

general activities carried out by the Government of Spain with regard to the victims of the civil war and the dictatorship.

489. In the third communication, the Government submitted information concerning four outstanding cases, one of which was under the six-month rule. The information provided was not considered sufficient to lead to the clarification of the remaining cases. In addition, the Government requested additional information about the newly-reported case.

Information from sources

490. Sources provided information concerning one outstanding case.

Clarification

491. Following the expiration of the period prescribed by the six-month rule, the Working Group decided, at its ninety-fourth session, to clarify one case.

Total cases transmitted, clarified and outstanding

492. Since its establishment, the Working Group has transmitted five cases to the Government; of those, one has been clarified on the basis of information provided by the Government and four remain outstanding.

Sri Lanka

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 59		Cases clarified during the period under review: 0		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
5,653	0	59	0	0	5,671 ^j
Number of cases on which the Government has replied		Multiple replies on some cases		Number of cases of possible clarification by Government (6-month rule)	
0		N/A		0	
Urgent appeal		N/A	Government response		N/A
General allegation		Yes	Government response		No
Prompt intervention letter		Yes	Government response		No
Working Group request for a visit		Yes	Invitation extended		No

Standard procedure

493. The Working Group transmitted 59 newly-reported cases to the Government. The cases concerned Messrs. **Jagajeesan Arulbaskaran; Selvachandran Athinarayanapillai; Rajeevkanth Chandrasegaram; Saviriyen Milroy Coonghe; Soosaiappu Victor Croos; James Kumar Ronald Fernando; Govindarasa Govindarasa Kirupaharan;**

^j 41 cases were found to be duplicated cases and were therefore deleted.

Mahalingam Janarthan; Christy Milan Joseph; Thevadas Joseph Thevadas; K. P. Sureshkumar; Raveendra Premaratna; Vinoja Kalimuththu; Kavinthan Kanagalingam; Ramakrishna Kandasamy; Sivaranjana Krishnakumar; Nirusan Mahenthiram; Balasundaram Manuel; Dharmaraj Marathan; Dineshkumar Marathan; Suthasuran Markkandu; Ruban Mathiyas; Tharmakulasingham Mauran; Uthayakumar Muruga Moorthy Uthayakumar; Nathikkumar Nagalingam; Umakanthan Nagarasa; Yogaratnam Naren; Anthanan Paranthaman; Tharshika Pathmanathan; Sivapalan Perumal; Gurumoorthy Ponnampalam; Thangamuttu Ponnampalam; Sivaratnam Premnath; Logeswaran Rajenthiran; Manokaran Ramesh Kumar; I.A. Ranjithkumar; Punitharuban Rasaiyah; Subajini Rasamuththu; Seenithamby Sanithirasekeran; Rajenthiran Segar; Jeyakanthan Sellamuthu; Dineshkumar Shanmugavel; Jeevachandran Sinhaharaya; Richard Emmanuel Sinhaharaya; Kanagalingam Sinnathamby; Sasitharan Sinnaththurai; Kavithasan Sivanu; Subarajtha Suntharalingam; Vijayabaskaran Thanapalasingam; Rajakulasingam Thangarasa; Thangarasa-Ragu Thangarasa-Ragu; Jeykumar Tharmalingam; Kalaisudar Thayasri; Santhamary Thayasri; Swaminathan Thayasri; Anthony Godwin Theenu; Rajagopal Veeran; Ganeswaran Veluchchami; and Yogarasa Yoganatham. The majority of these persons allegedly disappeared in 2009, in Mullaitivu.

Prompt intervention

494. On 23 August 2011, the Working Group, together with three other Special Procedures mechanisms, sent a prompt intervention letter to the Government regarding alleged threats against individuals, including relatives, related to the case of Mr. **Pattani Razeek**, a human rights defender who was reportedly disappeared and killed.

General allegations

Summary of the general allegation

495. Information was submitted by sources concerning obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Sri Lanka during the last phase of the war against the Liberation Tigers of Tamil Eelam from 2006 until 2009. This information was transmitted to the Government on 4 May 2011, after the Working Group's ninety-third session.

496. The source informed the Working Group about serious allegations of human rights violations in the Northern Province of Sri Lanka, in particular the Mannar district. Allegations were that enforced or involuntary disappearances, as well as other serious human rights violations, including arbitrary detentions, torture, extrajudicial killings, rapes and other forms of sexual violence, discrimination based on religion or belief and ethnic origin, as well as serious limitations to the exercise of other civil and political and economic, social and cultural rights, occurred.

497. According to sources, more than 500 persons disappeared in the Jaffna district between January and August 2007. Similarly, information was received that approximately 100 people disappeared in the Mannar district between 2008 and 2009.

498. Allegations were made about the absence of impartial investigations, prosecution, trial and sentence of alleged perpetrators of human rights violations. According to the sources, existing mechanisms such as police and existing human rights commissions, among others, have proved unable to assist the families of the victims of enforced or involuntary disappearances in their search for their beloved ones. It was alleged that families did not have access to relevant information and that there was no centralised list of detainees in each detention centre to which relatives could refer.

499. Sources also reported that there was a lack of substantial progress on the several reconciliation initiatives that were set, which have allegedly failed to provide the victims with answers on the fate and whereabouts of the disappeared and to provide accountability of alleged perpetrators of human rights violations; among other obligations incumbent upon States where enforced or involuntary disappearances have occurred. In this connection, it was alleged that few had been prosecuted, subjected to trial and sentenced, despite the almost three years that have elapsed between the end of the war against the Liberation Tigers of Tamil Eelam.

500. Sources alleged that there was a lack of transparency in the practice of various commissions of inquiry, the lack of public character of their reports and the denial of their access to the victims, families and civil society.

501. No response was received from the Government regarding this general allegation.

Information from the Government

502. On 7 July and 2 September 2009, the Government submitted two communications in which it provided two lists with a total of 459 possible duplicate cases. During its eighty-ninth session, the Working Group reviewed 171 cases and concluded that they were duplicates and therefore they were deleted from its records. During its ninety-fifth session, the Working Group continued reviewing these cases and concluded that 41 were also duplicates and decided to also delete them from its records. For the remaining cases, the Working Group continues to check the original submissions.

503. No communications concerning outstanding cases were received during the reporting period.

Request for a visit

504. On 16 October 2006, the Working Group requested the Government of Sri Lanka to extend an invitation to undertake a mission to the country. The Government replied that it would not be possible to schedule a visit during the proposed dates, and that the interest of the Working Group would be given due consideration. Reminder letters were sent on 20 July 2009, 16 August 2010 and 20 July 2011.

Total cases transmitted, clarified and outstanding

505. Since its establishment, the Working Group has transmitted 12,460 cases to the Government; of those, 40 cases have been clarified on the basis of information provided by the source, 6,535 cases have been clarified on the basis of information provided by the Government, 214 cases were found to be duplications and were therefore deleted, and 5,671 remain outstanding.

Observations

506. The Working Group has been able to deal with most of the backlog concerning Sri Lanka; however, a considerable number of cases have been received during the reporting period but have not yet been dealt with because of a lack of resources. The Working Group hopes to deal with these cases as soon as possible.

507. The Working Group reminds the Government of its obligations under the Declaration towards the families of the disappeared.

508. The Working Group regrets that no response has been received to the general allegation transmitted on 4 May 2011.

Annex III

Decisions on individual cases taken by the Working Group during the reporting period

States	Cases which allegedly occurred during the reporting period	Cases transmitted to the Government during the reporting period		Clarification by:				
		Urgent actions	Normal actions	Government	Non-governmental	Closed cases	Discontinued cases	
					sources			
Algeria	0	0	0	37	0	0	0	0
Angola	0	0	0	0	0	0	0	3
Argentina	0	0	0	0	3	0	0	0
Bahrain	2	2	2	0	0	2	0	0
Bangladesh	2	2	2	0	0	0	0	0
Chad	0	0	0	0	0	7	0	0
China	2	2	2	0	0	1	0	0
Colombia	0	0	0	18	5	0	0	0
Democratic People's Republic of Korea	0	0	0	3	0	0	0	0
Egypt	2	2	2	3	0	0	0	0
Honduras	2	2	2	0	0	0	0	0
India	2	2	2	0	16	1	0	0
Iran (Islamic Republic of)	4	4	4	0	0	1	0	0
Iraq	1	1	1	2	1	0	0	0
Lebanon	0	0	0	1	0	0	0	0
Libya	1	1	1	0	0	0	0	0
Mexico	31	31	31	45	0	4	0	0
Morocco	7	7	7	3	3	1	0	0
Myanmar	1	1	1	0	0	0	0	0
Pakistan	2	2	2	3	10	0	0	0
Philippines	0	0	0	1	0	0	0	0
Spain	0	0	0	1	1	0	0	0

States	Cases which allegedly occurred during the reporting period	Cases transmitted to the Government during the reporting period		Clarification by:			
		Urgent actions	Normal actions	Government	Non-governmental	Closed cases	Discontinued cases
					sources		
Sri Lanka	0	0	59	0	0	0	0
Syrian Arab Republic	11	11	10	1	1	0	0
Thailand	2	2	0	1	0	0	0
Tunisia	0	0	1	0	0	0	0
Turkey	0	0	0	1	0	0	0
Ukraine	0	0	0	1	0	0	0
United Arab Emirates	1	1	0	1	0	0	0
Yemen	0	0	1	0	1	0	0

Annex IV

Statistical summary: cases of enforced or involuntary disappearances reported to the Working Group between 1980 and 2011

States/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification				
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	Discontinued cases	Closed cases
	Cases	Female	Cases	Female							
Afghanistan	3	-	3	-	-	-	-	-	-	-	-
Albania	1	-	1	-	-	-	-	-	-	-	-
Algeria	2987	19	2960	18	9	18	9	10	8	-	-
Angola	10	1	-	-	7	-	-	-	7	3	-
Argentina ^a	3449	773	3285	738	110	52	28	5	129	-	-
Bahrain	5	-	1	-	-	4	2	2	-	-	-
Bangladesh	7	2	6	1	1	-	1	-	-	-	-
Belarus	3	-	3	-	-	-	-	-	-	-	-
Bhutan	5	-	5	-	-	-	-	-	-	-	-
Bolivia (Plurinational State of)	48	3	28	3	19	1	19	-	1	-	-
Brazil	63	4	13	-	46	4	1	-	49	-	-
Bulgaria	3	-	-	-	3	-	-	-	3	-	-
Burkina Faso	3	-	-	-	3	-	-	-	3	-	-
Burundi	53	-	52	-	-	1	1	-	-	-	-
Cambodia	2	-	-	-	-	-	-	-	-	2	-
Cameroon	19	-	14	-	5	-	4	1	-	-	-
Chad	34	-	23	-	3	8	9	1	1	-	-
Chile ^b	908	65	806	64	78	23	2	-	99	-	-

^a The Working Group determined that two cases were duplicated and were subsequently eliminated from its records.

^b The Working Group determined that one case was duplicated and was subsequently eliminated from its records.

Somalia	1	-	1	-	-	-	-	-	-	-	-
Spain	5	-	4	-	1	-	-	-	1	-	-
Sri Lanka ^e	12460	155	5671	87	6535	40	103	27	6445	-	-
Sudan	383	37	174	5	205	4	208	-	-	-	-
Switzerland	1	-	-	-	1	-	-	-	-	-	-
Syrian Arab Republic	82	3	41	3	14	27	19	16	6	-	-
Tajikistan	8	-	6	-	-	2	1	-	1	-	-
Thailand ^f	62	5	55	5	2	-	1	1	-	2	-
Timor-Leste	504	36	428	28	58	18	50	23	2	-	-
Togo	11	2	10	2	-	1	1	-	-	-	-
Tunisia	19	1	2	-	12	5	1	16	-	-	-
Turkey	182	11	60	2	72	49	71	24	26	1	-
Turkmenistan	3	-	1	-	2	-	-	2	-	-	-
Uganda	22	4	15	2	2	5	2	5	-	-	-
Ukraine	5	-	3	-	2	-	1	-	1	-	-
United Arab Emirates	7	-	5	-	2	-	2	-	-	-	-
United Kingdom of Great Britain and Northern Ireland	1	-	-	-	-	-	-	-	-	-	-
United Republic of Tanzania	2	-	-	-	2	-	2	-	-	-	-
United States of America	1	-	-	-	1	-	-	-	-	-	-
Uruguay	31	7	20	3	10	1	5	4	2	-	-
Uzbekistan	19	-	7	-	11	1	2	10	-	-	-
Venezuela (Bolivarian Republic of)	14	2	10	1	4	-	1	-	3	-	-
Viet Nam	2	-	1	-	1	-	-	-	-	-	-
Yemen	160	-	2	-	135	9	66	4	73	14	-
Zambia	1	1	-	-	-	1	-	1	-	-	-
Zimbabwe	6	1	4	1	1	1	-	-	1	-	-
Palestinian Authority	3	-	3	-	-	-	-	-	-	-	-

^e The Working Group determined that 43 cases were duplicated and were subsequently eliminated from its records.

^f The Working Group determined that three cases were duplicated and were subsequently eliminated from its records.

Annex V

Graphs showing the development of enforced disappearances in countries with more than 100 transmitted cases during the period 1980 - 2011



