

Human Rights Council

1st Session – Geneva 27 June 2006

Item of the agenda: Report from the Working Group on a
draft legally binding normative instrument for the protection
of all persons from enforced disappearances

JOINT STATEMENT

**LATIN AMERICAN FEDERATION OF ASSOCIATIONS FOR RELATIVES OF THE
DETAINED-DISAPPEARED (FEDEFAM), INTERNATIONAL COMMISSION OF JURISTS,
INTERNATIONAL FEDERATION ON HUMAN RIGHTS, HUMAN RIGHTS WATCH,
INTERNATIONAL SERVICE FOR HUMAN RIGHTS AND AMNESTY INTERNATIONAL**

Distinguished President of the Human Rights Council, Delegates and Representatives,

The enforced disappearance of people is one of the most heinous human rights violations and constitutes a crime under international law. The victim, deprived of all of his or her rights and placed thereby outside the protection of the law, is relegated to a situation of total vulnerability at the hands of the perpetrators of the crime. Enforced disappearance constitutes a grave offence to human dignity. Its practice inflicts severe suffering on the relatives and friends of the disappeared person. Eternal waiting and total uncertainty about his or her return, fate and whereabouts constantly torture their loved ones. The abduction of children of parents subjected to enforced disappearance, or born during the captivity of their mothers is most shameful, and constitutes a flagrant denial of human dignity. The practice of enforced disappearance violates the basic principles of the rule of law and the very concept of humanity itself.

Since 1981, associations of relatives of disappeared persons, non-governmental organizations, governments and international organizations have undertaken continuing and indefatigable efforts for the adoption by the United Nations of an international treaty against enforced disappearances in order to tackle this heinous and inhuman affliction. The first successful step forward was the adoption in 1992 of the *United Nations Declaration on the Protection of All Persons from Enforced Disappearance*. In September 2005, an Open-Ended Working Group, mandated by the Commission on Human Rights to draft an international legally binding instrument against disappearances, successfully concluded its negotiations and approved, by *consensus*, the draft of the *International Convention for the Protection of All Persons from Enforced Disappearances*. This project will now be under consideration by the United Nations Human Rights Council.

This Convention fills an immense gap in the international legal framework which is the lack of an international treaty to prevent and suppress this international crime and most serious violation of human rights. The Convention will not only become an effective legal tool of the international community in its struggle against enforced disappearances, but also represents a basically political message that this odious practice will no longer be tolerated and must be suppressed.

Therefore our organizations call the Human Rights Council to give the highest priority to the approval of the *International Convention for the Protection of All Persons from Enforced Disappearance* during its first session, so that it can be sent to the General Assembly for final adoption this year. The Human Rights Council will, thereby, not only greatly contribute to the struggle against enforced disappearances, but also strengthen its own mandate and show its firm determination to promote and protect human rights.