



Organization: Lawyers' Rights Watch Canada  
Item 3: Interactive Dialogue with the Working Group on enforced disappearances  
Date: 16 September 2024  
Speaker: Catherine Morris

Oral Statement to the 57<sup>th</sup> Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), and the International Bar Association, NGOs in special consultative status, and endorsed by Peacemakers Trust, NGO without consultative status

### **Towards universal implementation of the Convention against Enforced Disappearance**

Mr. President,

Lawyers' Rights Watch Canada and International Bar Association's Human Rights Institute note the Working Group's report of 48,619 enforced disappearances in over 100 States.<sup>1</sup> This appalling number does not include enforced disappearances that are not brought to the Working Group's attention.

The crime of enforced disappearance, whether prolonged or temporary,<sup>2</sup> often occurs in the context of arbitrary detention of human rights lawyers and defenders, journalists, and dissidents, including those who defend land and environmental rights and Indigenous Peoples' rights.<sup>3</sup> We welcome the Working Group's plan to devote its next thematic report to enforced disappearances of people in the context of their defence of land, natural resources and the environment.

Given the massive, global scope of this crime, it is deplorable that the *Convention for the Protection of all Persons from Enforced Disappearances*<sup>4</sup> has only 78 States Parties. This is despite urging by the Secretary General,<sup>5</sup> Special Procedures,<sup>6</sup> and regular consensus resolutions of the General Assembly.<sup>7</sup>

We urge all Council members and observer States to ratify the Convention and to ensure that its definition of enforced disappearance in Article 2 is incorporated into forthcoming draft articles of the convention on the prevention and punishment of crimes against humanity.

Finally, we urge all States to fulfil their UN financial obligations to end the liquidity crisis<sup>8</sup> that has impeded the Working Group and other Special Procedures.

Thank you.

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<sup>1</sup> Enforced or involuntary disappearance - Report of the Working Group on Enforced or Involuntary Disappearances, 26 July 2024, A/HRC/57/54, <https://undocs.org/en/A/HRC/57/54>.

<sup>2</sup> WGEID, A/HRC/16/48/Add.3, 28 December 2010, <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/HRC/16/48/Add.3&Lang=E>, CED, WGEID, 30 August 2016, <https://www.ohchr.org/en/press-releases/2016/08/every-minute-counts-un-experts-raise-alarm-over-short-term-enforced>; Peacemakers Trust, LRWC, et al, 14 August 2023, [https://www.lrwc.org/wp-content/uploads/2023/08/PeacemakersTrust.Input\\_CED\\_WGEID\\_Short-Term.EID\\_15Aug2023.pdf](https://www.lrwc.org/wp-content/uploads/2023/08/PeacemakersTrust.Input_CED_WGEID_Short-Term.EID_15Aug2023.pdf), <https://www.lrwc.org/enforced-disappearances-every-minute-counts-joint-submission-to-two-un-bodies/>.

<sup>3</sup> The Global Problem of Enforced Disappearances: “Outside All Protection of the Law,” Written statement submitted by Lawyers' Rights Watch Canada, a non-governmental organization in special consultative status, A/HRC/54/NGO/83, 23 January 2024, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/54/NGO/83&Lang=E>. See the annex noting enforced disappearance in 17 countries at <https://www.lrwc.org/enforced-disappearances-outside-all-protection-of-the-law-hrc54/>.

<sup>4</sup> *International Convention for the Protection of All Persons from Enforced Disappearance*, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>.

<sup>5</sup> Guterres calls for end to ‘atrocious crime’ of enforced disappearances, UN News, 30 August 2023, <https://news.un.org/en/story/2023/08/1140217>.

<sup>6</sup> OHCHR, Victims of enforced disappearances need urgent responses and concerted action, forthcoming World Congress offers unique opportunity, experts say, International Day of the Victims of Enforced Disappearances - 30 August 2024, <https://www.ohchr.org/en/statements/2024/08/victims-enforced-disappearances-need-urgent-responses-and-concerted-action>

<sup>7</sup> E.g. United Nations General Assembly, A/RES/78/207, 22 December 2023, <https://www.undocs.org/A/RES/78/207>.

<sup>8</sup> A/HRC/57/54, supra note 1, at para 33.