - (a) Kim Kwang Bok, allegedly arrested by the National Security Agency (NSA), from her house in Okcheon, Baegam County, Yangkang Province, Democratic People's Republic of Korea, in 2011;
  - (b) Kim Gwang Jae, allegedly arrested by the National Security Agency (NSA) from his home in Roha-ri, Kwaksan County, North Pyongan Province, Democratic People's Republic of Korea, in August 1999;
  - (c) Lee Dong Cheol, allegedly arrested by the National Security Agency (NSA) from his home in Hamheung, South Hamkyung Province, Democratic People's Republic of Korea, on 9 May 1980;
  - (d) Lee Hye Gyeong, allegedly arrested by the National Security Agency (NSA) from her house in Hoiryong, North Hamkyung Province, Democratic People's Republic of Korea, in May 1996;
  - (e) Myeong-hwan Choi, a national of the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while on a fishing boat on Incheon Port, on 12 April 1967;
  - (f) Cheol-gyu Kim, a national from the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while fishing on the "Changmyeong" boat, on 2 July 1968;
  - (g) Gil-yun Park, a national from the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while out on the "Huiyoung 37" fishing boat, on 6 January 1971;
  - (h) Gwan Su Oh, a national from the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while out on the "Geumgangsan" fishing boat, on 22 June 1970;
  - (i) Jang-woon Park, a national of the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while out on the "Gilyong" fishing boat, 22 January 1966;
  - (j) Kyeon-hwa Shin, allegedly abducted together with three other persons, from her home in Chongjin, North Hamkyung Province, Democratic People's Republic of Korea, by security agents of the National Security Agency (NSA);
  - (k) Jong-ho Kwak, a national of the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while out on the "Boseung 2" fishing boat, on 20 March 1964;
  - (l) Kim Byeong Jae, allegedly arrested by the National Security Agency (NSA) from a tractor manufacturing factory in Kwaksan County, North Pyongan Province, Democratic People's Republic of Korea, in August 1999;
  - (m) Jae-dong Lim, a national of the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while on the "Youngchang" fishing boat, on 30 October 1968;
  - (n) Sung-mahn Kim, a national of the Republic of Korea, allegedly abducted by soldiers of the Democratic People's Republic of Korea while on the "Myeongduk" fishing boat, on 20 November 1965;

- (o) Il Joo, a national of the Democratic People's Republic of Korea, allegedly abducted by officials from the National Security Agency (NSA), in May 2001;
- (p) Baek Yang Guen, allegedly arrested by the National Security Agency (NSA) from his workplace at a hospital in North Pyongan Province, Democratic People's Republic of Korea, in August 1999;
- (q) Soo-young Ahn, a national of the Republic of Korea, allegedly arrested by agents of the Democratic People's Republic of Korea near the Northern Limit Line, while on his fishing boat, on 28 December 1972;
- (r) Kwang-won Park, a national of the Republic of Korea, allegedly abducted by agents of the Democratic People's Republic of Korea near the Northern Limit Line, from the "Suwon-ho 32" fishing boat, on 15 February 1974;
- (s) Sang-yoon Kim, a national of the Republic of Korea, allegedly abducted by agents of the of the Democratic People's Republic of Korea near the Northern Limit Line, from the "Gadeok-ho" fishing boat, on 10 July 1968;
- (t) Jong-up Park, a national of the Republic of Korea, allegedly abducted by agents of the of the Democratic People's Republic of Korea near the Northern Limit Line, from the "Gadeok-ho" fishing boat, on 10 July 1968;
- (u) Wan Chae Han, allegedly abducted by agents of the National Security Agency (NSA) on 16 September 2000, after being repatriated to the Democratic People's Republic of Korea from Yanji, China;
- (v) Gwang Jung, who allegedly turned himself in to the National Security Agency (NSA) on 5 August 1997, after his plan to leave the Democratic People's Republic of Korea was reported to the authorities;
- (w) Eui Do Lee, allegedly arrested at his house by agents of the National Security Agency, on 15 November 1977, and allegedly last seen on 25 May 1981 in "Camp 18", before being transferred to an unknown location;
- (x) Bong Soon Park, allegedly arrested by officials from a security agency of the Democratic People's Republic of Korea in March 2007, and imprisoned in "Camp 22" in Hoiryung;
- (y) Kyung Min Nam, allegedly arrested by officials from a security agency of the Democratic People's Republic of Korea in March 2007, and imprisoned in "Camp 22" in Hoiryung;
- (z) Tae Bong Lee, allegedly abducted by officers from the National Security Agency when he was repatriated from China, in November 2001;
- (aa) Dong-myeong Lee, allegedly arrested on the streets in Pyongyang by agents of the National Security Agency on 4 July 1970;
- (bb) Im-bok Kim, allegedly arrested by agents of the National Security Agency when she was reportedly repatriated from China on 2 August 1994, and last seen on 13 February 1995 at the Yoduk Political Prison Camp;
- (cc) Ji-yong Yoo, a national of the Republic of Korea, allegedly abducted by agents of the Democratic People's Republic of Korea from the "Cheonwang-ho" fishing boat on 8 August 1975;
- (dd) Kwang-won Lee, a national of the Republic of Korea, allegedly abducted by agents of the Democratic People's Republic of Korea from the "Heungduk-ho" fishing boat, in May 1969;
- (ee) Jin-young Kim, a national of the Republic of Korea allegedly abducted by state agents of the Democratic People's Republic of Korea from the "Taeyang-ho", fishing boat, on 10 July 1968, and allegedly last seen working at a mine in the Democratic People's Republic of Korea in 1986;

(ff) Cheon-hyang Park, a national of the Republic of Korea, allegedly abducted by agents of the Democratic People's Republic of Korea near the Northern Limit Line, while on the "Huiyoung 37" fishing boat, on 6 January 1971;

(gg) Geon-pyo Hong, a national of the Republic of Korea, allegedly abducted by agents of the Democratic People's Republic of Korea from a beach on Hongdo Island, in August 1978;

(hh) Hae-joon Lee, a national of the Republic of Korea, allegedly abducted by agents of the Democratic People's Republic of Korea near the Northern Limit Line, while on his fishing boat in July 1968.

2. In accordance with the methods of work of the Working Group, the Government of the Republic of Korea received a copy of the cases involving nationals of the Republic of Korea.

## **Pakistan**

3. The Working Group transmitted 48 cases to the Government, concerning:

(a) Jawad Ali, allegedly abducted from his home by Elite force personnel from the police department of Khyber Pakhtunkhwa, on 22 September 2015;

(b) Ghulam Dastagir Hamid, allegedly abducted from his home by officers suspected to belong to the Military Intelligence, the Inter-services Intelligence or the Central Intelligence Agency, on 15 September 2015;

(c) Bahadur Sher Syed, allegedly arrested in his home by officers belonging to the Army, on 27 February 2016;

(d) Hameedullah Beg, allegedly abducted by army personnel while leaving the Talha Mosque after Friday prayers, on 9 October 2015;

(e) Shah Zareen, allegedly abducted from the High School in Peshawar, Swat district, by officers suspected to belong to the Military Intelligence, the Inter-services Intelligence or the Central Intelligence Agency, on 9 July 2009;

(f) Jahanzeb, allegedly abducted from the High School in Peshawar, Swat district, by officers suspected to belong to the Military Intelligence, the Inter-services Intelligence or the Central Intelligence Agency, on 9 July 2009;

(g) Hussain Hazrat, allegedly abducted from the High School in Peshawar, Swat district, by officers suspected to belong to the Military Intelligence, the Inter-services Intelligence or the Central Intelligence Agency, on 9 July 2009;

(h) Hussain Iqbal, allegedly abducted from the High School in Peshawar, Swat district, by officers suspected to belong to the Military Intelligence, the Inter-services Intelligence or the Central Intelligence Agency, on 9 July 2009;

(i) Muhammad Madani, allegedly abducted from his house by two officers from an intelligence state force of Pakistan, on 29 November 2012;

(j) Hafiz Ejaz Ahmad, allegedly abducted from the Muslim commercial College, Gujranwala Road, Hafizabad, by officers from an intelligence state force of Pakistan, on 30 August 2012;

(k) Fazal Raheem, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 13 November 2009;

(l) Manzaray, allegedly arrested from his home by officials believed to be from an intelligence state force of Pakistan, on 17 January 2010;

(m) Luqman, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 29 November 2012;

(n) Muhammad Asif, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 4 August 2015;

- (o) Sagheer Ahmad Shah, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on August 29, 2012;
- (p) Ehsaan Allah, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 9 September 2012;
- (q) Aashiq Ali, allegedly abducted from his home in Shikarpur, Sindh, by officials believed to be from an intelligence state force of Pakistan, on 27 June 2010;
- (r) Muhammad Nasir Khan, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 27 May 2010;
- (s) Bazeer allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 19 December 2009;
- (t) Sharif Ullat, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 24 April 2010;
- (u) Aashiq, Hussain, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 12 November 2009;
- (v) Sandar Khan, allegedly abducted from the High School in Peshawar, Swat district, by officers suspected to belong to the Military Intelligence, the Inter-services Intelligence or the Central Intelligence Agency, on 9 July 2009;
- (w) Muhammad Ali, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 25 September 2009;
- (x) Abdullah Noor, allegedly abducted from a clinic in Gulshan-e-Iqbal, Karachi District, by officers believed to be from an intelligence state force of Pakistan, on 15 October 2009;
- (y) Farhan Younas, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 4 August 2010;
- (z) Shakeel Ahmad, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 29 November 2012;
- (aa) Aamir, Shareef, allegedly abducted at the Shalimar train by officials believed to be from an intelligence state force of Pakistan, on 31 July 2015;
- (bb) Abdul Hameed Khan, allegedly abducted at Guljaba Kabal during curfew, by officials believed to be from an intelligence state force of Pakistan, on 17 November 2008;
- (cc) Abdul Sattar, allegedly abducted at a Mosque by officials believed to be from an intelligence state force of Pakistan, on 4 November 2015;
- (dd) Riaz Muhammad Khan, allegedly arrested by officials believed to be from an intelligence state force of Pakistan, on 23 April 2009;
- (ee) Ali Anwar Bacha, allegedly abducted from his room at the Army Unit No. 14NL1, by officials believed to be from an intelligence state force of Pakistan, on 18 December 2009;
- (ff) Muhammad Amir Baloch, allegedly arrested by four policemen, on 23 March 2013;
- (gg) Ghazi Khan, allegedly abducted in front of the Central Jail by officials believed to be from an intelligence state force of Pakistan, on 1 August 2010;
- (hh) Ghulam Qadir, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, in 2010;
- (ii) Shahid Shahzad Tahir, allegedly abducted from Ghari Shahu Pul Lahore by officials believed to be from an intelligence state force of Pakistan, on 5 July 2011;
- (jj) Hafiz Hassan Akbar, allegedly arrested by officials believed to be from an intelligence state force of Pakistan, 19 October 2015;

(kk) Hasnain Afzal Raza, allegedly arrested at the Expo Centre near Johar Town Lahore, by officials believed to be from an intelligence state force of Pakistan, on 29 November 2012;

(ll) Izzat Khan, allegedly abducted at the Ali Market in Mingora, Swat District, by officials believed to be from an intelligence state force of Pakistan, on 29 November 2012;

(mm) Shahzad Murtaza Alvi, allegedly abducted from Jakab Abad Railway Station, by officials believed to be from an intelligence state force of Pakistan, on 10 June 2007;

(nn) Sher Bahadour, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 8 November 2009;

(oo) Muhammad Safdar, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 2 April 2010;

(pp) Shah Nazar Khan, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 11 September 2008;

(qq) Masood Khan, allegedly abducted at the Muslim Abad, Hawailian, Abbotabad, by officials believed to be from an intelligence state force of Pakistan, on 29 May 2010;

(rr) Muhammad Faheem, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 15 August 2011;

(ss) Noor Syed, allegedly abducted from the Hajji Camp, Truck Adda, near the Children Hospital in Peshawar, by officials believed to be from an intelligence state force of Pakistan, on 20 June 2009;

(tt) Younas, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 7 July 2009;

(uu) Fazal Wadood, allegedly abducted by officials believed to be from an intelligence state force of Pakistan, on 29 November 2012;

(vv) Sultan Mehmood, allegedly abducted from his home by officials believed to be from an intelligence state force of Pakistan, on 7 July 2009.

## **Sri Lanka**

4. The Working Group transmitted 55 cases to the Government, concerning:

(a) Pushparasa Kanapathipillai, allegedly abducted from his home by men believed to be from the Criminal Investigation Division (CID), on 31 March 2008;

(b) Ravikumar Kandasamy, allegedly abducted by the Army after surrendering in a military controlled area at the end of the war, on 18 May 2009;

(c) Thavaseelan Selvaraja, allegedly abducted by the Manmunai Special Task Forces, on 18 March 2007;

(d) SusaiyakkobuKinsly Joseph, allegedly abducted by Sri Lankan Navy officers, on 11 May 2008;

(e) Krishnakumar Rudramoorthy, allegedly abducted by the Sri Lanka Army in the Mullaithivu District, Northern Province, on 18 May 2009;

(f) Selliah Visvanathan, allegedly disappeared after surrendering to the Sri Lankan Army, on 18 May 2009;

(g) Umopathy Pararasasingam, allegedly disappeared after surrendering to the Sri Lankan Army, on 17 May 2009;

(h) Pavanesan Punniyamoorthi, allegedly abducted by officials from the Sri Lanka Government, on 28 October 2006;

- (i) Kumuthini Punniyamoorthi, allegedly disappeared from Mullivaikal, Mullaithivu District, when it was overrun by the Sri Lanka military, on 16 May 2009;
- (j) Santhakumar Krishnapillai, allegedly abducted by the Sri Lankan Army after having surrendered, on 17 May 2009;
- (k) Rasaiya Erathanan, allegedly last seen at the Sri Lanka Army checkpoint located in Omanthai, Vavuniya District, Northern Province, on 23 June 2009, after allegedly being abducted by the Sri Lanka Army;
- (l) Anthony Kandiah, allegedly abducted by the Kitul Special Task Force at Uragamam, Batticaloa District, on 02 December 2008;
- (m) Ramana Sinnathambi, allegedly last seen at the Sri Lanka Army (SLA) checkpoint in Omanthai, Vavuniya district, on 23 May 2009, in the presence of persons wearing the SLA uniform;
- (n) Anthony Muththukaruppan, allegedly arrested by the Sri Lankan army, on 26 March 2009;
- (o) Soosathasan Anthony, allegedly disappeared in the military controlled area of Pallimunai, Mannar, on 18 May 2008;
- (p) Atputhaseelan Manuel Pathinathan, allegedly last seen with the Sri Lankan Army in Mullivaikal, on 6 January 2009;
- (q) John YogarasaNadarasa, allegedly abducted by the Sri Lanka Army in Mannar, Northern Province, on 14 August 2007;
- (r) Sevvil Marukan Satkunasingham, allegedly last seen on 10 October 2012, in Puthukudiyiruppu, Mullaithivu District, with persons dressed in Sri Lanka Army uniforms;
- (s) Kandasamy Thivichandran, allegedly arrested by Sri Lankan Army officials after surrendering on 17 May 2009;
- (t) Kellen Mary Santhiyogu, allegedly last seen with the Sri Lanka Army (SLA) in the Omanthai Army Camp;
- (u) Harry Muhunthan Thavarasa, allegedly arrested in Batticaloa by two members of the Batticaloa Police, on 3 May 2009;
- (v) Sutharsan Ramachanthiran, allegedly abducted by the Sri Lankan military in the army-controlled area of Karaiyan Mullivaikal, Mullaithivu, on 14 May 2009;
- (w) Arjun Sanmugarasa, allegedly arrested by the Sri Lankan Military after he surrendered in Mullivaikal, Mullaithivu, on 19 May 2009;
- (x) Nagalingam Mahalingam, allegedly abducted by the Sri Lankan Military in the area of Karaiyan Mullivaikal, Mullaithivu, on 14 May 2009;
- (y) Emmanuel Fernando, allegedly arrested at his house by men from the Sri Lankan military, on 21 November 2008;
- (z) Kumarasuwami Ganeshwaran, allegedly arrested by Sri Lankan military officers, on 16 May 2009;
- (aa) Paran Sanmuganathan, allegedly abducted by the Sri Lankan military, on 6 July 2009;
- (bb) Stanly Soosaiyappu Leon, allegedly abducted by suspected policemen from the Kotahena Police Station in Colombo, on 25 August 2008;
- (cc) Roshan Stanly Leon, allegedly abducted by suspected policemen from the Kotahena Police Station in Colombo, on 25 August 2008;
- (dd) Sivakaran Sivabalan, allegedly arrested by two officers of the Criminal Investigation Department (CID) from Vavuniya, at his house in Pesalai, Mannar, on 13 June 2009;

- (ee) Nitharshan Esthogupillai, allegedly arrested by the Sri Lanka Army while at the Mathalan Hospital in Suthanthirapuram, Mullaithivu, on 7 May 2009;
- (ff) Mohamed Naleer Mohamed Hakeem, allegedly abducted by Sri Lankan security forces, on 21 March 2009;
- (gg) Kirusnakumar Uruthramorththi, allegedly abducted by the Sri Lankan military after having surrendered, on 18 May 2009;
- (hh) Nalinikanth Anthonyjesuratnam, allegedly last seen after he was taken away for questioning by suspected soldiers of the Sri Lanka Army, at the Ananda Coomaraswamy IDP camp in Vavuniya District, on 25 May 2009;
- (ii) Rajeswaran Padmalingam, allegedly abducted by a white van, while he was riding a bicycle on Court Road, on 27 May 2008;
- (jj) Davalan Krishnapillai, allegedly abducted by members of the Mylanbaweli Special Task Force (STF), on 26 April 2007;
- (kk) Sathiadevan Velmurugu, allegedly last seen in the Unichchai jungle with two armed men, suspected members of the Maha Oya Special Task Force (STF), on 7 June 2008;
- (ll) Manoharan Subramaniam, allegedly abducted from his home by suspected officers from the Criminal Investigation Department (CID), on 24 March 2009;
- (mm) Jenaraj Yogaraja, allegedly abducted from his fishing boat, by the Navy, on 1 April 2009;
- (nn) Imparaja Rajakopal, allegedly abducted by an identified member of the Criminal Investigation Department (CID), on 15 February 2015;
- (oo) Gobinath Sellathurai, allegedly abducted by members of the Sri Lanka Army, on 24 April 2009;
- (pp) Jayanthy Thavapalan, reportedly last seen by relatives in October 2009, at the Padaviya Hospital, in Trincomalee District;
- (qq) Ravichanthiran Priyatharsini, allegedly last seen on 18 May 2009, at the Ramanathapuram Welfare Centre IDP camp, in Vavuniya District, Northern Province, in the custody of Sri Lanka Army personnel;
- (rr) Jevachandran Ramajah, allegedly disappeared in Mullivaikal, Mullaithivu District, on 17 May 2009;
- (ss) Gajendiran Kuperan, allegedly abducted by the Sri Lankan military, on 3 April 2009;
- (tt) Santhamary Dayasiri, allegedly last seen boarding a white bus with her two-year old son, after surrendering to the Sri Lanka Army at the Vattuvakal checkpoint, in Mullaithivu District, on 18 May 2009;
- (uu) Kalaichudar Dayasiri, a two year old boy, allegedly last seen boarding a white bus with his mother, after she surrendered to the Sri Lanka Army at the Vattuvakal checkpoint, in Mullaithivu District, on 18 May 2009;
- (vv) Mathivathani Sivagnanam, reportedly in the custody of the Sri Lanka Army at the end of the war, in 2009;
- (ww) Kaveenthran Kathiresan, allegedly last seen in the Government controlled area of Mullivaikal, Mullaithivu District, Northern Province, on 18 May 2009;
- (xx) Mathi Kanapathy, allegedly last seen at a LTTE bunker on 15 April 2009, before the LTTE surrendered to the Sri Lankan army;
- (yy) Karthika Thissaiveerasingham, allegedly last seen in June 2009 at the Vavuniya Government Hospital, in the Northern Province, reportedly under the custody of the police;

(zz) Kavitha Sivapalarasasekaram, allegedly last seen leaving the LTTE-controlled area to surrender, on 16 May 2009;

(aaa) Rasitha Sivapalarasasekaram, allegedly last seen leaving the LTTE-controlled area to surrender, on 16 May 2009;

(bbb) Kathiravel Rasaraththinam, allegedly disappeared by people in military uniform at the checkpoint in Omanthai, on 19 May 2009;

(ccc) Ratnam Ratnarajah, allegedly arrested by the Vavuniya Police, on 23 June 2009.

## **Syrian Arab Republic**

5. The Working Group transmitted 22 cases to the Government, concerning:

(a) Mahmoud Bakkar, allegedly arrested by members of the Syrian Army and the Security Forces at a checkpoint in Qatana, Rif Dimashq Governorate, on 25 December 2011;

(b) Abdel Hamid Al Salloum, allegedly arrested by members of the Syrian armed forces in Al Jabriya, Qalaat al-Madiq Nahiyah, Hama Governorate, on 20 March 2012;

(c) Abdul Rahman Al Jawalak, allegedly arrested by the Syrian Air Forces Intelligence at a checkpoint on the Maardes bridge, in Suran town, Hama Governorate, on 22 January 2012;

(d) Abdul Aziz, allegedly arrested by members of the Syrian armed forces in Al Jabriya, Nahiyah, Hama Governorate, on 20 March 2012;

(e) Ahmad Shamma, allegedly arrested by Members of the Syrian Army, the Military Intelligence Division, and other unidentified members of security forces, at a checkpoint in Tadmor roundabout, Homs, on 19 May 2013;

(f) Ahmed Al Othman, allegedly arrested on the road of Muhradah Jabriya in Hama, by members of the Air Forces Intelligence, on 30 August 2012;

(g) Abdul Aziz Bakkar, allegedly arrested by members of the Syrian Army and of the Security Forces, in his house in Al-Buwaydah al-Sharqiya, on 26 November 2011;

(h) Jassim Al Shehab, allegedly arrested at a checkpoint located in Teir Maalah, Homs governorate, by officers of the Military Intelligence Division, on 11 April 2011;

(i) Mohammad Saadouni, allegedly arrested by soldiers of the Syrian Army, Regiment No.44 (Special Unit), on 11 June 2015;

(j) Khalid Hussein, allegedly arrested at a checkpoint in Achrafieh, a neighbourhood in Aleppo, by members of the Popular Committees, which are local militias supported by the Syrian Government and merged into the National Defence force in 2012, on 14 October 2014;

(k) Samer Al Tosh, allegedly arrested by a Syrian army high officer, in Juret Al Shayah, Homs, on 3 March 2014;

(l) Majed Al Husni, allegedly arrested from his home in Homs by armed members of the political security forces of the Government, on 26 July 2015;

(m) Ahmad Swaidan, allegedly arrested by Syrian army when passing a checkpoint controlled by the Government forces in the Daraa Al Mahata neighbourhood, Daraa city, on 7 November 2014;

(n) Dima Khabazeh, allegedly arrested at the Jisr Al Shogor city water-company checkpoint, which at the time was allegedly controlled by the Army, on 5 November 2014;

(o) Tamer Abdul Rahman, allegedly arrested by armed members belonging to the political security forces of the Government when passing a checkpoint, on 8 May 2014;

(p) Mahmoud Ghandora, allegedly arrested by a patrol of military security in Idlip, when he went to collect his monthly salary, on 5 May 2014;

(q) Rabah Al Zain, allegedly arrested in the Al Saleh Al Ra Reyadiyah checkpoint barrier, in Tareeq Al Sham road in Homs city, by military security forces controlling the checkpoint, on 21 June 2015;

(r) Youssef Al Khalaf, allegedly arrested by members of the army and the security forces at the crossing checkpoint of Bustan Alqasr in Aleppo, 16 March 2016;

(s) Mahmoud Bassil, allegedly arrested at his home in Qamshili by a patrol of the State Security forces, on 14 October 2014;

(t) Hassan Masri, allegedly arrested at Ad-Dabousiyah border checkpoint between Syria and Lebanon by members of the Military Security, on 5 August 2014;

(u) Jabara Hussein, allegedly arrested by members of a patrol of the State security forces, at his shop in Qamshili, on 11 March 2014;

(v) Al Maylam Mouath, allegedly arrested by members of the military security of the Government forces in a checkpoint in Hasan Taha Street, Deir Ez-Zour city, on 11 February 2015.

## Annex II

### General allegations

#### Bangladesh

1. The Working Group received information from credible sources alleging obstacles encountered to implement the Declaration on the Protection of All Persons from Enforced Disappearance in Bangladesh.
2. The sources reported grave human rights abuses and violations committed by Bangladesh Security and Intelligence Forces as well as Law Enforcement Authorities. In particular, the Rapid Action Battalion, detective branch of the police, and the Bangladesh Directorate General of Forces Intelligence are said to be directly implicated in such abuses and violations. These violations include enforced or involuntary disappearances, arbitrary detention, extrajudicial killings and practices of torture, ill and other degrading, inhuman and cruel treatment.
3. The sources mentioned that 319 cases of disappearances in Bangladesh have been recorded in total between January 2009 and November 2016, with a substantial increase since 2013. The cases of Hummar Quader Chowdhury, Mir Ahmed Bin Quasem and Former Brigadier General Amaan Al-Azmi, respectively abducted without lawful order on 4 August, 9 August and 22 August 2016, have been highlighted by the sources as examples of hundreds, if not thousands, of such instances occurring in recent years. As of the other reported disappearances, two groups are said to be primarily targeted, namely leaders and activists of the primary opposition, the Bangladesh Nationalist Party, and student activists of the Islami Chhatro Shibir, the student wing of Bangladesh Jamaat-E-Islami party. Ordinary citizens and members of the ruling party are also said to have been targeted.
4. The sources informed that the Bangladeshi authorities refused the detainees access to a lawyer or family, have publicly denied having arrested political opponents and have systematically denied access to the complaint mechanisms or, if not denied, controlled the mechanism and further investigation, refusing to register complaints in which the words “enforced disappearance” appeared.
5. Additionally, according to the sources, the Bangladeshi Government is known to handle unlawfully arrested individuals in three ways, namely fabricating charges; dropping them across the Indian border where they are subsequently arrested as illegal migrants, or not seen again; or executing them in what is called “cross-fire shootings”.

#### Eritrea

6. The Working Group received information from credible sources alleging obstacles encountered to implement the Declaration on the Protection of All Persons from Enforced Disappearance in Eritrea.
7. According to such sources, Eritrean officials have committed crimes against humanity in a widespread and systematic manner, including enforced disappearances. It is reported that these crimes were committed in Eritrean official and unofficial detention facilities, military training camps and other locations across the country over the past 25 years for political, religious and sometimes unknown reasons. The same information shows that the exact number of people who have been subjected to enforced disappearance remains unknown.
8. People have been allegedly whisked away from the streets, mosques and workplaces by masked Eritrean security agents, either in uniform or civilian clothes driving military vehicles without license plates.

9. Some witnesses described various forms of torture inflicted on them to obtain information, to punish for alleged wrongdoings, or to create a general climate of fear. Witnesses also reported that those detained were subject to enforced disappearance and that high profile cases of enforced disappearance include:

- Former fighters of the Eritrean Liberation Front, detained in 1992;
- Jehovah's Witnesses detained in 1994;
- Muslim teachers in Keren detained in 1994;
- Members of the Afar ethnic group, detained in 1998-1999;
- The G-15 political critics and journalists detained in 2001;
- Members of Muslim community detained for protesting the appointment of a Mufti in 2007;
- Djiboutian prisoners of war detained in 2008;
- Those alleged to have participated in the attempted takeover of the Ministry of Information building at Forto, detained in 2013.

10. It is reported that despite their efforts, many witnesses have not been able to obtain official information about the fate of their relatives. Some were reportedly able to obtain information unofficially, for example, by bribing a prison guard or from released fellow detainees.

11. Information received indicates that enforced disappearances have had a particular impact on wives, mothers and children of the disappeared. It is reported that they are threatened or subjected to actual detention if they continue to seek from government authorities the establishment of the whereabouts of their husbands and fathers.

12. It is reported that gross violations of human rights continue to occur in the country and that almost all arrested were detained in violation of fundamental rules of international law.

## **Indonesia**

13. The Working Group received information from credible sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Indonesia.

14. The sources report that no case of enforced disappearances has been solved by the government since former President Suharto stepped down in 1998. According to the sources, current President Joko Widodo's administration has yet to show seriousness and willingness to tackle the problem. On the contrary, the sources argue that President Widodo is seeking the support of Retired Army Lieutenant General Prabowo Subianto, who was dismissed from military service due to his alleged involvement in the abduction and enforced disappearances of 23 student activists in 1997-1998.

15. According to the sources, out of the 23 activists kidnapped, nine persons resurfaced, one activist was found dead, and 13 activists are still missing. However, no criminal prosecution has taken place against Prabowo Subianto and other high commanders. Prosecution that was carried out against 11 members of the special armed forces, Team Mawar, was only concerning the abduction of the nine student activists, who returned alive. No trial has been initiated concerning the enforced disappearances of the 13 student activists. Furthermore, the sources report that of the 11 members of Team Mawar who were convicted in the military court, some of them were promoted to higher positions and rank after a few years. Additionally, the sources inform that the President has not implemented the legally binding recommendations on the case of enforced disappearances of the student activists in 1997-1998 that the Parliament issued in 2009.

16. The source further reports the case of enforced disappearance of Dedek Khairudin to illustrate the insufficient efforts of the Government in this area. Mr. Khairudin was forcibly

taken by Navy personnel from his home on 28 November 2013. The sources informed that only six Navy personnel have been prosecuted and convicted with light sentences, and none of the higher commanders has been indicted. The sources argue that the Government has not demonstrated a serious commitment in locating him. No adequate compensation has been provided for the victim's family either.

### **Iran (Islamic Republic of)**

17. The Working Group received information from credible sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Islamic Republic of Iran.

18. The source asserts that throughout the 1980s, the Iranian authorities detained, tortured, disappeared and killed thousands of people for their political opinions or religious beliefs. The killings reached the highest levels in August and September 1988 when the authorities implemented a plan to eliminate political prisoners across the country. In just a few weeks, an estimated 5,000 political prisoners were rendered incommunicado, executed in secret and without trial, and dumped in unmarked individual and mass graves. Reportedly, the victims' families were not informed about the fate of their loved ones.

19. From late 1988 onwards, the source reports, the authorities informed the families that their relatives had been executed, although the timing and details differed depending on the city. However, the bodies were never returned for proper burial. Nor did Government provide any concrete information about the circumstances of or reasons for the executions or the place of burial.

20. Three decades later, according to the source, there is still little information about the number and location of the graves. Existing research has identified 74 potential mass grave locations across Iran.

21. These locations, the source reports, are scattered across 21 provinces and 40 cities. Twenty-nine of the suspected mass graves are apparently in the outskirts of cemeteries and areas that were, at the time of the executions in 1988, disused and away from frequently visited areas. However, in many cases, the source alleges, with the passage of years and as the cemeteries have become more populous, the distance between the individual cemetery plots and the mass graves in the outskirts has decreased or in some cases completely disappeared. Other sites of suspected mass graves, according to the source, have been identified in the deserted outskirts of cities and in forests, gardens, recreational centers and prison courtyards.

22. The source submits that it has been able to confirm the locations of 10 mass graves. It is further asserted that Iranian authorities have concealed evidence of four identified mass graves. These graves are in or near Mashhad's Behesht Reza Cemetery in north-eastern Khorasan province, Rasht's Tazeh Abad Cemetery in northern Gilan province, Ahwaz's Behesht Abad Cemetery in southern Khouzestan province, and Khavaran in south-east of capital city, Tehran. It is alleged that techniques deployed to conceal evidence of mass graves include: repeated bulldozing; turning the sites of mass graves into stinking and unsightly garbage dumps; hiding the location of mass graves beneath new, individual burial spots; pouring concrete over mass graves; and forbidding families and members of the public from dignifying the sites of mass graves, including through erecting monuments and gravestones or adorning the sites with flowers, pictures, plaques and loving messages.

23. According to the source, in addition to destroying the physical evidence of mass graves, the Iranian authorities have adopted various practices to erase traces of extra-judicial executions and suppress the truth, including the exact number and identity of the victims and the identity of perpetrators. Allegedly, the authorities have excluded the names of those executed in 1980s from public death and burial records. In Tehran, the source reports, the families of some of the 1988 execution victims have repeatedly requested access to the death and burial records maintained by Behesht Zahra Organization, which is responsible for collecting such data. The organization has refused to supply any information

in writing. In some cases, however, staff has informed the families verbally that their relatives are buried in Khavaran.

24. The authorities, the source maintains, have also misrepresented the cause of death on victims' death certificates. Reportedly, the sources have obtained copies of 18 death certificates. Only three of them mention 'execution' or 'hanging' as the cause of death. In three death certificates entry about the cause of death has been left blank. The remaining 12 death certificates, the source claims, misrepresent the cause of the death of prisoners executed in 1980s. Three of the certificates cite "death" (fo't) as the cause of death; four refer to "death by natural causes" (marg-e tabiee); and three attribute death to illness such as bleeding or stroke. One certificate claims that the executed political prisoner died of "a car accident" and one mentions "natural causes in his house" as the cause of death.

25. A number of families, according to the source, have informed that due to a practice of deliberate misrepresentations, they have never applied for a death certificate. Others, the source alleges, have accepted inaccurate death certificates for practical needs.

## Annex III

### **Reply from the Government of Egypt concerning the general allegations received by the Working Group on Enforced or Involuntary Disappearances concerning the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Egypt**

*(Translated from Arabic)*

1. Egypt is contending with malicious attacks based on false information designed to harm the country and tarnish its image abroad. There is no cogent evidence of cases of enforced disappearance in Egypt, since such acts constitute an offence under Egyptian law entailing severe penalties. The allegations contained in the communication from the Working Group are bereft of evidence. They are simply unfounded statements. The State authorities are subject to regulations and to a binding judicial system that cannot be breached. Hence there are clearly no cases of enforced disappearance in the Arab Republic of Egypt against which the Government would be required to take action.
2. Article 99 of the Constitution stipulates that: “Any assault on the personal freedoms or sanctity of the life of citizens, or on other general rights and freedoms guaranteed by the Constitution and the law, is a crime with no statute of limitations applicable to either civil or criminal proceedings. The injured party may file a direct criminal suit. The State shall guarantee fair compensation for those who have been assaulted. The National Council for Human Rights shall inform the Public Prosecutor’s Office of any violation of such rights, and shall also be entitled to provide support for the injured party in civil proceedings at its request, in accordance with the law.”
3. Article 59 of the Constitution stipulates that: “Every person has the right to a secure life. The State shall provide security and reassurance for its citizens and for all persons residing within its territory.” Article 54 stipulates that: “Personal freedom is a natural right that shall be protected and may not be infringed. Apart from cases of flagrante delicto, it is not permissible to arrest, search, detain or in any way restrict the freedom of anyone without an order substantiated by the needs of the investigation. Every person whose freedom is restricted shall be immediately notified of the grounds therefor, shall be informed in writing of his or her rights, shall be permitted to contact his or her relatives and lawyer, and shall be brought before the investigating authority within 24 hours of the time of restriction of his or her freedom. The process of interrogation shall not begin until his or her lawyer is present. A lawyer shall be assigned to persons who do not have one. The requisite assistance shall be provided to persons with disabilities in accordance with the legally prescribed procedures. Anyone whose freedom is restricted, as well as other persons, shall have the right to file a complaint before the court against that measure. A decision on the complaint shall be taken within one week of the date of the said measure; otherwise, the person shall be released immediately. The rules and duration of pretrial detention and the grounds therefor shall be specified, as well as the circumstances in which damages shall be payable by the State in respect of pretrial detention or enforcement of a penalty imposed by a judgment that was subsequently set aside by a final judgment. It is not permissible, under any circumstances, to try an accused person for offences punishable by imprisonment unless a lawyer, appointed by the accused or assigned by the court, is present.”
4. Article 127 of the Code of Criminal Procedure stipulates that: “Any order for pretrial detention shall contain the suspect’s name, surname, occupation and place of residence as well as the charge against him, the legal provisions applicable to the situation, the date on which the order was issued, the signature of the person who issued it, namely the investigating judge or the public prosecutor, and the official stamp of the office of the public prosecutor or of the court, depending on the circumstances.”
5. Article 143 of the Code of Criminal Procedure stipulates that: “The period of pretrial detention shall not exceed three months unless the accused has been referred to the

competent court before the end of that period. In such cases the office of the public prosecutor shall issue a detention order within not more than five days of the date of notification of referral to the competent court, with a view to complying with the provisions of article 151 (1) of this Code. Otherwise the accused shall be released. If the charge against him or her constitutes a felony, the period of pretrial detention shall not exceed five months, unless the competent court issues an order prior to the expiry of that period extending the detention for not more than 45 days. Such an extension shall be renewable for one or more periods. Otherwise the accused shall be released.”

6. In no case may the period of pretrial detention during the preliminary investigation and subsequent stages of the criminal proceedings exceed one third of the maximum penalty for the offence. It should not exceed six months in respect of misdemeanours, eight months in respect of felonies, and two years in cases where the penalty prescribed for the offence is life imprisonment or the death penalty. The foregoing refutes allegations of unlawful deprivation of liberty by national law enforcement agencies or individuals and demonstrates that all cases are subject to serious investigations. Furthermore, the use of any form of torture or violence against individuals constitutes an offence under all Egyptian legislation.

7. The Egyptian Constitution affirms the right of all persons to dignity and stipulates that the crime of torture is not subject to the statute of limitations. According to article 51 of the Constitution, dignity is an inalienable right of every person and the State is required to respect and protect it.

8. Article 55 of the Constitution stipulates that: “Any person who is apprehended, detained or has his or her freedom restricted shall be treated in a manner that preserves his or her dignity. He or she may not be tortured, terrorized or coerced and may not be physically or mentally harmed. He or she shall be detained or imprisoned in designated locations that comply with humanitarian and health standards. Any violation of the aforementioned requirements shall constitute an offence and the perpetrator shall be punishable by law. The accused shall have the right to remain silent. Any statement that is proven to have been made by the detainee under any of the above-mentioned forms of duress, or the threat of such duress, shall be considered null and void.”

9. It should be noted that Egypt signed the Convention against Torture pursuant to Republican Decision No. 154 of 1986 and published in Official Gazette No. 1 of 7 January 1988. The Convention was thus incorporated in domestic law and the State is required to abide by its provisions. It follows that all the aforementioned allegations made against Egypt are baseless and inadmissible pursuant to the legislation cited above.

### **Reply from the Government of Colombia concerning the general allegations received by the Working Group on Enforced or Involuntary Disappearances concerning the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Colombia**

*(Original in Spanish)*

1. De otra parte, el Estado colombiano pone en conocimiento del Honorable Grupo de Trabajo, la información allegada por parte de la Comisión de Búsqueda de Personas Desaparecidas - CBPD, mediante oficio CBPD No. 2016-1055 de fecha 3 de agosto de 2016, en el que se refiere a tres aspectos en particular, siendo estos los siguientes: 1. Consideraciones Generales sobre las tareas institucionales en los casos de presuntas desapariciones forzadas. 11. Medidas adoptadas por la CBPD para combatir la desaparición forzada de mujeres en Colombia en determinación de su paradero, aplicando el enfoque diferencial. 111. Medidas que otras instituciones han adoptado para asegurar la adecuada reparación de mujeres desaparecidas desde una perspectiva de género.

#### **i. CONSIDERACIONES GENERALES**

2. Sobre el primer aspecto mencionado por la CBPD, respecto a las consideraciones generales sobre las tareas institucionales, señala que su objetivo es el de “*apoyar y promover las investigaciones en contra de este delito, con el pleno respeto de las competencias institucionales y de las facultades de los sujetos procesales (...). Las actuaciones propias de la investigación del delito permanecen de manera autónoma e independiente dentro del ámbito de las competencias exclusivas de la Fiscalía General de la Nación*”.

#### ii. MEDIDAS ADOPTADAS POR LA CBPD PARA COMBATIR LA DESAPARICIÓN FORZADA DE MUJERES EN COLOMBIA Y DETERMINACIÓN DE SU PARADERO

3. La CBPD ha realizado importantes contribuciones a la lucha contra del delito de desaparición forzada en el país. “*si bien los mecanismos institucionales diseñados e implementados por la gestión de la Comisión para combatir el flagelo no fueron concebidos bajo un estricto enfoque diferenciador de género; sí han constituido avances decisivos para hacer frente de una mejor manera a la desaparición forzada de personas, sin factores de discriminación; esto es sin distinción alguna en razón de género, orientación sexual, edad, ocupación, posición social, ideología política y/o credo religioso (...)*”.

4. La Comisión ha elaborado el Proyecto de Ley Estatutaria que “*(...) precisa el procedimiento, ejecución y alcances del Mecanismo de Búsqueda Urgente; lo que daría origen a la Ley Estatutaria 971 de 2005. Esta disposición permite a cualquier ciudadano, particular o funcionario público, solicitar ante cualquier Juez o Fiscal del país, aquel que considere más conveniente, la activación del Mecanismo para que de manera inmediata la autoridad judicial disponga de todas /as actuaciones que se requieran para encontrar cuanto antes, con vida y sin menoscabo en su integridad física y moral a la persona reportada como desaparecida, y así evitar que en su contra se produzca el delito de desaparición forzada*”. En la primera etapa del mecanismo propuesto el cual está integrado por la solicitud y las actividades que efectúa la autoridad judicial, se documenta información detallada de la persona que se ha reportado como desaparecida para emprender acciones efectivas que permitan dar con su localización. En caso de ser mujer, se da una especial atención a la estrategia de búsqueda para encontrarla viva sin generarle ninguna afectación.

5. La CBPD también destaca la formulación del Plan Nacional de Búsqueda de Personas Desaparecidas, definido como el “*conjunto de instrucciones operativas detalladas, dirigidas a los funcionarios que, en las distintas entidades, deben actual, con el objetivo de encontrar con vida y sin menoscabo en su integridad a las personas desaparecidas. De no ser posible lo anterior, para localizar el cuerpo de la persona desaparecida, recuperarlo, identificarlo plenamente, entregarlo dignamente a sus familiares y garantizar que adelanten libremente su duelo según sus costumbres y creencias*”.

6. Por su parte, el instituto Nacional de Medicina Legal y Ciencias Forenses (INMLyCF) quien también ha asumido las funciones de la Secretaría Técnica de la Comisión de Búsqueda, realizó en el 2015 la consolidación del capítulo “*El fenómeno de la desaparición forzada de mujeres en Colombia. La desaparición forzada de mujeres: otra violencia basada en género*”, en la que se presentaron cifras históricas entre 1938 y 2014. La actividad se llevó a cabo, con ocasión de las medidas de divulgación de información relacionadas con la búsqueda de personas desaparecidas.

7. Adicionalmente, el INMLyCF realiza entrevistas forenses para identificar, documentar expedientes, cruzar referencias entre las personas que han desaparecido y los cadáveres que no han sido identificados, y hace efectivos estudios multidisciplinarios de los cuerpos exhumados o inspeccionados por los organismos de policía judicial, según sean las gestiones hechas por la Fiscalía General de la Nación. Se hace preciso informar que, según reportes proporcionados por la institución, de las 31.305 mujeres que se han reportado como desaparecidas, 737 han sido halladas fallecidas y 12.639 han sido halladas con vida, por lo que el Estado ha mostrado respuesta a la problemática al 42.7% de los casos.

#### iii. MEDIDAS DE REPARACIÓN INSTITUCIONAL EN CASOS DE DESAPARICIÓN FORZADA

8. Es preciso señalar ante el Honorable Grupo de Trabajo, las labores que las instituciones realizan para asegurar la reparación adecuada de las víctimas de desaparición forzada. Se resalta el Protocolo Interinstitucional para la Entrega Digna de Cuerpos sin vida de Personas Desaparecidas de la Comisión de Búsqueda de Personas Desaparecidas, elaborado conjuntamente con víctimas de este delito en el país, el cual fija los principios y procedimientos para que las autoridades competentes investiguen, exhumen e identifiquen los cuerpos de conformidad con los estándares nacionales e internacionales, dando un enfoque humano y respetuoso a las víctimas.

9. Entre los principios que rigen el protocolo se resalta la aplicación del enfoque diferencial para que se tengan en cuenta las características de la víctima, priorizando la condición de la mujer.

10. Por su parte, la Unidad de Atención y Reparación Integral a las Víctimas, en cuanto a la implementación de las medidas de satisfacción para víctimas de desaparición forzada y sus familiares, no aplica una perspectiva diferencial de género. Su metodología es igualitaria tanto para hombres como para mujeres según sea su orientación sexual e identidad. Esto en concordancia con las iniciativas de memoria y reparación simbólica propuestas por las organizaciones de los familiares que han sido objeto de este flagelo.

11. Asimismo, las autoridades del orden nacional, en aplicación del artículo 139 de la Ley de Víctimas y Restitución de Tierras y del Decreto 303 del 20 de febrero de 2015 y el marco de la Semana de los Detenidos Desaparecidos y del Día Internacional de los Desaparecidos, realiza homenajes públicos a través de conferencias y talleres para fomentar la reflexión sobre el derecho a la memoria, la verdad, la vida y el respeto de los derechos humanos de las víctimas de desaparición forzada. El procedimiento que se sigue para este tipo de actividades es la concertación con los familiares en la que se reciben propuestas de las acciones a realizar en conmemoración de este día.

12. En lo que respecta a la entrega de cadáveres, el procedimiento está regido por la perspectiva diferencial de mujeres y género, con especial énfasis en los familiares del género femenino que participan en la entrega del cuerpo, el cual se hace respetando la dignidad de las víctimas de desaparición forzada y homicidio

13. Es de señalar, que respecto a los casos referidos las instituciones están recopilando la información necesaria por lo que tan pronto se tenga el insumo correspondiente, estaremos rindiendo el informe requerido, especialmente en los tres casos puntuales a los que se hace referencia en la nota recibida.

14. El Estado colombiano reitera ante el Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias, su disposición en continuar implementando estrategias que contribuyan a localizar a las personas que han desaparecidos en diferentes circunstancias, formulando nuevas estrategias de reparación a las víctimas y sus familias, siempre respetando la dignidad de los afectados y priorizando las condiciones vulnerables de las víctimas en aplicación del enfoque diferencial.