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HUMAN RIGHTS COUNCIL

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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS,  
CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL  
RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT**

**Report of the Working Group on Enforced or  
Involuntary Disappearances\* \*\***

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\* As the present report greatly exceeds word limitations currently allowed under relevant General Assembly resolutions, the annexes, with the exception of annex I, are circulated as received in the language of submission only.

\*\* Late submission.

## **Summary**

Established by resolution 20 (XXXVI) of 29 February 1980 of the Commission on Human Rights, the Working Group on Enforced or Involuntary Disappearances was the first United Nations human rights thematic mechanism to be established with a global mandate.

This report, submitted in accordance with Human Rights Council resolution 7/12, covers the period 1 December 2007 to 30 November 2008 and reflects communications and cases examined by the Working Group during its sessions in 2008, and general allegations considered at its eighty-third session in 2007. The total number of cases transmitted by the Working Group to Governments since its inception is 52,952. The number of cases under active consideration that have not yet been clarified or discontinued stands at 42,393 and concerns 79 States. The Working Group has been able to clarify 1,763 cases over the past five years.

During the period under review, the Working Group transmitted 1,203 new cases of enforced disappearances to the Governments of Algeria, Argentina, Bangladesh, Cameroon, Chad, Colombia, India, Indonesia, the Islamic Republic of Iran, Iraq, Japan, Libyan Arab Jamahiriya, Mexico, Morocco, Namibia, Nepal, Pakistan, Peru, the Philippines, the Russian Federation, Sri Lanka, the Sudan, Switzerland, Thailand, Turkey, Viet Nam, Yemen and Zimbabwe. Of the newly-reported cases, 83 allegedly occurred during the same period.

A summary of activities during the last year is presented in a table for each country, with a detailed text description of the areas of activity.

During the reporting period the Working Group conducted a country visit to Argentina (see A/HRC/10/9/Add.1).

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## I. INTRODUCTION

1. The Working Group on Enforced or Involuntary Disappearances was the first United Nations human rights thematic mechanism to be established with a universal mandate. The original mandate derives from Commission on Human Rights resolution 20 (XXXVI) of 29 February 1980. This resolution followed General Assembly resolution 33/173 of 20 December 1978, in which the Assembly expressed concern at reports from various parts of the world relating to enforced disappearances and requested the Commission on Human Rights to consider the question of missing or disappeared persons.
2. The primary task of the Working Group is to assist families in determining the fate or whereabouts of their family members who are reportedly disappeared. In this humanitarian capacity, the Working Group serves as a channel of communication between family members of victims of disappearance and Governments.
3. Following the adoption of General Assembly resolution 47/133 on 18 December 1992 and of the Declaration on the Protection of All Persons from Enforced Disappearance, the Working Group was entrusted to monitor the progress of States in fulfilling their obligations derived from the Declaration. The mandate was most recently extended by Human Rights Council resolution 7/12 of 27 March 2008.
4. Following a review of its methods of work in 2007, the Working Group decided that adjustments were needed. The revised methods of work, approved on 4 December 2008, are contained in annex 1 to the present report and will come into immediate effect.
5. The report reflects communications and cases examined by the Working Group during its three sessions in 2008, covering the period 1 December 2007 to 30 November 2008.
6. A summary of activities during the reporting period is presented in a table for each country, with a detailed text description of the areas of activity. Where there has been no information from the Government or the sources, notwithstanding the annual reminder sent by the Working Group concerning outstanding cases, only the table is provided and a reference is made to a description of cases.
7. In countries where the number of newly-reported cases is less than 10, the names of the persons appear in the country section. If the number of newly-reported cases is greater than 10, the list of names appears in annex 5.
8. The total number of cases transmitted by the Working Group to Governments since its inception is 52,952. The number of cases under active consideration that have not yet been clarified, closed or discontinued stands at 42,393 and concerns 79 States. The Working Group has been able to clarify 1,763 cases over the past five years.
9. It is recalled that recent cases of disappearance are the priority of the Working Group. Large volumes of cases submitted to the Working Group many years after the persons

disappeared are reviewed by it and processed by the Secretariat as an ongoing process. The Working Group is pleased to inform that as at the end of the present reporting period, there is no backlog of cases, due to the continuous support given by the Office of the High Commissioner for Human Rights (OHCHR). The Working Group thanks OHCHR and hopes to maintain the adequate level of staffing which it now enjoys.

## **II. ACTIVITIES OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES: 1 DECEMBER 2007 TO 30 NOVEMBER 2008**

### **A. Meetings**

10. During the period under review, the Working Group held three sessions: the eighty-fourth from 10 to 14 March in Geneva, the eighty-fifth from 24 to 26 July in Buenos Aires, Argentina, and the eighty-sixth from 26 November to 4 December 2008, in Geneva.

11. The Chairman-Rapporteur of the Working Group is Mr. Santiago Corcuera. The other members are Mr. Olivier de Frouville, Mr. Darko Göttlicher, Mr. Saied Rajaie Khorasani and Mr. Jeremy Sarkin. Mr. de Frouville and Mr. Sarkin were appointed in 2008.

12. On 11 March 2008, the Chairman-Rapporteur presented the Working Group's annual report for 2007 to the seventh session of the Council and on 14 March participated in the interactive dialogue with its member States. On 17 March 2008, Mr. Göttlicher participated, on behalf of the Chairman-Rapporteur, at the review, rationalization and improvement of the mandate, as a result of which the Working Group was renewed for an additional three years.

13. On 22 May 2008, the Chairman-Rapporteur participated in a panel discussion on the Convention for the Protection of all Persons from Enforced Disappearance, cosponsored by the Permanent Mission of Argentina to the United Nations and OHCHR. From 24 to 27 June 2008, Mr. Corcuera participated in the International Seminar on Enforced Disappearances in Bogotá organized by OHCHR in Colombia. From 23 to 27 June 2008, Mr. Göttlicher, on behalf of the Chairman-Rapporteur, attended the fifteenth annual meeting of special rapporteurs, representatives, independent experts and chairpersons of working groups of the Council. On 24 and 25 November 2008, Mr. Corcuera represented the Coordination Committee of the Special Procedures at the Regional Arrangements Workshop called for by Council resolution 6/20.

14. During the period under review, the Working Group met formally with representatives of the Governments of Argentina, Iraq, Japan, Montenegro, Nepal and Sri Lanka. Upon the initiative of the Working Group, meetings were requested with all regional groups and held with the Asian and the Latin American and Caribbean Regional Groups. The Working Group looks forward to meeting all other regional groups in the future, as part of an ongoing initiative. The Working Group also met with representatives of human rights non-governmental organizations and associations of relatives of disappeared persons and families or witnesses.

### **B. Communications**

15. During the reporting period, the Working Group transmitted 1,203 new cases of enforced disappearance to the Governments of Algeria, Argentina, Bangladesh, Cameroon, Chad,



Colombia, India, Indonesia, the Islamic Republic of Iran, Iraq, Japan, Libyan Arab Jamahiriya, Mexico, Morocco, Nepal, Pakistan, Peru, the Philippines, the Russian Federation, Sri Lanka, the Sudan, Switzerland, Thailand, Turkey, Viet Nam, Yemen and Zimbabwe.

16. The Working Group sent 69 of these cases under the urgent action procedure to the Governments of Algeria, Cameroon, Chad, India, the Islamic Republic of Iran, Libyan Arab Jamahiriya, Mexico, Morocco, the Philippines, the Russian Federation, Sri Lanka, the Sudan, Viet Nam and Zimbabwe.

17. Of the newly-reported cases, 83 allegedly occurred during the reporting period and relate to Algeria, Bangladesh, Cameroon, India, the Islamic Republic of Iran, Libyan Arab Jamahiriya, Mexico, Morocco, the Philippines, the Russian Federation, Sri Lanka, the Sudan, Viet Nam and Zimbabwe.

18. During the same period, the Working Group clarified 54 cases in the following countries: Algeria, Argentina, China, Colombia, Ecuador, India, Libyan Arab Jamahiriya, Morocco, Nepal, the Philippines, Sri Lanka and Turkey. Of those, 38 cases were clarified based on information provided by the Government and 16 cases were clarified based on information provided by sources.

19. During the reporting period, the Working Group sent 12 prompt intervention communications addressing harassment of and threats to human rights defenders and relatives of disappeared persons in Argentina, Colombia, Guatemala, Mexico, Namibia, the Philippines, Senegal, Sri Lanka and Thailand. Five of these were sent as joint communications with one or more of the following special procedures: on the promotion and protection of the right to freedom of opinion and expression, the situation of human rights defenders, and the independence of judges and lawyers.

20. Following its eighty-third session in 2007 and its first two sessions in 2008, the Working Group sent 14 general allegations to the Governments of Bolivia, Colombia, Egypt, India, Italy, Nepal, Pakistan, the Philippines, the Sudan, the United States of America and Thailand. During its eighty-sixth session, the Working Group decided to transmit general allegations to some Governments, inviting them to comment thereon. Summaries of the general allegations considered during the eighty-sixth session, including government responses, if any, will be included in the 2009 annual report.

### **C. Country visits**

21. Upon the invitation of the Government of Argentina, Mr. Corcuera, Chairperson-Rapporteur, and Mr. Saied Rajaie Khorasani, member of the Working Group, visited the country from 21 July to 24 July 2008, assisted by staff from the Secretariat. The purpose of the mission was to examine practices carried out to clarify cases of enforced disappearances as well as the programmes and measures adopted to guarantee the rights of the victims, including the right to reparation.

22. The report on the visit to Argentina is contained in A/HRC/10/9/Add.1. Among others, the Working Group recommended to the Government of Argentina to define enforced disappearance

as an autonomous crime and to adopt a comprehensive protection programme for witnesses, families, lawyers, prosecutors, judges and civil society organizations involved in the investigation of cases of enforced disappearance.

23. The Working Group requested visits to Algeria, Indonesia, Iran, Nepal, Nicaragua, the Philippines, the Russian Federation, Sri Lanka, the Sudan and Timor-Leste.

24. The Government of the Islamic Republic of Iran agreed to a visit by the Working Group in 2005, which was delayed at the request of the Government.

25. In 2007, the Governments of Sri Lanka, the Russian Federation and Indonesia stated that it would not be possible to schedule a visit by the Working Group because other special rapporteurs would be visiting the country at that time. To date, and notwithstanding reminders by the Working Group, no possible dates have been proposed by the above-mentioned Governments.

26. The Working Group deeply regrets that Algeria has not responded to its repeated requests to visit the country.

27. The Working Group invites the Governments of Nepal, Nicaragua, the Philippines, the Sudan and Timor-Leste to respond to the continued interest expressed to visit these countries.

28. The Working Group welcomes the official invitation from the Government of Ecuador on 17 September 2008 to visit the country after February 2009.

#### **D. Statements**

29. On 11 June 2008, the Working Group issued a press release deploring the large number of cases of disappearances in Sri Lanka. It expressed concern that both women and humanitarian aid workers were being targeted. It also called upon the Sri Lankan authorities to take effective measures to prevent and terminate acts of enforced disappearances, carry out thorough investigations and bring the perpetrators to justice. Finally, it reiterated its request to conduct an official country visit.

30. To commemorate the International Day of the Disappeared, the Working Group issued a press release on 29 August 2008, expressing its concern over the increasing number of cases of enforced disappearances around the world and reiterating its solidarity with the victims and human rights defenders helping the victims. The Working Group also expressed concern about the phenomenon of under-reporting, as it considers that cases of disappearances are happening in certain parts of the world but are not being reported.

31. On 6 October 2008, the Working Group issued a joint statement with 12 other special procedures mechanisms at the start of the Dignity and Justice for Detainees Week, a global initiative launched by the High Commissioner for Human Rights. The statement called on all States to do their utmost to ensure that detainees are treated with respect and dignity and to provide for effective complaints and monitoring mechanisms in places of detention, including efficient avenues to challenge the legality of detention and access to legal counsel.

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

#### Afghanistan

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

32. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

#### Algeria<sup>1</sup>

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1 952	2	768	0	3	2 704 <sup>2</sup>

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
2	No	0

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	None

<sup>1</sup> See Annex 5 for the list of names of the newly-reported cases of disappeared persons.

<sup>2</sup> The Working Group determined that 15 outstanding cases were duplicated and were subsequently eliminated from its records.

### **Urgent actions**

33. The Working Group sent two cases under its urgent action procedure to the Government. The first concerned **Adel Saker**, disappeared in Skikda Province in May 2008. The second concerned **Mohamed Ben Missoum**, arrested at his home in El Oued in March 2008.

### **Standard cases**

34. The Working Group transmitted 768 newly-reported cases to the Government. The majority concerned males disappeared between 1992 and 1999, mainly in 1994 and 1995 in Constantine, Tipaza, Algiers, Oran and Tiaret. Most disappearances are attributed to the Police, the Military and the Department of Investigation and Security Forces. Five cases concern minors and one case concerns a man disappeared in February 2008 in Boumerdes.

### **Information from the Government**

35. The Working Group received two communications from the Government, dated 2 February and 19 May 2008. The first concerned two outstanding cases, where the Government stated that both persons had been questioned and released by the authorities. The information was insufficient to clarify them. The second referred to the Government's interpretation of the Working Group's mandate and concerns regarding its implementation.

### **Information from sources**

36. The Working Group received communications from sources concerning three outstanding cases, stating that one victim was being held at Blida prison, one had been killed and a third had been released.

### **Clarification**

37. Based on information provided by the sources, the Working Group clarified three cases.

### **Request for a visit**

38. On 25 August 2000, the Working Group requested to undertake a mission to Algeria. Notwithstanding several reminders a reply has not been received yet.

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

39. Since its establishment, the Working Group transmitted 2,743 cases to the Government. It clarified 24 cases: 9 on the basis of information provided by the Government and 15 on the basis of information provided by the source; 15 were found to be duplications and were therefore deleted; 2,704 remain outstanding.

### **Observations**

40. The Working Group expresses concern that during the period under review, two urgent actions and a standard case occurring in 2008 were sent to the Government.

41. The Working Group reiterates its call from previous years that little progress has been made in clarifying cases of disappearance in Algeria. A high number of newly-reported cases arising from the 1990s continues to be received by the Working Group and is being transmitted to the Government.

42. The Working Group reiterates the observation made in 2007 regarding the Government's obligations under article 13 of the Declaration to take steps to ensure that all involved in the investigations are protected against ill-treatment, intimidation or reprisal.

43. The Working Group strongly reaffirms its request to the Government of Algeria for a country visit aimed at clarifying the 2,704 outstanding cases.

### Angola

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	No	0

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

### Information from the Government

44. The Working Group reviewed a communication sent by the Government on 1 July 2008, regarding three outstanding cases and requesting further information.

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

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

### Total cases transmitted, clarified and outstanding

46. Since its establishment, the Working Group transmitted 10 cases to the Government. It clarified 7 cases on the basis of information provided by the Government and 3 cases remain outstanding.

### Argentina

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3 303	0	1	8	9	3 286 <sup>3</sup>

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
4	No	0

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

### Standard cases

47. The Working Group transmitted one newly-reported case of disappearance to the Government concerning **Iván Eladio Torres**, disappeared in the Province of Chubut on 2 October 2003, after being arrested by police officers.

### Information from the Government

48. The Working Group received two communications from the Government on 6 June and 27 June 2008, regarding the disappearance of a witness in trials against perpetrators of enforced disappearances. A third was received on 3 October 2008, regarding four outstanding cases. However, the information reviewed was considered insufficient to constitute a clarification. On 28 December 2006 the Government provided information on 8 cases to which the Working Group applied the six-month rule at its eighty-fourth session.

### Information from sources

49. The Working Group received new information from sources on 13 cases regarding children born in captivity. The sources informed that nine of these children have been found and identified. Additional four children, who were filed under their parents' names, have also been found and identified.

### Clarifications

50. The Working Group clarified eight cases on the basis of information received from the Government and nine on the basis of information received from the sources.

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<sup>3</sup> One case was erroneously recorded and has now been deleted.

## **Meetings**

51. Representatives of the Government of Argentina met with the Working Group at its eighty-fourth session to discuss efforts to clarify outstanding cases and the visit to the country.

## **Prompt intervention letters**

52. On 16 May 2008, the Working Group sent a prompt intervention letter to the Government of Argentina regarding the short-term disappearance of a witness on various trials against perpetrators of enforced disappearances which occurred during the military dictatorship. The witness disappeared on 29 April 2008 and he was released the following day. The prompt intervention letter was jointly sent with the Special Representative of the Secretary-General on the situation of human rights defenders.

53. The Working Group received two communications from the Government on 6 June and 27 June 2008 providing information on the actions taken by the Government regarding the above-mentioned disappearance as well as actions taken to protect him and his family after his release.

## **Deleted case**

54. The Working Group decided that one case was erroneously reported. Although this case was originally submitted to the Working Group as a disappearance, the source recently informed that the person left voluntarily. Therefore, the case has been deleted from the Working Group's records.

## **Visit**

55. The Working Group undertook a mission to Argentina from 21 to 24 July 2008 (see A/HRC/10/9/Add.1), followed by its eighty-fifth session held in Buenos Aires from 24 to 26 July 2008.

## **Press releases**

56. Press releases were issued prior to and following the mission to Argentina in July 2008. On the last day of the mission, the Working Group held a press conference in Buenos Aires.

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

57. Since its establishment, the Working Group has transmitted 3,446 cases to the Government. It clarified 159 cases: 107 cases have been clarified on the basis of information provided by the Government and 52 on the basis of information provided by the source; 1 case was erroneously reported and subsequently deleted; 3,286 remain outstanding.

## Observations

58. The Working Group thanks the Government for the cooperation extended during its country visit and for hosting its eighty-fifth session.
59. The Working Group welcomes the continuous efforts made by the Government to clarify outstanding cases.
60. The Working Group notes with satisfaction that 13 children born in captivity had their true identity determined.
61. The Working Group congratulates the Government for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

## Bangladesh

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2	0	1	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

## Standard cases

62. The Working Group transmitted one newly-reported case to the Government, concerning **Mohammad Shafik Ullah Monayem**, reportedly arrested by the Rapid Action Battalion elite force in December 2007.

## Information from sources

63. The source provided additional information on one outstanding case, informing the Working Group that the victim, female, was a minor at the time of her disappearance.



**Total cases transmitted, clarified and outstanding**

64. Since its establishment, the Working Group has transmitted three cases to the Government, all of which remain outstanding.

**Belarus**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	No	0

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

**Information from the Government**

65. The Government replied to the three outstanding cases in a communication dated 3 October 2008 stating that the investigation term was being extended until 24 December 2008.

**Information from sources**

66. The Working Group received information from sources reporting that the Government has not carried out any activities on the determination of the circumstances of the disappearance regarding the three outstanding cases.

**Total cases transmitted, clarified and outstanding**

67. Since its establishment, the Working Group has transmitted three cases to the Government; all of which remain outstanding.

**Observations**

68. The Working Group reminds the Government of its obligations to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified”, in accordance with article 13.6 of the Declaration.

**Bhutan**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

69. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in A/HRC/4/41.

**Bolivia**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

**Information from the Government**

70. On 18 November 2008, the Government replied to the general allegation. The response could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

**General allegation**

71. The Working Group received information from credible sources concerning obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Bolivia. This information was transmitted to the Government through the following general allegation.

72. In March 2004, the Government enacted Law 2640 on Exceptional Reparation to Victims of Political Violence during Inter-Constitutional Governments (Law CONREVIP), in which it agreed to pay compensation to victims of political violence, including victims of enforced disappearance that occurred between 1964 and 1982. Law 2640 created a National Commission (CONREVIP) to evaluate the victims' requests. Notwithstanding that, Law 2640 determined that CONREVIP be established after 90 days from its publication, Statutory Decree 28015, which regulated Law 2640; it was adopted only 11 months later.

73. It was reported that CONREVIP has serious administrative problems, mainly because of a lack of institutional support from the Ministry of Justice, which chairs the Commission.

74. It has been alleged that huge administrative and human resource constraints faced by the Commission have caused delays in the procedure. According to the information received, if CONREVIP continues to work with its current resources, it is unlikely that the review of the pending applications will be concluded by 2010.

75. It was reported that the Government has not provided payments to victims. Rather, the Government enacted complementary rules that are causing delays in the processing of compensation to victims, such as: Law 3275, which determines a new deadline for the submission of requests but also determines a delay in the procedure of compensating victims who had already applied for reparation before the new deadline; Law 3449, which determines that the CONREVIP Presidency, which was under the Ministry for Presidency, is now under the Ministry for Justice, and that two members from the legislative power become members of CONREVIP, which involves further delays in providing the victims with reparation; and Statutory Decree 29214, which establishes new deadlines to CONREVIP causing further delays.

76. According to credible sources, the main obstacle is that Law 2640 requires that 80 per cent of the total amount of the compensation is to be funded by the international community. This substantial part of the required financial resources is unlikely to be obtained from the international community; it is the State that is directly responsible for human rights violations and compensation. It was reported that a lack of funds prevents the Government from providing reparation to victims.

77. As reported above, on 18 November 2008, the Government replied to the general allegation.

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

78. Since its establishment, the Working Group transmitted 48 cases to the Government. The majority occurred between 1980 and 1982, in the context of measures taken by the authorities after two military coups d'état.

79. The Working Group clarified 20 cases; 19 on the basis of information provided by the Government and 1 on the basis of information provided by the source; 28 remain outstanding.

**Observation**

80. The Working Group reminds the Government of its responsibility, according to article 19 of the Declaration, to provide adequate compensation to victims, regardless of the level of funds received from the international community.

**Brazil**

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

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	No	0

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

81. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

**Burundi**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

82. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Cameroon

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
14	1	0	0	0	15

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

### Urgent actions

83. One case was sent to the Government of Cameroon under the urgent action procedure. It concerned **Cipriano Ngema Mba**, who was allegedly arrested in Texaco Emaná, in the city of Yaoundé in Cameroon by Cameroon police officers and security personnel of the Embassy of Equatorial Guinea in Yaoundé. In accordance with its methods of work, the Working Group sent a copy of this case to the Government of Equatorial Guinea.

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

84. Since its establishment, the Working Group transmitted 19 cases, 4 were clarified on the basis of the information provided by the Government and 15 remain outstanding.

85. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Chad

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
22	7	0	0	0	29

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	No	0

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

## Urgent actions

86. The Working Group transmitted seven cases under the urgent action procedure to the Government of Chad. The cases concerned **Abdelaziz Moussa, Abdelkarim Mahamat Toraye, Ali Kaikit, Brahim Idriss Ibrahim, Haroun Mahamat Abdoulaye, Yakoubaye Oumar Adam, and Youssuf Abdekarim Abdoulaye**, all members of the Tama ethnic group, arrested on 30 November 2007 in the town of Guéréda by members of the Chadian security forces.

## Total cases transmitted, clarified and outstanding

87. Since its establishment, the Working Group transmitted 32 cases to the Government. Three were clarified on the basis of the information provided by the Government and 29 remain outstanding.

88. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

## Observations

89. The Working Group expresses concern that during the period under review, seven urgent actions were sent to the Government, demonstrating an ongoing pattern of enforced disappearances, and that no response was received.

90. The Working Group encourages the Government to take steps to clarify outstanding cases, and reminds the Government of its obligations under article 2 (obligation to prevent and eradicate enforced disappearance), 3 (obligation to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance) and 14 (obligation to try those accused of enforced disappearance before competent ordinary civil courts) of the Declaration to prevent and to terminate all acts of enforced disappearance and to prosecute alleged perpetrators.

## Chile

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
816	0	0	0	0	816

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	No	0

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

## Information from the Government

91. One communication was received from the Government on 18 August 2008 which could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

## Total cases transmitted, clarified and outstanding

92. Since its establishment, the Working Group transmitted 908 cases to the Government. It clarified 92 cases, 69 on the basis of information provided by the Government and 23 on the basis of information provided by the source; 816 remain outstanding.

93. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

## China

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
31	0	0	2	0	29

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)
7	No	3

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

## Information from the Government

94. The Government transmitted two communications dated 20 November 2007 and 6 March 2008 concerning seven outstanding cases. Based on the information received from the Government, which provided the home address where three victims are currently living and which stated that a fourth victim was in detention, the Working Group decided to apply the six-month rule. In two cases, the Government did not provide specific addresses for the victims. In one case, the Government indicated that the information provided was too limited to allow for identification.

## Clarification

95. Based on information provided by the Government, the Working Group clarified two cases following the expiration of the six-month rule.

### Total cases transmitted, clarified and outstanding

96. Since its establishment, the Working Group transmitted 114 cases to the Government. It clarified 85 cases. 74 were clarified on the basis of information provided by the Government and 11 on the basis of information provided by the source; 29 remain outstanding.

### Observations

97. The Working Group continues to express its appreciation to the Government of China for its cooperation and hopes that it will lead to the clarification of outstanding cases.

### Colombia

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
957	0	2	4	0	955

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)
41	Yes	0

General allegation	Yes (2)	Government response	N/A
Prompt intervention letter	Yes (2)	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Standard cases

98. The Working Group transmitted two newly-reported cases to the Government of Colombia concerning **Edgar Jaimes Niño** and **Victor Julio Ricardo Villalba**, arrested in the municipality of Sahagun in the province of Cordoba, allegedly by members of the Prosecutor's Office.

### Information from the Government

99. The Working Group reviewed 14 communications from the Government: 11 communications dated 18 July 2007, 23 August 2007, 28 September 2007, 27 November 2007, 5 December 2007, 3 January 2008, 12 February 2008, 22 February 2008, 20 May 2008, 20 May 2008 and 1 July 2008. Information on cases was reviewed but considered insufficient to constitute a clarification. In the remaining three communications dated 16 August 2007, 22 October 2007 and 12 November 2007 the Government provided death certificates related to four cases, to which the Working Group applied the six-month rule.



### **Information from sources**

100. Additional information was received from sources concerning 40 outstanding cases.

### **Clarifications**

The Working Group clarified four cases for which the six-month rule expired as no observations were received from the source.

### **Prompt intervention letter**

101. On 6 October 2008, the Working Group sent a prompt intervention letter to the Government of Colombia regarding acts of intimidation and reprisals suffered by the family members of a person who disappeared on 29 July 2002. According to the source, the Mayor of Agua Azul, the city where the family lived, was not only responsible for the disappearance of the victim but also for intimidating his family.

102. On 13 October 2008, the source informed that on 11 October 2008, the Mayor of Agua Azul was arrested after the Prosecutor of the Human Rights Unit issued an arrest warrant against him for the alleged crime of enforced disappearance and conspiracy to commit a criminal offence.

103. On 17 November 2008, the Working Group sent a joint communication together with the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, regarding the threats and acts of intimidation suffered by five human rights defenders due to their activities related to the investigation of enforced disappearances.

104. No response was received from the Government regarding the above reported prompt interventions.

### **General allegation**

105. Information was submitted by credible sources to the Working Group concerning obstacles allegedly encountered in the implementation of the Declaration. This information was transmitted to the Government through two general allegations.

106. On the first general allegation, credible sources reported that the number of people that have disappeared in Colombia in recent years may reach 30,000. In 2000, the Government investigated 3,500 disappearances. In 2007, that number rose to 15,600 investigations.

107. According to credible sources, the number of disappearances is much higher than the official figures because of a poor and inefficient administrative system in the country, especially in the rural areas of Colombia.

108. It was reported that demobilized paramilitary commanders and troops confessed to no less than 1,009 mass graves, enabling authorities to find the remains of 1,996 missing persons.

109. It was reported that there have hardly been any convictions for the enforced disappearances. Most crimes have never been solved and most confessions were made under the Justice and Peace law, granting lower sentences for cooperation with justice.

110. On the second general allegation, credible sources reported that despite the legislative efforts undertaken by the Government of Colombia during the past decades, including the enactment of Law 589 of 2000 which criminalizes the practice of enforced disappearance, the families of the disappeared still face many difficulties, particularly with regard to the rights to truth, justice and reparation.

111. It was reported that one of the main legal problems is that according to Law 418 of 1997 and Decree 7381 of 2004, victims of enforced disappearance and their families are not considered victims of political violence, thus depriving them of humanitarian assistance.

112. In order to receive humanitarian assistance, the families must apply for a declaration of presumption of death, and then a death certificate. This lays down preferential treatment for victims of other crimes such as kidnappings, who are not required to obtain death certificates in order to receive assistance.

113. According to the reports received, this legal obligation re-victimizes families by making them go through the process of having a death certificate, although neither the fate nor the whereabouts of the disappeared person are known.

114. In addition, the fact that a disappearance is treated as a direct death does not take into account the continuous nature of the crime, the right to truth for the families of the disappeared and the obligation of the State to continue the investigation. There is also fear that a declaration of presumed death may lead to a legal registry as a death rather than a disappearance.

115. No reply was received from the Government regarding both general allegations.

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

116. Since its establishment, the Working Group transmitted 1,227 cases to the Government. It clarified 272 cases, 205 on the basis of information provided by the Government and 67 on the basis of information provided by the source; 955 remain outstanding.

117. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

## Observations

118. The Working Group notes that only two newly-reported cases were received. However, it expresses deep concern at the fact that allegedly the real number of disappearances is much higher than the number reported in official figures.

119. The Working Group is pleased to note that a number of mass graves have been revealed by demobilized paramilitary commanders and troops. In this connection, it encourages the Government to identify all remains, some of which may lead to the clarification of cases.

120. The Working Group notes that although the number of investigations has increased, few convictions have occurred. In this regard, it reminds the Government of its obligation to bring to justice all persons presumed responsible for an act of enforced disappearance, according to article 14 of the Declaration.

121. The Working Group expresses concern about the increasing number of cases of intimidation and reprisals. In this connection, it reminds the Government of its obligation to protect against ill-treatment, intimidation or reprisal according to article 13.3 (protection against ill-treatment, intimidation or reprisal) and 13.5 (ill-treatment, intimidation or reprisal should be punished) of the Declaration.

122. The Working Group expresses concern that compensation is subject to a presumption of death and then a death certificate, which is not in accordance with article 19 of the Declaration.

123. The Working Group sent a letter to the Government of Colombia requesting a report on the implementation of its recommendations following its country visit in 2005. The Working Group regrets that no such report was received.

## Congo

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

124. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Democratic People's Republic of Korea

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

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

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

### Standard cases

125. In accordance with its methods of work, the Government of the Democratic People's Republic of Korea received a copy of the cases concerning **Tsuyosi Ko** and **Kiyomi Ko**, reportedly abducted in Japan by secret agents of the Democratic People's Republic of Korea. These cases are recorded under the Government of Japan.

### Information from the Government

126. The Government transmitted three communications to the Working Group, dated 10 January 2008, 6 May 2008 and 2 October 2008, in which it replied on all outstanding cases. The information was considered insufficient to clarify them.

### Information from sources

127. The source provided additional information on all outstanding cases, stating that many contradicting and questionable points were observed in the explanations of the investigations and in the evidence presented by the Government. The source also informed on the agreement by the Government of the Democratic People's Republic of Korea to carry out a complete investigation into all outstanding cases.

### Total cases transmitted, clarified and outstanding

128. Since its establishment, the Working Group transmitted nine cases to the Government, all of which remain outstanding.

## Observations

129. The Working Group notes the positive steps taken by the Governments of the Democratic People's Republic of Korea and Japan and is hopeful that new investigations may be carried out and lead to the clarification of the outstanding cases.

### Democratic Republic of the Congo

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
43	0	0	0	0	43

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	No	0

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

130. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/7/2.

### Dominican Republic

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

131. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### **Ecuador**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
11	0	0	7	0	4

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
11	No	0

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

### **Information from the Government**

132. The Working Group received one communication on 11 June 2008 from the Government of Ecuador on the four outstanding cases. However, the response was considered insufficient to clarify them. On 2 September 2008, another communication was received from the Government rectifying the name of one of the victims of the outstanding cases.

### **Information from sources**

133. Additional information was received from sources regarding one case.

### **Clarifications**

134. Based on information received from the Government, the Working Group clarified seven cases for which the six-month rule had been applied and no observations were received from the source.

### **Truth and Justice Commission**

135. In a communication received on 11 June 2008, the Government informed the Working Group that a Truth and Justice Commission had been established in Ecuador on 3 May 2007.

### **Visit**

136. In a communication dated 17 September 2008, the Government invited the Working Group to undertake an official visit in 2009.

### Total cases transmitted, clarified and outstanding

137. Since its establishment, the Working Group transmitted 26 cases to the Government. It clarified 22 cases, 18 on the basis of information provided by the Government and 4 on the basis of information provided by the source; 4 cases remain outstanding.

138. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Observations

139. The Working Group thanks the Government for its cooperation and the efforts deployed to clarify seven outstanding cases.

140. The Working Group congratulates the Government on the establishment of the Truth and Justice Commission and hopes that it will achieve successful results to the benefit of victims of enforced or involuntary disappearances.

141. The Working Group thanks the Government for the invitation extended to undertake a country visit.

### Egypt

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

### General allegation

142. The Working Group received information from credible sources concerning obstacles encountered in Italy in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance. This information was transmitted to the Governments of Egypt, Italy and the United States of America after its eighty-third session.

143. The allegation concerned a report of one case of extraordinary rendition, which allegedly occurred in Italy on 17 February 2003, and which involved an enforced disappearance for a

certain period of time. The Working Group was informed that this case took place in the context of extraordinary rendition programmes that were allegedly carried out by the United States of America together with Egypt, where the person was secretly imprisoned and reportedly tortured.

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

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

145. Since its establishment, the Working Group transmitted 23 cases to the Government. It clarified 7 cases on the basis of information provided by the Government and 1 case on the basis of information provided by the source; 15 remain outstanding.

### **Observations**

146. The Working Group requests the Government to provide information on the allegation, in particular whether the rendition, which would amount to enforced disappearance, regardless of its purpose, took place on 17 February 2003.

### **El Salvador**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

147. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1. The country visit report is contained in A/HRC/7/2/Add.2.

### **Observation**

148. The Working Group sent a letter to the Government of El Salvador requesting a report on the implementation of the recommendations of the Working Group following its country visit in 2007. The Working Group regrets that no such report was received.



### Equatorial Guinea

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

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	No	0

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

### Urgent actions

149. According to the Working Group's methods of work, the Government of Equatorial Guinea received a copy of the case concerning **Cipriano Ngema Mba**, allegedly arrested in Texaco Emana in the city of Yaoundé in Cameroon by Cameroon police officers and security personnel of the Embassy of Equatorial Guinea in Yaoundé. This case is recorded under the Government of Cameroon.

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

150. Since its establishment, the Working Group transmitted eight cases to the Government of Equatorial Guinea; all remain outstanding.

151. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Eritrea

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

152. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Ethiopia

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
112	0	0	0	0	112

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	No	0

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

153. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/7/2.

### France<sup>4</sup>

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

154. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/7/2.

<sup>4</sup> In accordance with the practice of the Working Group, Olivier de Frouville did not participate in the decisions relating to this section of the report.

## Observations

155. The Working Group congratulates the Government for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

### Gambia

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

## Information from sources

156. The Working Group received new information from sources on the outstanding case, which did not lead to clarification.

## Total cases transmitted, clarified and outstanding to date

157. Since its establishment, the Working Group transmitted two cases to the Government of Gambia. One was clarified on the basis of information provided by the source and the other remains outstanding.

158. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Greece

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	0

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

### Information from the Government

159. The Working Group reviewed a communication sent by the Government on 11 February 2008 regarding the outstanding case, which was considered insufficient to clarify it.

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

160. Since its establishment, the Working Group transmitted three cases to the Government; two were discontinued and one remains outstanding.

161. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Guatemala

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2 899	0	0	0	0	2 899

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

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

### Information from the Government

162. The Working Group received four communications from the Government: one on 19 October 2007 concerning three outstanding cases, on which the Working Group decided that the response was insufficient to clarify them; the second on 6 June 2008, replying to the prompt intervention letter; a third on 23 September 2008, which could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report; and a fourth on 26 November 2008, on the implementation of the recommendations of the Working Group following its country visit in 2007, which could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

### Prompt intervention

163. On 29 May 2008, the Working Group sent a prompt intervention letter to the Government of Guatemala regarding the intimidation and threats suffered by seven persons due to their engagement in investigating enforced or involuntary disappearances which occurred in Guatemala.

164. On 6 June 2008, the Government informed that the prompt intervention had been transmitted to the competent authorities.

### Total cases transmitted, clarified and outstanding

165. Since its establishment, the Working Group transmitted 3,155 cases to the Government. It clarified 256 cases, 177 on the basis of information provided by the Government and 79 on the basis of information provided by the source; 2,899 remain outstanding.

166. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Observations

167. The Working Group is grateful to the Government for its cooperation and for the report on the implementation of the recommendations of the Working Group following its country visit in 2007.

### Guinea

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

168. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Haiti

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

169. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/4/41.

### Honduras

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
127	0	0	0	0	127

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
4	No	0

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

### Information from the Government

170. The Working Group received three communications from the Government dated 30 October 2007, 14 February 2008 and 21 October 2008. The first two communications provided information on four outstanding cases. The Working Group decided that the responses were insufficient to clarify them. The third communication provided information on the implementation of the recommendations of the Working Group following its country visit in 2007, which could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

### Total cases transmitted, clarified and outstanding

171. Since its establishment, the Working Group transmitted 207 cases to the Government. It clarified 80 cases: 37 on the basis of information provided by the Government and 43 on the basis of information provided by the source; 127 remain outstanding.

172. A summary of the situation in the country appears in documents E/CN.4/2006/56 and Corr.1, and A/HRC/4/41. The country visit report can be found in document A/HRC/7/2/Add.1.

### Observation

173. The Working Group is grateful to the Government of Honduras for its cooperation and for the report on the implementation of the recommendations of the Working Group following its country visit in 2007.

174. The Working Group congratulates the Government for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

## India<sup>5</sup>

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
331	1	32	2	0	362

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

General allegation	Yes (2)	Government response	No
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

### Urgent action

175. The Working Group transmitted one case to the Government under its urgent action procedure. The case concerned **Mr. T. S. Abi Chiru**, aged 17, disappeared near the border with Myanmar.

### Standard cases

176. The Working Group transmitted 32 newly-reported cases to the Government of India. The majority occurred between 1986 and 1994, mainly in 1992 and 1993. One case took place in 2005 in Barmullah District. All victims were males last seen at their homes or at police stations in Punjab.

### Information from the Government

177. The Government transmitted three communications to the Working Group, dated 31 January, 3 September and 9 September 2008, concerning five cases. The Working Group decided that in two cases, where the Government stated that the victims were at home, the replies could constitute clarifications, provided the source did not raise an objection within six months. In the other three cases, the information was insufficient to clarify the cases.

### Clarification

178. Based on information provided by the Government, the Working Group decided to clarify two cases, following the expiration of the six-month rule.

<sup>5</sup> See Annex 5 for the list of names of the newly-reported cases of disappeared persons.

## **General allegations**

179. Information was submitted by credible sources to the Working Group concerning obstacles reportedly encountered in the implementation of the Declaration. This information was transmitted to the Government after its eighty-third and eighty-fifth sessions.

180. It was reported that there is an absence of domestic remedies to address enforced disappearances, particularly those that took place between 1984 and 1995 in Punjab. The Government of India has allegedly refused to take effective legislative, judicial and administrative measures to end enforced disappearances.

181. In 1997, the Supreme Court appointed the National Human Rights Commission (NHRC) of India as its *sui generis* body to examine secret cremations and to redress fundamental human rights violations. However, the NHRC limited its mandate to secret cremations, ignoring the violations of the right to life and the right to liberty; territorially restricted its mandate to three crematoriums; and refused to investigate any disappearances, relying on police admissions to determine the status of victims, rather than hearing any evidence from family members.

182. In a separate allegation, it was reported that hundreds of unidentified graves have been uncovered from 2006 in Jammu and Kashmir. The graves of at least 940 persons have been found in 18 villages in Uri District alone.

183. These graves are believed to contain the remains of victims of unlawful killings, enforced disappearances, torture and other abuses which occurred from 1989. However, it was reported to the Working Group that the Indian Army has claimed that the graves belong to armed rebels and foreign militants killed lawfully in armed encounters with military forces and that there have been no investigations or exhumations of the gravesites.

184. No responses were received from the Government regarding both general allegations.

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

185. Since its establishment, the Working Group transmitted 423 cases to the Government. It clarified 61 cases, 51 on the basis of information provided by the Government and 10 on the basis of information provided by the source; 362 remain outstanding.

## **Observations**

186. The Working Group reminds the Government of its obligations under the Declaration, mainly the right to a prompt and effective remedy (art. 9), the obligation to investigate all cases of enforced disappearances (art. 13.1), the obligation to make available findings of investigations to those concerned (art. 13.4) and to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified” (art. 13.6).

187. The Working Group requests the Government to comment on the information contained in the general allegations, which may lead to the clarification of outstanding cases.



## Indonesia

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
159	0	3	0	0	162

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	No	0

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

### Standard cases

188. The Working Group transmitted three cases to the Government under its standard procedure. The first concerned **Marsaid Jamrong Thaib Tarab**, arrested at the Military District Command in Lampung in 1965. The second concerned **Kaswan Tarab**, arrested by the Military and last seen in detention on Buru Island, Maluku, in 1966. The third concerned **Simad Tarab**, arrested in 1965 by the Military and Police and taken to a factory in Central Java and last seen in 1966.

### Information from the Government

189. The Government submitted one communication to the Working Group dated 27 November 2007, in response to a general allegation sent in 2007.

190. The Government stated that:

“any serious human rights violations which occurred before this law [Act. No. 26/2000] was established must be investigated and decided on by the Ad Hoc Human Rights Court, additionally, it must be supported by a Presidential Decision and must follow a request from the Indonesian legislative. The Ad Hoc Human Rights Court mentioned above was not in fact created until a much later date, thus post-dating the aforementioned disappearances. Therefore, from the judicial perspective, the investigation results from the National Human Rights Commission concerned with the involuntary disappearances which occurred from 1997 to 1998, did not follow the prescribed steps necessary needed for the next investigative step to take place.”

### Request for a visit

191. On 12 December 2006, the Working Group requested to undertake a mission to Indonesia. The Government responded that it would not be possible to receive the Working Group during 2007 and that greater benefit would be derived from a visit at a later date. A reminder letter was sent on 3 April 2008; the Government has not yet responded.

### Total cases transmitted, clarified and outstanding

192. Since its establishment, the Working Group transmitted 165 cases to the Government. Of those, 3 cases have been clarified on the basis of information provided by the source; 162 remain outstanding.

### Observations

193. The Working Group reiterates its observations made in previous reports, since it received no information from the Government thereon.

194. The Working Group encourages the Government of Indonesia, in cooperation with the Government of Timor-Leste, to communicate with the Working Group to further the clarification of all outstanding cases.

195. The Working Group reminds the Government of its obligations under the Declaration to conduct thorough and impartial investigations “for as long as the fate of the victim of enforced disappearance remains unclarified” (art. 13.6).

196. The Working Group notes the Government’s reply to the request for a visit, in which it indicated that the visit could not take place at the proposed time, and looks forward to receiving proposed dates as soon as possible.

### Iran (Islamic Republic of)<sup>6</sup>

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
513	2	0	0	0	515

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	No	0

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

### Urgent action

197. The Working Group sent two cases under its urgent action procedure. One concerned **Iraj Hasani**, arrested in the Province of East Azerbaijan, by Special Forces. The second concerned **Vadood Asadi (Vedud Esedi)**, arrested at his home by Security Forces in July 2008.

<sup>6</sup> In accordance with the practice of the Working Group, Saied Rajaie Khorasani did not participate in the decisions relating to this section of the report.

## Standard cases

198. In accordance with its methods of work, the Government of Iran received a copy of the case concerning **Fathollah Manouchehri Fouladvand**, reportedly disappeared in Yuksekova, Turkey. It is believed that he may be currently detained in Iran. This case is recorded under the Government of Turkey.

## Request for a visit

199. The Government of Iran agreed to a visit by the Working Group in 2004, which was delayed at the request of the Government.

## Total cases transmitted, clarified and outstanding

200. Since its establishment, the Working Group transmitted 532 cases to the Government. It clarified 17 cases, 4 on the basis of information provided by the Government and 13 on the basis of information provided by the source; 515 remain outstanding.

## Observations

201. The Working Group expresses concern that during the period under review, two urgent actions were sent to the Government and no response was received.

202. The Working Group reaffirms its request for a visit, which was postponed in 2004 and looks forward to a reply from the Government regarding proposed dates.

## Iraq

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
16 387	0	9	0	0	16 396

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	No	0

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

## Standard cases

203. The Working Group transmitted nine cases to the Government under its standard procedure. Four cases concerned **Ahmad Chaloub Hamad Teina Al Dulaimi Al Dulaimi**, **Abdel Qadir Chaloub Hamad Teina Al Dulaimi**, **Abdel Karim Chaloub Hamad Teina Al Dulaimi** and **Rida Al Din Abdallah Ashoor Al Dulaimi**, arrested at their family home

in 2005. The other five concerned **Andre Durant, Carl Angus Scheepers, Johannes Stephanus Enslin, Gerhadus Greeff** and **Yaakob Niaim Mushi Shehribani**, stopped by the police at a checkpoint and taken by a militia to an unknown location in 2006.

### Information from the Government

204. The Government of Iraq transmitted three communications to the Working Group, dated 9 September 2007, 21 April 2008 and 10 July 2008. The first two communications contained general information. The latter could not be translated by the Secretariat on time for consideration by the Working Group for inclusion in the present report.

### Meetings

205. Representatives of the Government met with the Working Group at its eighty-sixth session to discuss their efforts to clarify outstanding cases.

### Total cases transmitted, clarified and outstanding

206. Since its establishment, the Working Group transmitted 16,526 cases to the Government. It clarified 130 cases, 23 cases on the basis of information provided by the Government and 107 have been clarified on the basis of information provided by the source; 16,396 remain outstanding.

### Observations

207. The Working Group appreciates the meeting held with representatives of the Government of Iraq and looks forward to continued cooperation.

### Israel

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

208. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Italy

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

### Information from the Government

209. The Working Group received one communication from the Government dated 7 August 2008, regarding the general allegation.

### General allegation

210. The Working Group received information from credible sources concerning obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Italy. This information was transmitted to the Government after its eighty-third session through the following general allegation.

211. In the context of one case of extraordinary rendition that occurred in Italy on 17 February 2003, which involved an enforced disappearance for a certain period of time, and in the context of the extraordinary rendition programmes carried out by the United States of America together with Egypt, where the person was secretly imprisoned and allegedly tortured, it was reported that:

(a) Under Italian criminal legislation, enforced disappearance is not codified as an autonomous offence;

(b) In addition, public servants that might be accused of acts that may qualify as enforced disappearance can invoke “State secrecy” in order not to testify or be submitted to a regular judgement.

212. On 3 August 2007, a new intelligence law was adopted (Legge No. 124) according to which State secrecy cannot be invoked in order to not be submitted to regular judgement for a series of serious crimes. However, grave human rights violations, including enforced disappearance, are not included in this list. The Working Group was also informed that according to this law, news, acts, activities, information, documents and places may be covered by State secrecy for at least 15 years.

213. Allegedly, this provision, if applied to cases where an enforced disappearance has occurred, is not compatible with the aim of prevention and repression of the offence.

214. In a communication dated 7 August 2008, the Government of Italy stated that:

“The crime of enforced disappearance falls within Art. 6085 of the domestic criminal code, which is devoted to the offences of abduction, kidnapping and envisages, inter alia, the aggravating circumstance, in case such crimes are committed by a public official or civil servant, the detention penalty term will be increased.”

215. The Government reported that “by Act N. 124 adopted on 3 August 2007, the institute of the so-called ‘functional safeguards’ introduced an ad hoc legal excuse, to be applied to the staff of the Intelligence Services for the State Security, who are authorized by the competent political Authority, to perform duties pursuing institutional objectives of the Service which, in principle, might fall under criminal conduct”. In this connection, the Government added that by art. 17, para. 2, of Act 124/07, it is envisaged that the legal excuse institute cannot cover “crimes aimed at endangering, attempting or affecting the right to life, the physical integrity, the personal and moral liberties, the health and the safety of individuals”.

216. The Government further reported that “by Art. 39 of Act 124/07, the prerequisites for the application of the State secrecy have been defined. The State secrecy is applied only as a last resort, when the State security is challenged and under threat. When such prerequisites emerge, the protection of the State secrecy is decided by the President of the Council of Ministers. Accordingly, there is ‘no possibility for the accused public official’ to decide the applicability of the State secrecy: the public official may only, by jurisdictional action, initiate a parallel, interlocutory proceeding, aimed at getting a decision by the President of the Council of Ministers whether to confirm or not the State secrecy. However, at procedural level State secrecy does not interrupt penal actions.” The Government added that “procedurally, it is worth reiterating that the decision confirming the State secrecy has to be explicit and made solely by the President of the Council of Ministers: in light of the strict prerequisites defined by Law, neither the accused person, nor the witness may take this kind of decision”.

## **Observations**

217. The Working Group notes that the response of the Government does not specifically address whether or not it conducted an extraordinary rendition programme, together with other countries, consisting of secretly transporting a person through various countries, a practice which amounts to enforced disappearance.

218. The Working Group reminds the Government that following its general comment on article 4 of the Declaration, the crime of enforced disappearance shall be an offence and included in criminal law as an autonomous crime, and not incorporated in domestic legislation as part of other offences.

## Japan

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

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

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

### Standard cases

219. The Working Group transmitted two newly-reported cases to the Government of Japan. The cases concern **Tsuyosi Ko**, aged 4, and **Kiyomi Ko**, aged 7, reportedly abducted in Tokyo by secret agents of the Democratic People's Republic of Korea in 1974. In accordance with its methods of work, the Working Group sent a copy of these cases to the Government of the Democratic People's Republic of Korea.

### Information from the Government

220. The Government transmitted three communications to the Working Group, dated 23 November 2007, 30 May and 25 July 2008, in which it replied on two outstanding cases. The information was insufficient to clarify them. In the latter communication, the Government indicated some of the steps taken toward the resolution of cases of disappearances.

### Meetings

221. The Government of Japan met with the Working Group at its eighty-fourth, eighty-fifth and eighty-sixth sessions to discuss developments relating to outstanding cases.

### Total cases transmitted, clarified and outstanding

222. Since its establishment, the Working Group transmitted four cases to the Government, all of which remain outstanding.

### Observations

223. The Working Group deeply appreciates the ongoing commitment of the Government of Japan to meet regularly and provide information on the steps taken to clarify outstanding cases.

224. The Working Group notes the positive steps taken by the Governments of Japan and the Democratic People's Republic of Korea and is hopeful that new investigations may be carried out in the hope that outstanding cases may be clarified.

**Jordan**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

**Information from the Government**

225. The Government submitted one communication to the Working Group, dated 28 January 2008, indicating that it had no further information regarding one outstanding case in Syria.

**Total cases transmitted, clarified and outstanding**

226. Since its establishment, the Working Group transmitted three cases to the Government; of those, one was transferred to the Syrian Arab Republic and two remain outstanding.

**Kuwait**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	0

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

**Information from the Government**

227. The Government transmitted two communications to the Working Group. The first communication dated 15 April 2008, concerned the Government's efforts in investigating



the outstanding case. The information was insufficient to clarify it. The second communication dated 12 September 2008, could not be translated by the Secretariat on time for consideration by the Working Group for inclusion in the present report.

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

228. Since its establishment, the Working Group transmitted one case to the Government which remains outstanding.

### **Lebanon**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
312	0	0	0	0	312

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	0

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

### **Information from the Government**

229. The Government transmitted two communications to the Working Group dated 22 January and 18 February 2008. The latter could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report. For one case, the Government of Lebanon indicated that the person in question was not in any Syrian prison, as reported in the framework of the Commission of Inquiry on Lebanese detainees in Syria.

230. The Government of the Syrian Arab Republic also transmitted one communication to the Working Group concerning the case of a man who was allegedly arrested in Syria, but who was last seen in Lebanon in 1976. The Government indicated that this man is not in any Syrian prison. The information was insufficient to clarify the outstanding cases.

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

231. Since its establishment, the Working Group transmitted 320 cases to the Government. It clarified 8 cases, 6 on the basis of information provided by the Government and 2 on the basis of information provided by the source; 312 remain outstanding.

### Libyan Arab Jamahiriya

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
8	2	2	0	2	10

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

### Urgent action

232. The Working Group sent two cases under its urgent action procedure to the Government. The first concerned **Abdelsalem Ibrahim Mohammed**, reportedly disappeared at a military airport in Tripoli in November 2007. The second concerned **Isam Morchid Mortada**, disappeared in Tripoli in July 2008.

### Standard cases

233. The Working Group transmitted two newly-reported cases to the Government. One concerned **Salem Mohamed Mjber Adbaslam**, arrested at his parents' home by security forces. The second concerned **Ali Dbie Salah al Talhi**, last seen in a detention centre in Tripoli. Both men reportedly disappeared in December 2007.

### Information from sources

234. The source provided additional information on the case of **Abdelsalem Ibrahim Mohammed**, indicating that the victim had been released. In a second case, the source indicated that a person previously reported as disappeared was detained at Ain Zara prison near Tripoli.

### Clarifications

235. Following the information received by the source, the Working Group decided to clarify two cases.

### Total cases transmitted, clarified and outstanding

236. Since its establishment, the Working Group transmitted 14 cases to the Government. Of those, 4 were clarified on the basis of information provided by the sources; 10 remain outstanding.

**Mauritania**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

237. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

**Mexico<sup>7</sup>**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
208	3	0	0	0	211

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	0

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

**Urgent actions**

238. The Working Group transmitted three cases to the Government under the urgent action procedure. The cases concerned **María Guadalupe Tolentino Pérez**, **Diana Edith Sotelo Ramírez**, and **Erick Isaac Molina García** arrested on 14 June 2008 in Acapulco by Ministerial Police forces.

<sup>7</sup> In accordance with the practice of the Working Group, Santiago Corcuera did not participate in the decisions relating to this section of the report.

### **Information from the Government**

239. The Working Group received three communications from the Government on 18 October 2007, containing information on outstanding cases which was insufficient to clarify them; on 11 June 2008 in reply to the prompt intervention letter below; and on 8 August 2008 which could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

### **Communication to the Government**

240. The Working Group transmitted a communication to the Government on 4 July 2008, concerning the excavations and exhumations that were to take place on 7 July 2008, in the Ciudad de los Servicios of the former military barracks in Atoyac de Alvarez, State of Guerrero. The reply of the Government, dated 8 August 2008, could not be translated as reported above by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report.

### **Prompt intervention letters**

241. On 30 May 2008, the Working Group sent a prompt intervention letter to the Government regarding the intimidation and threats suffered by two persons due to their engagement in investigating enforced or involuntary disappearances which occurred in Mexico.

242. On 11 June 2008, the Government informed the Working Group that the Director-General of Human Rights contacted the victims to offer protection and that the request for information was forwarded to competent authorities.

243. On 29 September 2008, the Working Group sent a joint communication together with the Special Representative of the Secretary-General on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, regarding the threats and acts of intimidation suffered by a person due to his activities related to the protection of victims of enforced disappearances.

244. No response was received from the Government regarding the latter.

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

245. Since its establishment, the Working Group transmitted 382 cases to the Government. It clarified 155 cases, 133 on the basis of information provided by the Government and 22 on the basis of information provided by the source; 16 were discontinued; 211 remain outstanding.

246. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### **Observations**

247. The Working Group expresses concern that during the period under review, three urgent actions were sent to the Government and no response was received.

248. The Working Group expresses concern on the increasing number of cases of intimidation and reprisals and reminds the Government of its obligations to protect against ill-treatment, intimidation or reprisal according to articles 13.3 and 13.5 (obligation to punish ill-treatment, intimidation or reprisals) of the Declaration.

249. The Working Group reminds the Government of its obligation to prevent enforced disappearances according to articles 2 (obligation to prevent and eradicate enforced disappearance) and 3 (obligation to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of disappearance) of the Declaration.

250. The Working Group congratulates the Government for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

### Montenegro

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
15	No	0

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

### Information from the Government

251. One communication dated 14 August 2008 was received from the Government of Montenegro regarding the 15 outstanding cases. The reply was insufficient to clarify them.

### Meetings

252. Representatives of the Government of Montenegro met with the Working Group at its eighty-sixth session to discuss the 15 outstanding cases and the general allegation.

### General allegation

253. In a communication dated 14 August 2008, the Government of Montenegro responded to the Working Group's general allegation from 2007.

254. It stated that, regarding the event from May 1992, known as "Deportation of 83 Muslims", the investigative judge of the Higher State Prosecutor in Podgorica conducted an investigation which was completed on 25 June 2008. The investigative judge submitted the related documentation to the Higher State Prosecutor.

255. According to the records kept with the Supreme State Prosecutor's Office, the proceedings are before the Basic Court in Podgorica with respect to 40 lawsuits filed against the Republic of Montenegro, requesting, in the majority of cases, compensation for the economic damage derived by the loss of income provided by the disappeared person to his family.

256. The Government informed that the request for suspending the civil litigation proceedings until the criminal proceedings were completed was based on article 14 of the Law of Litigation Proceedings. The Government further informed that litigation actions undertaken by the Supreme State Prosecutor's Office were to determine the existence of the liability of the State for compensation.

257. The Government reported that the Ministry of Justice was considering the settlement, through intermediation, as far as the compensation of victims of the deportation was concerned.

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

258. Since its establishment, the Working Group transmitted 16 cases to the Government of Montenegro. It clarified 1 case on the basis of information provided by the Government; 15 remain outstanding.

### **Observations**

259. The Working Group deeply appreciates the commitment of the Government of Montenegro to meet with the Group.

260. The Working Group congratulates the Government for its extensive efforts at clarifying the allegations regarding the deportation of Muslims. The Working Group requests the Government to take the same steps in regard to the 15 outstanding cases.

261. The Working Group reminds the Government of its obligations to conduct thorough and impartial investigations "for as long as the fate of the victim of enforced disappearance remains unclarified", in accordance with article 13.6 of the Declaration.

### **Morocco**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
63	1	0	5	1	58

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	0

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

## Urgent action

262. The Working Group sent one case under its urgent action procedure to the Government. The case concerned **Abdelkrim Hakkou**, last seen near his work at Ain Taoujtate.

## Information from the Government

263. The Working Group received three communications from the Government dated 29 May, 6 August and 15 September 2008. The letter from August contained information on the above-mentioned urgent action, stating that the victim had been detained and brought before a judge. The other two communications could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

## Information from sources

264. Concerning the above-mentioned urgent action, the source indicated that the victim was in detention.

## Clarifications

265. Following the expiration of the six-month rule, the Working Group clarified five cases. Based on the information provided by the source, the Working Group clarified one case.

## Total cases transmitted, clarified and outstanding

266. Since its establishment, the Working Group transmitted 249 cases to the Government. It clarified 191 cases, 144 on the basis of information provided by the Government and 47 on the basis of information provided by the source; 58 remain outstanding.

## Observations

267. The Working Group expresses its appreciation over the five cases clarified by the Government of Morocco.

## Mozambique

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

268. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Myanmar

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
4	No	0

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

### Information from the Government

269. The Government transmitted one communication to the Working Group, dated 7 January 2008, concerning four outstanding cases. For three cases, the Government stated that the persons had been released. Concerning a fourth case, the Government indicated that the person had never been detained. The information was insufficient to clarify the outstanding cases.

### Total cases transmitted, clarified and outstanding

270. Since its establishment, the Working Group transmitted seven cases to the Government: of those, two have been clarified on the basis of information provided by the Government; five remain outstanding.

### Namibia

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
1	0	2	0	0	3

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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



## Standard cases

271. The Working Group transmitted two newly-reported cases of disappearance to the Government. One case concerned **Peter Mukonda Makuya**, disappeared in Korokoko village, Gciricu in Kavango region after being arrested by members of the Namibian Defense Force in February 2001. The other concerned **Musenge Shipoya**, disappeared on 25 April 2001 in Sauyemwa Township after being arrested by the Namibian Defense Force.

## Information from the Government

272. One communication dated 17 October 2008 was received from the Government as reported below.

## Prompt intervention

273. On 7 October 2008, the Working Group sent a prompt intervention letter regarding the intimidation and threats suffered by a person due to his involvement in investigating enforced or involuntary disappearances, which allegedly occurred in Namibia.

274. On 17 October 2008, the Government requested further information on the above-mentioned alleged action.

## Total cases transmitted, clarified and outstanding

275. Since its establishment, the Working Group transmitted three cases to the Government of Namibia; all remain outstanding.

276. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

## Nepal<sup>8</sup>

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
320	0	118	3	0	435

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)
23	No	0

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

<sup>8</sup> See Annex 5 for the list of names of the newly-reported cases of disappeared persons.

### **Standard cases**

277. The Working Group sent 118 cases to the Government under its standard procedure. These cases took place in Bardiya district between 1999 and 2004, mainly in 2002. They concerned members of an indigenous group, including 11 females, 5 of them minors, as well as 8 minor males. The Army is believed to be responsible for the majority of these disappearances.

### **Information from the Government**

278. The Government transmitted one communication to the Working Group, concerning 23 outstanding cases, dated 30 November 2007. Based on the information received, which stated that two victims were in detention and one had been released, the Working Group applied the six-month rule to three cases. For the other 20 cases, the Government stated that the victims had either been killed or had been released. The information was insufficient to clarify the outstanding cases.

### **Information from sources**

279. The source provided additional information on three outstanding cases. On two cases, the source requested additional information from the Government concerning ongoing investigations. On the third case, which was clarified by the Government, the source informed that the victim had been released from prison.

### **Clarification**

280. Based on information provided by the Government, the Working Group clarified three cases following the expiration of the six-month rule.

### **Meetings**

281. Representatives of the Government met with the Working Group at its eighty-sixth session to discuss the implementation of the recommendations following the Working Group's visit in 2004 and a possible follow-up visit.

### **Request for a visit**

282. On 12 May 2006, the Working Group requested to undertake a follow-up mission to Nepal. The Representatives of the Government orally informed the Working Group that the Government may consider a possible mission at a later stage.

### **General allegation**

283. Information was submitted by credible sources to the Working Group concerning obstacles reportedly encountered in the implementation of the Declaration. This information was transmitted to the Government after its eighty-third session.

284. It was reported that the draft bill to provide for the amendment of the Civil Code, criminalizing the practice of enforced disappearance, fails in its effort to criminalize and provide for the prosecution of those responsible for enforced disappearances.

285. The allegations reported that the definition of “causing disappearance” in the draft bill does not reflect the definition found in the Declaration, as it only covers a disappearance that is carried out by a person “having the authorization under the law to arrest, carry out an investigation or inquiry or implement laws”.

286. In addition, according to the allegation, the draft bill provides that no time limit will apply in the case of murder after disappearance, but if a case does not involve murder, no complaint can be made after six months from the date of the disappearance, when the person is released or when the release is made public, failing to take into account the continuous nature of enforced disappearances. Moreover, the letter of allegation indicates that the draft bill does not address the issue of the enforced disappearances that occurred during the 10 years of conflict. Although there was no specific crime of enforced disappearance under Nepalese law during this period, any act of enforced disappearance is a continuing crime as long as the perpetrators conceal the fate and whereabouts of the disappeared person.

287. Finally, with regard to penalties, the draft bill allegedly provides for a penalty of imprisonment of up to five years, which does not reflect the seriousness of the offence, in line with offences of similar gravity.

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

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

289. Since its establishment, the Working Group transmitted 649 cases to the Government. It clarified 214 cases: 135 on the basis of information provided by the Government and 79 on the basis of information provided by the source; 435 remain outstanding.

#### **Observations**

290. The Working Group reiterates the observation made in 2007 regarding the Government’s obligations under the Declaration, “to bring to justice all persons presumed responsible for an act of enforced disappearance” (art. 13), that “persons alleged to have committed any acts referred to in article 4, paragraph 1, shall be suspended from any official duties during the investigation” (art. 16.1) and persons “shall be tried only by the competent ordinary courts in each State, and not by any other special tribunal, in particular military courts” (art. 16.2).

291. The Working Group sent a letter to the Government of Nepal requesting a written report on the implementation of the recommendations of the Working Group following its country visit in 2004. The Working Group regrets that no written report was received.

292. The Working Group reaffirms its request to the Government of Nepal for a country visit aimed at clarifying the 435 outstanding cases.

### Nicaragua

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	None

293. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

### Request for a visit

294. On 23 May 2006, the Working Group requested the Government of Nicaragua to undertake a visit, as part of a four-country initiative in Central America. On 3 April 2008, the Working Group reiterated its interest to undertake the visit. However, it has not yet received a reply.

### Observations

295. The Working Group continues to request the Government to extend an invitation to conduct a country visit.

### Pakistan

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
92	0	2	0	0	94

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	0

General allegation	Yes (2)	Government response	No
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	N/A	Government response	N/A

## **Standard cases**

296. The Working Group transmitted two newly-reported cases to the Government. These cases concerned **Faisal Farz** and **Masood Janjua**, reportedly disappeared in July 2005 between Islamabad and Peshawar.

## **Information from the Government**

297. The Government submitted five communications, dated 11 April, 16 May, 20 August, 29 August 2008 and 15 October 2008. The first three contained general information on the Government's cooperation with the Working Group. The letter dated 29 August 2008 expressed the Government's disagreement with the contents of the press release issued by the Working Group on the International Day of the Disappeared and also noted its ongoing cooperation with the Working Group. The latter contained information on one case which had been previously clarified by the source.

## **General allegations**

298. Information was submitted by credible sources to the Working Group concerning obstacles reportedly encountered in the implementation of the Declaration. This information was transmitted to the Government in two separate allegations after the Working Group's eighty-third and eighty-fifth sessions.

299. It was reported that the current situation in Pakistan represents a major obstacle for the proper implementation of the Declaration, inasmuch as the state of emergency and the amended Army Act could represent a threat for compliance in particular of articles 2.2 (obligation to prevent and eradicate enforced disappearance), 3 (obligation to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance), 7 (obligation not to invoke internal political instability nor any other public emergency to justify enforced disappearance), 10 (obligation to hold people deprived of their liberty in officially recognized places of detention and to bring them before a judicial authority promptly after detention), 13 (obligation to investigate cases of enforced disappearance), 14 and 16 (obligation to try those accused of enforced disappearance before competent ordinary civil courts), and 18 (obligation not to adopt amnesty laws or similar measures that might have the effect of exempting perpetrators of enforced disappearances from any criminal proceedings or sanctions) of the Declaration.

300. It was also reported that key rights have been suspended.

301. It was also alleged that the Supreme Court was investigating some 600 cases of "disappearances". While some of these cases reportedly concerned terrorism suspects, many involved political opponents of the Government. The Supreme Court, headed by Chief Justice Iftikhar Mohammad Chaudhry, publicly stated that it had overwhelming evidence that Pakistan's

intelligence agencies were detaining terror suspects and other opponents. The retroactive application of the Army Act will allegedly allow substantial impunity of those tried for having terror suspects disappear.

302. In a separate allegation, it was reported that the Government of Pakistan has created two committees in the Balochistan province, one for missing persons and one for internally displaced persons. However, the names of the committee members to investigate cases of missing persons have yet to be announced.

303. It was also reported that disappearances are still occurring in Balochistan, even after the Prime Minister's announcement that military operations in the province would cease. It has been alleged that 39 persons, mostly young people, still remain missing after being arrested in the first quarter of 2008.

304. According to the reports received, military personnel attacked and raided different houses and hostels of Khuzdar Degree College in Khuzdar and arrested more than 200 persons. Ten persons are still missing. In another incident, army officials raided the house of the district president of a nationalist group. His whereabouts remain unknown.

305. In a separate incident, three persons were reportedly arrested by military personnel in May 2008. Their charred bodies were later found in the centre of a market place in Dera Bugti.

306. No responses were received from the Government regarding both general allegations.

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

307. Since its establishment, the Working Group transmitted 118 cases to the Government. It clarified 24 cases: 18 on the basis of information provided by the Government and 6 on the basis of information provided by the source; 94 remain outstanding.

#### **Observations**

308. The Working Group reminds the Government of its obligations under the Declaration, to prevent and eradicate enforced disappearances (art. 2), to "take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance" (art. 3), that "no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances" (art. 7), to investigate all cases of enforced disappearances (art. 13.1), and that persons who are alleged to have committed an enforced disappearance "shall not benefit from any special amnesty or similar measures that might have the effect of exempting them from any criminal proceedings or sanction" (art. 18.1).

309. The Working Group also reminds the Government that, according to its general comment on the definition of enforced disappearance, a detention, followed by an extrajudicial execution is an enforced disappearance proper, as long as such detention or deprivation of liberty was

carried out by government agents and, subsequent to the detention, or even after the execution was carried out, State officials refuse to disclose the fate or whereabouts of the person concerned or refuse to acknowledge the act having been perpetrated at all.

### Peru

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
2 368	0	3	0	0	2 371

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	No	0

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

### Standard cases

310. The Working Group transmitted three newly-reported cases of disappearance to the Government. One concerned **Francisco Juan Fernández Gálvez**, disappeared in the Chilca district, province of Huancayo, after being arrested by officers of the Army Intelligence Service on 5 October 1990. Another concerned **Rodolfo Ángel Escobar Jurado**, disappeared on 27 February 1990 in San Cristóbal Bridge in the Huancavelica department after being arrested by military officers. The third concerned **Jaime Boris Ayala Sulca**, disappeared in the Huanta province after being arrested by officials from the Peruvian Marine Infantry on 2 August 1984.

### Total cases transmitted, clarified and outstanding

311. Since its establishment, the Working Group transmitted a total of 3,009 cases to the Government. It clarified 638 cases, 253 on the basis of information provided by the Government and 385 on the basis of information provided by the source; 2,371 remain outstanding.

312. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Observations

313. The Working Group encourages the Government to provide information on the fate or whereabouts of the victims that could lead to the clarification of the 2,371 outstanding cases.

### Philippines

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
615	2	4	2	0	619

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
5	No	0

General allegation	Yes	Government response	No
Prompt intervention letter	Yes	Government response	No
Working Group request for a visit	Yes	Government response	None

### Urgent actions

314. The Working Group sent two cases under its urgent action procedure to the Government. The first case concerned **Flavio Arante**, last seen at a military detachment in Negros Oriental in January 2008. The second concerned **James Balao**, disappeared in Baguio City in September 2008.

### Standard cases

315. The Working Group transmitted four newly-reported cases to the Government. They concerned **Gloria Soco**, **Celina Palma**, **Ariel Beloy** and **Prudencio Calubid**, members of the National Democratic Front of the Philippines Negotiating Panel, stopped on a highway in Quezon Province and allegedly taken away by military officers in June 2006.

### Information from the Government

316. The Working Group received two communications from the Government, dated 19 November 2007 and 15 October 2008, concerning five outstanding cases. The first communication indicated that investigations on four cases were closed. In the second communication, the Government informed that an *amparo* petition had been dismissed by the Court of Appeals for lack of factual basis and for failure to substantiate the allegations, but that the investigation was ongoing. The information was insufficient to clarify the outstanding cases.

### Information from sources

317. Information was received from the source concerning 12 outstanding cases. The source indicated that 10 habeas corpus petitions had been requested, and 6 had been denied.

### Clarification

318. Following the expiration of the six-month rule, the Working Group decided to clarify two cases.



### **Prompt intervention**

319. On 29 August 2008, the Working Group sent a prompt intervention to the Government of the Philippines, together with the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (listed as an urgent appeal under the other mandates' records). The letter concerned four human rights activists who received threatening messages on their mobile phones, warning them to cease their investigations into the disappearance of a 46-year-old man.

320. No response was received from the Government concerning this prompt intervention.

### **General allegation**

321. Information was submitted by credible sources concerning obstacles reportedly encountered in the implementation of the Declaration. This information was transmitted to the Government after its eighty-third session.

322. It was reported that there is a pattern of impunity and complicity of government forces in the Central Luzon region of the Philippines. Since 2001, more than 70 persons have allegedly been victims of enforced disappearances, a number of those previously disappeared have surfaced after being detained and tortured by military officers, and no perpetrators have been punished.

323. It was also reported that the Court of Appeals in Manila did not allow an official from a human rights group to testify on the disappearance of an activist farmer. The Assistant Solicitor General allegedly filed a manifestation to stop the official from giving testimony. The letter of allegation states that the Court ruled that the official could not testify because the information presented had already been discussed during the summit on extrajudicial killings organized by the Supreme Court recently. According to the information received, the testimony would show that this case is not an isolated incident as claimed by the military, but rather that there is a pattern of disappearances in the region.

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

### **Request for a visit**

325. On 24 May 2006, the Working Group requested to undertake a mission to the Philippines. No response has been received from the Government.

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

326. Since its establishment, the Working Group transmitted 780 cases to the Government. It clarified 161 cases, 126 on the basis of information provided by the Government and 35 on the basis of information provided by the source; 619 remain outstanding.

## Observations

327. The Working Group expresses concern that during the period under review, two urgent actions were sent to the Government.

328. The Working Group reminds the Government of its obligations under the Declaration, to prevent ill-treatment, intimidation or reprisal against those involved in the investigation (art. 13.3), to take steps “to ensure that any ill treatment, intimidation, reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished” (art. 13.5) and that “investigations should be conducted for as long as the fate of the victim of enforced disappearance remains unclarified” (art. 13.6).

329. The Working Group reaffirms its request to the Government of the Philippines for a country visit aimed at clarifying the 619 outstanding cases.

### Russian Federation

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
457	2	8	0	0	467

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
24	No	0

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

## Urgent actions

330. Two cases were sent under the urgent action procedure. One case concerned **Isa Khalitov**, allegedly arrested on 27 May 2008 by police officers from the ORB-2 department in Grozny, Chechnya. The other concerned **Mohmadsalah Denilovich Masaev**, reportedly arrested in Grozny by law enforcement officials on 3 August 2008.

## Standard cases

331. The Working Group transmitted eight newly-reported cases of disappearance to the Government. The cases concerned **Ibragim Isamilov** and **Rasukhan Evloev**, arrested in Nazran region in Ingushetia by the Federal Security Services on 11 March 2004; **Adam Bersanov** and **Tamerlan Savarbekovich Tsechoev**, both arrested in Melgobek in Ingushetia by Federal Security Services on 5 December 2004 and 11 March 2004, respectively; **Girikhan Alikhanovich Tsechoev**, arrested in the village of Muzhichi by the Bamut Military Commandant's Office on 11 July 2004, and **Ramazan Umarov**, arrested in Makhachkala in the Republic of Dagestan by officers of the Ministry of Internal Affairs on 28 April 2007. The other

two cases concerned **Khusein Motsolgov** and **Akhmet Kartoev**, arrested in Nazran region in Ingushetia by officials from the State Security Forces on 5 May and 22 May 2007, respectively.

### **Information from the Government**

332. The Working Group received nine communications from the Government of the Russian Federation dated 24 August 2007, 18 September 2007, 22 October 2007, 29 December 2007, 26 March 2008, 30 June 2008, 4 August 2008, 25 August 2008 and 21 October 2008. In the first six communications, the Russian Federation provided additional information on 24 outstanding cases of enforced disappearance. However, the information submitted was insufficient to clarify the outstanding cases. The last three communications could not be translated by the Secretariat in time for consideration by the Working Group for inclusion in the present report.

333. The Government of Uzbekistan provided information on the case of **Abdulaziz Murodullayevich Boymatov** which could constitute a clarification provided the source did not raise an objection within six months. It is to be noted that, according to the methods of work of the Working Group, the case of **Abdulaziz Murodullayevich Boymatov** was accounted under the Russian Federation, where he was arrested.

### **Information from sources**

334. Information was received from sources regarding the case of **Abdulaziz Murodullayevich Boymatov**. The source requested additional time in order to confirm the information provided by the Government regarding his whereabouts. Therefore, the Working Group decided to extend the period of consideration of this case, and suspend the six-month rule.

### **Request for a visit**

335. The Government of the Russian Federation indicated that it continued to be in agreement in principle with the visit and asked that the time for the visit be reviewed after the completion of the process of assessment of the mandates of special procedures by the Human Rights Council. On 4 June 2008, the Working Group reiterated its interest to undertake the visit to the Russian Federation and the first quarter of 2009 was suggested as possible dates. The Government of the Russian Federation has not yet responded to the renewed request.

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

336. Since its establishment, the Working Group transmitted 478 cases to the Government. It clarified 11 cases, 1 on the basis of information provided by the Government and 10 on the basis of information provided by the source; 467 remain outstanding.

337. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### **Observations**

338. The Working Group expresses concern that during the period under review, two urgent actions were sent to the Government and no response was received.

339. The Working Group deeply appreciates the cooperation of the Government.

340. The Working Group regrets that dates have not been set to visit the country and would like to receive an invitation.

### Rwanda

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

341. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/7/2.

### Saudi Arabia

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

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

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

### Information from the Government

342. The Government transmitted two communications to the Working Group, dated 12 February and 20 August 2008, concerning two cases. Based on the information received on one case, which stated that the victim was in detention in Iraq, the Working Group applied the six-month rule. In the second, the Government stated that the person was being processed for a crime and that his family had been able to communicate with him. The Working Group considers this information insufficient to clarify the case, as his exact whereabouts remain unknown.

**Total cases transmitted, clarified and outstanding**

343. Since its establishment, the Working Group transmitted six cases to the Government: one was clarified on the basis of information provided by the Government, two were discontinued and three remain outstanding.

**Senegal**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

**Prompt intervention letter**

344. On 13 March 2008, the Working Group sent a prompt intervention letter to the Government of Senegal regarding the acts of intimidation and reprisals suffered by a Gambian journalist living in Senegal, allegedly at risk of enforced or involuntary disappearance at hands of Gambian National Intelligence Agency officers.

345. No response was received from the Government regarding the prompt intervention letter.

346. A summary of the situation in the country appears in document E/CN.3/2006/56 and Corr.1.

**Serbia**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
1	No	1

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

### Information from the Government

347. The Working Group received on 18 February 2008 one communication regarding the outstanding case. Based on the information provided, the Working Group applied the six-month rule.

### Total cases transmitted, clarified and outstanding

348. Since its establishment, the Working Group transmitted one outstanding case to the Government of Serbia.

#### Seychelles

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

349. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

#### Spain

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

350. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in A/HRC/4/41.

**Sri Lanka<sup>9</sup>**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
5 516	43	169	0	1	5 727

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
4	No	2

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes (3)	Government response	Yes (1)
Working Group request for a visit	Yes	Government response	Under consideration

**Urgent actions**

351. The Working Group sent 43 cases under its urgent action procedure to the Government, concerning 39 men and 4 women disappeared between February and October 2008. The majority of disappearances took place in Trincomalee and are attributed to the military, the police, security forces and paramilitary groups working with the Government.

**Standard cases**

352. The Working Group transmitted 169 newly-reported cases to the Government. The alleged disappearances took place mainly between 2006 and 2008, mainly in Colombo, Trincomalee and Jaffna. The military, police, criminal investigation department and paramilitary groups working with the Government are allegedly responsible for these disappearances, which include one woman and one minor. Other cases concern men who disappeared in Jaffna.

**Information from the Government**

353. The Working Group received three communications from the Government, dated 3 October 2007, 28 August and 2 September 2008, concerning four outstanding cases. Concerning two cases, the Government stated that no complaints of disappearances had been reported to the police and that the national identification card numbers did not correspond with their records. The information was insufficient to clarify the outstanding cases. For two cases, the Government provided the address of the victims. As a result, the Working Group applied the six-month rule.

**Information from sources**

354. The Working Group received one communication from a source regarding an urgent action, indicating that the person had been released.

<sup>9</sup> See Annex 5 for the list of names of the newly-reported cases of disappeared persons.

## **Clarification**

355. Following the information received by the source, the Working Group decided to clarify one case.

## **Meetings**

356. Representatives of the Government of Sri Lanka met with the Working Group at its eighty-fourth session to discuss developments connected to its outstanding cases and the request for a visit.

## **Prompt intervention**

357. On 15 July 2008, the Working Group sent a prompt intervention letter to the Government of Sri Lanka, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders. It concerned human rights defenders who were questioned by the Colombo Crime Division on the history, objectives and details of their work, after they distributed two leaflets during a public demonstration. Further questioning took place at the Colombo Crime Division Office, and information about the staff members and their families was also recorded.

358. On 12 September 2008, the Working Group sent a second prompt intervention letter, together with the Special Rapporteur on the situation of human rights defenders (listed as an urgent appeal under the mandate's records). It concerned the prolonged interrogation of a human rights defender working on enforced disappearances, as well as a reported defamation campaign against him.

359. On 6 October, the Working Group sent a third prompt intervention letter, together with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the situation of human rights defenders. It concerned the bombing of a human rights lawyer's premises. He had reportedly been taking cases of enforced disappearance to court.

360. On 4 September 2008, the Government responded to the first letter. The Government indicated that investigations were launched based on information received concerning the distribution of pamphlets "attempting to excite feelings of disaffection amongst public in contempt of the administration of justice. [...] The material contained in the pamphlet was reportedly "provocative in nature, would have aroused feelings of hatred towards security forces and the police [...]" and "could have possibly influenced the public to precipitate an inimical situation. [...] In the pamphlet in question, certain statements were made against armed forces and the police and their activities in the performance of their duties. [...] Therefore, it was necessary to investigate the nature of the publication and to seek legal advice from the Attorney General".

361. In addition, the Government stated that in the course of the investigations, no arrests or detentions were made and that there were no threats or intimidations on those who were subjected to questioning.



362. No response was received from the Government regarding the other two letters.

#### **Press release**

363. On 11 June 2008, the Working Group issued a press release deploring the large number of cases of disappearances in Sri Lanka. The Working Group called upon the Sri Lankan authorities to take effective measures to prevent and terminate acts of enforced disappearances, carry out thorough investigations and bring the perpetrators to justice. Finally, the Working Group reiterated its request to conduct a country visit.

#### **Request for a visit**

364. On 16 October 2006, the Working Group requested to undertake a mission to Sri Lanka. The Government replied stating 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. Notwithstanding several reminders, no dates have yet been set.

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

365. Since its establishment, the Working Group transmitted 12,675 cases to the Government. It clarified 6,570 cases, 6,530 on the basis of information provided by the Government and 40 on the basis of information provided by the source; 378 were found to be duplications and were therefore deleted; 5,727 remain outstanding.

#### **Observations**

366. The Working Group remains gravely concerned at the increase in reported cases of enforced disappearances in the country, which led to the issuance of a related press release. The Working Group is alarmed that 212 cases were reported during 2008.

367. The Working Group is concerned that many other cases may be occurring in the country and are not being reported because of fear of reprisals.

368. In light of the increasing number of cases, the Working Group would like to reiterate its request to conduct a mission to Sri Lanka as soon as possible.

369. The Working Group encourages the Government to report on the further implementation of the recommendations emanating from the Working Group visits in 1991, 1992 and 1999.

370. The Working Group reminds the Government of Sri Lanka of its obligations under the Declaration to “take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction” (art. 3).

### Sudan

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
172	1	0	0	0	173

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	No	0

General allegation	Yes	Government response	No
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	None

### Urgent actions

371. One case was sent to the Government of the Sudan under the urgent action procedure. The case concerned **Saida Asil Nur Oshar**, allegedly arrested on 6 September 2008, by members of the National Intelligence and Security Service in El Geneina in West Darfur.

### General allegation

372. Information was submitted by credible sources to the Working Group concerning obstacles allegedly encountered in the implementation of the Declaration. This information was transmitted to the Government.

373. Credible sources reported that following an attack on 10 May 2008 by rebel forces on Omdurman (one of the three towns that form the Sudanese capital of Khartoum) the Sudanese authorities arrested hundreds of men, women and children, many of whom were subjected to disappearance.

374. Many of those arrested were picked up in public locations, such as on public transport and on the street. State agents are reported to have transferred an unknown number of detainees to locations outside Khartoum, such as Shandi to the north of the capital and Port Sudan in eastern Sudan.

375. Allegedly, many relatives of arrested or disappeared individuals reported that they have been unable to get information on the whereabouts of their loved ones, and that the authorities have refused to acknowledge that they are in detention.

376. Reportedly, relatives who have tried to locate detainees contacted the media or the National Intelligence and Security Services Information Office have themselves been harassed and risked being arrested.

377. No reply was received from the Government regarding this general allegation.

## Request for a visit

378. A request for a visit was sent to the Government of the Sudan on 20 December 2005. On 3 April 2008, the Working Group reiterated its interest to undertake the visit. However, no reply has yet been received.

## Total cases transmitted, clarified and outstanding

379. Since its establishment, the Working Group transmitted 382 cases to the Government. It clarified 209 cases, 205 on the basis of information provided by the Government and 4 on the basis of information provided by the source; 173 remain outstanding.

380. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

## Observations

381. The Working Group reiterates its concern about the possibility of underreporting of cases that may be occurring in Darfur as well as in other parts of the country.

382. The Working Group also reiterates its request for an invitation from the Government of the Sudan to conduct a country visit to assist the Government in preventing disappearances and in clarifying the 173 outstanding cases.

383. The Working Group reminds the Government of its obligations under articles 2 (obligation to prevent and eradicate enforced disappearance), 3 (obligation to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of disappearance), 10 (persons deprived of liberty should be held in officially recognized places of detention, and be brought before a judicial authority), 13.3 (protection against ill-treatment, intimidation or reprisal) and 13.5 (ill-treatment, intimidation or reprisal should be punished) of the Declaration.

## Switzerland

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

**Standard cases**

384. The Working Group transmitted one newly-reported case of disappearance to the Government. The case concerns **Mohamed El Ghanam**, allegedly arrested on 12 March 2007 by agents of the Swiss Government in Geneva.

**Total cases transmitted, clarified and outstanding**

385. Since its establishment, the Working Group transmitted one case to the Government.

**Syrian Arab Republic**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
18	0	0	0	0	18

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
5	No	0

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

**Information from the Government**

386. The Working Group received one communication from the Government, dated 12 February 2008, concerning five outstanding cases, including one which is listed under Lebanon. In four cases, the Government stated that the disappeared were not being held in Syrian prisons. In one case, the Government stated that the victim had been executed. The information was insufficient to clarify the outstanding cases.

387. The Government of Jordan submitted one communication, indicating that it had no further information regarding one case in the Syrian Arab Republic.

**Total cases transmitted, clarified and outstanding**

388. Since its establishment, the Working Group transmitted 44 cases to the Government. It clarified 26 cases, 12 on the basis of information provided by the Government and 14 on the basis of information provided by the source; 18 remain outstanding.

### Tajikistan

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

389. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in A/HRC/7/2.

### Thailand

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
48	0	7	0	0	55

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
10	No	0

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

### Standard cases

390. The Working Group transmitted seven newly-reported cases to the Government. Five concerned **Maneeya Loneeya**, **Wae-asi Wae-su**, **Arhamah Waedorloh**, **Mayataeng Marano** and **Marudin Wava**, who disappeared in Yala Province between 2004 and 2007. The other two concerned **Ibrohim Sae**, disappeared in Narathiwat Province, and **Arun Mong**, disappeared in Songkhla Province. The police, the army and security forces are reportedly responsible for these disappearances.

### Information from the Government

391. The Working Group received two communications from the Government, dated 22 November 2007 and 3 September 2008. The first concerned 10 outstanding cases. In six cases, the Government stated that there was no evidence to prove that the victims are still

alive or being detained. In three cases, the Government provided additional information on ongoing investigations. The information was insufficient to clarify the outstanding cases. The latter communication expressed the Government's disagreement with the contents of the press release issued by the Working Group on the International Day of the Disappeared and noted its ongoing cooperation with the Working Group.

### **Information from sources**

392. Information was received from the source concerning nine outstanding cases, requesting the Government to provide substantive and detailed information concerning the investigations currently being carried out.

### **Prompt intervention**

393. On 26 February 2008, the Working Group sent a prompt intervention letter to the Government, together with the Special Rapporteur on the situation of human rights defenders (listed as an urgent appeal under that mandate's records). The letter concerned the wife of a human rights lawyer who disappeared in 2004. The Department of Special Investigation decided to transfer the witness protection she was receiving from civilian officers to police officers, who were on trial in connection with her husband's disappearance. As a result, she withdrew from the programme, and concern was expressed for her physical and psychological integrity.

394. On 1 October 2008, the Government responded, indicating that she was placed under Thailand's witness protection programme in 2004, and that her protection remains the responsibility of the Department of Special Investigation (DSI), Ministry of Justice, and not the police authorities.

395. The Government also noted that there has been concrete progress on the case, after the appointment of the new director of the DSI, who was allegedly the superior officer of the police officers currently accused in connection with the lawyer's disappearance. The Government informed that it does not condone the case of suspected disappearance reported to the authorities and that all cases have been investigated.

### **General allegations**

396. Information was submitted by credible sources to the Working Group concerning obstacles reportedly encountered in the implementation of the Declaration. This information was transmitted to the Government.

397. It was reported that five of the suspects in the case of disappeared lawyer Somchai Neelapaichit are senior and mid-ranking police officers. There are reports that there has been a lack of police cooperation with Department of Special Investigation investigations and that there are other measures which may curtail or impede the investigation.

398. It was also reported that witness protection provided to the wife of Mr. Neelapaichit was withdrawn, replaced with police officers and later reinstated, but still under review, in possible contravention of article 13.3 of the Declaration.

399. It was also reported that one police officer was convicted and four were acquitted. The family of Mr. Neelapaichit appealed the judgement and have been waiting over two years for the appeal decision. There is also concern that pending the appeal decision of the four police defendants, they have been allowed to resume police jobs, in contravention with article 16 (1) of the Declaration.

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

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

401. Since its establishment, the Working Group transmitted 58 cases to the Government; of those, 1 case was clarified on the basis of information provided by the Government, 2 cases were discontinued, and 55 remain outstanding.

### **Observations**

402. The Working Group reminds the Government of its obligations under article 13.3 of the Declaration, to prevent ill-treatment, intimidation or reprisal against those involved in the investigation, and article 13.5, to take steps “to ensure that any ill treatment, intimidation, reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished”.

403. The Working Group is grateful for the Government’s reaffirmed commitment to investigate all reported cases of enforced disappearances.

### **Timor-Leste**

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
425	0	0	0	0	428 <sup>10</sup>

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	No	0

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes	Government response	None

<sup>10</sup> Numbers continue to be reviewed for accuracy.

### Request for a visit

404. On 12 December 2006, the Working Group requested to undertake a mission to Timor-Leste, in order to facilitate the clarification of outstanding cases. A reminder letter was sent on 3 April 2008. No response has been received from the Government.

### Total cases transmitted, clarified and outstanding

405. Since its establishment, the Working Group transmitted 504 cases to the Government of the day. It clarified 76 cases, 58 clarified on the basis of information provided by the Government of Indonesia and 18 on the basis of information provided by the source; 428 remain outstanding. The Working Group sent a copy of these cases to the Government of Indonesia.

### Observations

406. The Working Group encourages the Government of Timor-Leste, in cooperation with the Government of Indonesia, to communicate with the Working Group to further the clarification of the 428 outstanding cases.

407. The Working Group reaffirms its request to the Government of Timor-Leste for a country visit aimed at clarifying the 428 outstanding cases as soon as possible.

### Togo

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

408. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.



## Turkey

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
70	0	1	8	0	63

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)
36	Yes	0

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

### Standard cases

409. The Working Group transmitted one reported case of disappearance to the Government. The case concerned **Fathollah Manochchri Fouladvand**, allegedly arrested in a district of Hakkari Province in Turkey on 17 January 2007 by Iranian Security Officers and taken to Tehran. In accordance with its methods of work, the Working Group sent a copy of this case to the Government of the Islamic Republic of Iran.

### Information from the Government

410. The Working Group reviewed four communications from the Government of Turkey dated 2 October 2007, 30 January, 26 May and 13 October 2008, on 36 cases. On three cases the Working Group applied the six-month rule.

411. In the first communication, the Government of Turkey provided information on seven cases, with death certificates related to three of them, to which the Working Group applied the six-month rule. The information related to the other four cases was considered insufficient to clarify them.

412. Regarding the communications dated 30 January, 26 May and 13 October 2008, the Working Group decided that the responses were considered insufficient to clarify the cases.

### Clarifications

413. The Working Group clarified eight cases where the six-month rule expired as no observations were received from the source.

### Total cases transmitted, clarified and outstanding

414. Since its establishment, the Working Group transmitted 182 cases to the Government. It clarified 118 cases, 69 on the basis of information provided by the Government and 49 on the basis of information provided by the source; 1 was discontinued and 63 remain outstanding.

415. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

### Observations

416. The Working Group expresses its appreciation about the eight cases clarified by the Government.

#### Uganda

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

417. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/4/41.

#### Ukraine

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
3	No	0

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

### Information from the Government

418. On 7 June 2007, the Government of Ukraine transmitted one communication concerning three outstanding cases. However, the Government response was insufficient to constitute clarifications.

**Total cases transmitted, clarified and outstanding**

419. Since its establishment, the Working Group transmitted four cases to the Government; one was clarified on the basis of information provided by the Government; three remain outstanding.

420. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1.

**United Arab Emirates**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

421. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in A/HCR/4/41.

**United States of America**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

**Information from the Government**

422. The Working Group received one communication from the Government dated 4 August 2008 regarding the general allegation.

## General allegation

423. The Working Group received information from credible sources concerning obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in the United States of America. This information was transmitted to the Government after its eighty-third session through the following general allegation.

424. It was reported that one case of extraordinary rendition, which occurred in Italy on 17 February 2003, involved an enforced disappearance for a certain period of time. The Working Group was informed that this case took place in the context of extraordinary rendition programmes that were allegedly carried out by the United States of America together with Egypt, where the person was secretly imprisoned and reportedly tortured.

425. In a communication dated 4 August 2008, the Government of the United States of America stated that:

“While the Government of the United States is not in a position to comment on specific alleged intelligence activities, the Government would like to emphasize that the United States does not transport individuals from one country to another for the purpose of interrogation using torture. Furthermore, the United States has not transported individuals, and will not transport individuals to a country where the Government believes they will be tortured.”

## Observations

426. The Working Group reminds the Government of its general comment on the definition of enforced disappearance, especially that intentionality is irrelevant in the sense that any act of enforced disappearance has the consequence of placing the persons subjected thereto outside the protection of the law, regardless of the pursued purpose.

### Uruguay

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

427. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in A/HRC/4/41.

### Uzbekistan

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
8	No	0

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

### Information from the Government

428. The Government of Uzbekistan transmitted two communications, dated 18 September 2007 and 19 July 2008. In the first the Government provided information on the case of **Abdulaziz Murodullayevich Boymatov**, which could constitute a clarification provided the source did not raise an objection within six months. It is to be noted that the case of **Abdulaziz Murodullayevich Boymatov** was registered under the Russian Federation, where he was arrested.

429. Regarding the communication dated 19 July 2008, the Working Group decided that the Government's response was insufficient to constitute clarifications.

### Information from sources

430. Information was received from sources regarding the case of **Abdulaziz Murodullayevich Boymatov**. The source requested additional time in order to confirm the information provided by the Government regarding his whereabouts. Therefore, the Working Group decided to extend the period of consideration of this case, and suspend the six-month rule.

### Total cases transmitted, clarified and outstanding

431. Since its establishment, the Working Group transmitted 19 cases to the Government. It clarified 12 cases, 11 on the basis of information provided by the Government and 1 on the basis of information provided by the source; 7 remain outstanding.

432. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/4/41.

**Venezuela (Bolivarian Republic of)**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
10	No	0

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

**Information from the Government**

433. One communication was received from the Government of Venezuela on 1 June 2007 on all outstanding cases. The response was insufficient to constitute clarifications.

**Total cases transmitted, clarified and outstanding**

434. Since its establishment, the Working Group transmitted 14 cases to the Government. Four were clarified on the basis of information provided by the Government and 10 cases remain outstanding.

435. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/4/41.

**Viet Nam**

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

## Urgent action

436. The Working Group sent one case under its urgent action procedure. The case concerns **Thich Tri Khai**, a Buddhist monk disappeared from a pagoda in Don Duong District in July 2008.

## Total cases transmitted, clarified and outstanding

437. Since its establishment, the Working Group transmitted two cases to the Government. One was clarified on the basis of information provided by the source and one remains outstanding.

## Yemen

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

## Standard cases

438. The Working Group transmitted one newly-reported case to the Government. It concerned **Wasef Matar**, arrested during a military exercise and last seen in a prison in 2004.

## Total cases transmitted, clarified and outstanding

439. Since its establishment, the Working Group transmitted 151 cases to the Government. It clarified 136 cases, 135 on the basis of information provided by the Government and 1 on the basis of information provided by the source, 14 were discontinued and 1 case remains outstanding.

### Zimbabwe

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review		Cases clarified during the period under review by:		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	1	0	0	0	4

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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

### Urgent action

440. The Working Group sent one case under its urgent action procedure to the Government of Zimbabwe on 30 January 2008, regarding **Gasto Mwela**, arrested in Tongorara camp by security forces.

### Information from sources

441. Information was received from sources concerning one outstanding case.

### Total cases transmitted, clarified and outstanding

442. Since its establishment, the Working Group transmitted a total of five cases to the Government. One was clarified by the Government and four remain outstanding.

443. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr.1 and A/HRC/4/41.

### Palestinian Authority

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

Number of cases on which the Government has replied	Multiple replies on some cases	Number of cases of possible clarification by Government (6-month rule)
0	No	0

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



444. All outstanding cases were retransmitted and no response was received from the Government. A summary of the situation in the country appears in E/CN.4/2006/56 and Corr. 1.

#### **IV. AREAS OF CONCERN, CONCLUSIONS AND RECOMMENDATIONS**

445. In 2008, the Working Group transmitted 1,203 newly-reported cases of disappearance to 27 Governments, 83 of which allegedly occurred during 2008. The Working Group used the urgent action procedure in 69 of these cases, which allegedly occurred within the three months preceding the receipt of the report by the Working Group. During the reporting period, the Working Group was able to clarify 54 cases of disappearance. The Working Group is grateful for the cooperation received from a number of Governments. Nevertheless, it remains concerned that of the 79 States with outstanding cases, some Governments (Burundi, Guinea, Israel, Mozambique, Namibia, Seychelles and Timor-Leste, as well as the Palestinian Authority), have never replied to the Working Group's communications. Some Governments provide responses that do not contain relevant information. The Working Group urges those Governments to fulfil their obligations under the Declaration and the resolutions of the General Assembly, the Commission on Human Rights and its successor, the Human Rights Council. The cooperation of Governments is indispensable for discovering the fate or whereabouts of disappeared persons around the globe.

446. The Working Group reminds States that enforced disappearance is a continuing offence for as long as the fate or whereabouts of the victim remains unclarified.

447. The Working Group reminds States of their obligations under the Declaration to prevent impunity by taking lawful and appropriate steps to bring to justice those alleged to have committed enforced disappearances. In this regard, trials should be carried out by competent ordinary courts.

448. The Working Group is aware of the fact that in certain circumstances, enforced disappearances may amount to crimes against humanity. It therefore calls upon all competent authorities to take all possible steps, in such cases, to bring the alleged perpetrators to justice.

449. The Working Group continues to be concerned about measures being taken while addressing terrorism and its implications relating to enforced disappearances. These include the enactment of legislation that restricts personal freedoms and weakens due process, random arrests committed during military operations, arbitrary detentions and extraordinary renditions, which amount to enforced disappearances.

450. The Working Group calls on States to take specific legislative, administrative, judicial or other measures to prevent and terminate enforced disappearances. States should also take specific measures under criminal law to define enforced disappearances as a separate criminal offence and to bring their existing legislation in line with the Declaration.

451. The Working Group reminds States of their obligation to ensure that every person having knowledge or legitimate interest has the right to complain to a competent and independent authority and to have that complaint promptly, thoroughly and impartially investigated. The Working Group calls on States to consider establishing special independent investigating bodies

to deal with matters of enforced disappearance. The Working Group also calls upon States, when responding to cases of disappearances in their country, to inform the Working Group of the specific steps taken to investigate the circumstances surrounding the disappearance.

452. The Working Group also reminds States of its general comment referring to article 19, which states that “In addition to the punishment of the perpetrators and the rights to monetary compensation, the right to obtain redress for acts of enforced disappearance under article 19 of the Declaration also includes the ‘means for as complete a rehabilitation as possible’.”

453. The Working Group would like to emphasize the right to truth, which should be enjoyed by all victims of enforced disappearance.

454. States ought to take specific measures to promote truth and reconciliation in their societies, as a means to ensure non-repetition of human rights violations, particularly enforced disappearances. Reconciliation takes place at various levels of society, between victims and perpetrators, among groups and at the national level. The Working Group stresses that measures taken to promote reconciliation should not be used as a substitute for bringing perpetrators to justice, in accordance with the principles provided for in the general comment on article 18 of the Declaration.

455. The question of disappearance has a special resonance with women. The serious economic hardships which usually accompany a disappearance are most often borne by them. When women are the victims of disappearance, they become particularly vulnerable to sexual and other forms of violence. In addition, it is they who are most often at the forefront of the struggle to resolve the disappearances of members of their family, making them susceptible to intimidation, persecution and reprisals.

456. The Working Group notes that children are also victims of disappearances, both directly and indirectly. The disappearance of a child, his/her wrongful removal, and the loss of a parent through disappearance are serious violations of children’s rights.

457. The Working Group calls upon States to take specific measures to prevent and punish threats, intimidation and reprisals against all victims of enforced disappearances, including family members, witnesses and human rights defenders working on these cases.

458. Country visits are an integral part of the fulfilment of the Working Group’s mandate, as they allow the Working Group to highlight country practices in addressing enforced disappearances, assist States in reducing obstacles to the implementation of the Declaration, and ensure access to those family members who might not be able to attend the Working Group’s sessions in Geneva. It would like to thank the States that have extended invitations to visit their countries or hosted the Working Group’s sessions. However, because informal confirmation and even standing invitations are not sufficient, the Working Group calls on all States with pending requests for visits to respond with specific dates as soon as possible.

459. The Working Group also remains committed to assisting States in ensuring that their legislation and other measures are in conformity with the Declaration, by providing their expertise in this regard.

460. The Working Group notes with satisfaction that 79 countries have signed and five have ratified the International Convention for the Protection of All Persons from Enforced Disappearance. The Working Group is committed to cooperating with the committee under the Convention when it enters into force, and believes that the committee will complement its work in preventing enforced disappearances. It calls on countries that have not signed and/or ratified the Convention to do so and to accept the competence of the committee under article 31 and the inter-State complaint mechanism under article 32 of the Convention.

## **Annex 1**

### **REVISED METHODS OF WORK OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES**

**(Adopted on 4 December 2008)**

#### **Mandate**

The Working Group's methods of work are based on its mandate as stipulated originally in Commission on Human Rights resolution 20 (XXXVI) and as developed by the then Commission and the Human Rights Council in numerous further resolutions. The parameters of its work are laid down in the Charter of the United Nations, the International Bill of Human Rights, Economic and Social Council resolution 1235 (XLI) and the Declaration on the Protection of All Persons from Enforced or Involuntary Disappearance, adopted by the General Assembly in its resolution 47/133 of 18 December 1992 (hereinafter referred to as "the Declaration").

#### **Definition of enforced disappearance**

As defined in the preambular part of the Declaration, enforced disappearances occur when persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law.

#### **Basic mandate**

The basic mandate of the Working Group is humanitarian in nature, aimed at assisting families in determining the fate and whereabouts of their disappeared relatives who are placed outside the protection of the law. To this end, the Working Group endeavours to establish a channel of communication between the families and the Governments concerned, with a view to ensuring that sufficiently documented and clearly identified individual cases which families, directly or indirectly, have brought to the Group's attention are investigated with a view to clarifying the fate or whereabouts of the disappeared persons.

#### **The Declaration**

In addition to its original mandate, the Working Group has been entrusted by the General Assembly, the then Commission on Human Rights and the Human Rights Council, with various tasks. In particular, the Working Group is to monitor States' compliance with their obligations deriving from the Declaration on the Protection of All Persons from Enforced Disappearance and to provide to Governments assistance in its implementation. States are under an obligation to take effective measures to prevent and terminate acts of enforced disappearance by making them continuing offences under criminal law and establishing civil liability of those responsible. The Declaration also refers to the right to a prompt and effective judicial remedy, as well as unhampered access of national authorities to all places of detention, the right to habeas corpus,

the maintenance of centralized registers of all places of detention, the duty to investigate fully all alleged cases of disappearance, the duty to try alleged perpetrators of acts of disappearance before ordinary (not military) courts, the exemption of the criminal offence of acts of enforced disappearances from statutes of limitation, special amnesty laws and similar measures leading to impunity.

The Working Group reminds the Governments of these obligations not only in the context of clarifying individual cases but also that of taking action of a more general nature. It draws the attention of Governments and non-governmental organizations to general or specific aspects of the Declaration, it recommends ways of overcoming obstacles to the realization of the Declaration, it discusses with representatives of Governments and non-governmental organizations how to solve specific problems in the light of the Declaration, it assists Governments by carrying out on-the-spot visits, organizing seminars and providing similar advisory services. The Working Group also makes observations on the implementation of the Declaration when the concerned Government has not fulfilled its obligations related to the rights to truth, justice and reparation. The Working Group adopts general comments whenever it considers that a provision of the Declaration requires further clarification or interpretation.

### **Admissibility of reports on disappearances**

Reports on disappearances are considered admissible by the Working Group when they originate from the family or friends of the disappeared person. Such reports may, however, be channelled to the Working Group through representatives of the family, Governments, intergovernmental organizations, non-governmental organizations and other reliable sources. They must be submitted in writing with a clear indication of the identity of the sender; if the source is other than a family member, it must have direct consent of the family to submit the case on its behalf, and it must also be in a position to follow up with the relatives of the disappeared person concerning his or her fate.

The Working Group does not deal with situations of international armed conflict.

### **Elements for admissibility**

In order to enable Governments to carry out meaningful investigations, the Working Group provides them with information containing at least a minimum of basic data. In addition, the Working Group constantly urges the senders of reports to furnish as many details as possible concerning the identity of the disappeared person and the circumstances of the disappearance. The Group requires the following minimum elements:

- (a) Full name of the disappeared person and, if possible, age, gender, nationality, and occupation or profession;
- (b) Date of disappearance, i.e. day, month and year of arrest or abduction, or day, month and year when the disappeared person was last seen. When the disappeared person was last seen in a detention centre, an approximate indication is sufficient (for example, March or spring 1990);

(c) Place of arrest or abduction, or where the disappeared person was last seen (indication of town or village, at least);

(d) Parties, acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, presumed to have carried out the arrest or abduction or to be holding the disappeared person in unacknowledged detention;

(e) Steps taken by the family to determine the fate or whereabouts of the disappeared person, or at least an indication that efforts to resort to domestic remedies were frustrated or have otherwise been inconclusive;

(f) A case should be submitted to the Working Group by a reliable source, which, if other than a family member, must indicate whether the reported victim's family has given their direct consent that this case be submitted to the Working Group on their behalf.

If a case is not admitted, the Working Group sends a response to the source indicating that the information received did not fulfil the established requirements, in order to permit the source to provide all relevant information.

### **Communication with Governments**

In transmitting cases of disappearance, the Working Group deals exclusively with Governments, basing itself on the principle that Governments must assume responsibility for any violation of human rights on their territory.

### **Perpetrators**

The Working Group operates on the basis that, and in accordance with the definition contained in the Preamble of the Declaration, for purposes of its work, enforced disappearances are only considered as such when the act in question is perpetrated by State actors or by private individuals or organized groups (e.g. paramilitary groups) acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government. Based on the above, the Working Group does not admit cases when they are attributed to persons or groups not acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, such as terrorist or insurgent movements fighting the Government in its own territory.

### **Standard procedure**

Reported cases of disappearances are placed before the Working Group for detailed examination during its sessions. Those which fulfil the requirements outlined above are transmitted, upon the Group's specific authorization, to the Governments concerned with the request that they carry out investigations in order to clarify the fate or whereabouts of the disappeared person, and inform the Group about the results. These cases are communicated by letter from the Group's Chairman to the Government concerned through the Permanent Representative to the United Nations Office at Geneva.

Any substantive additional information which the sources submit on an outstanding case is placed before the Working Group and, following its approval, transmitted to the Government concerned.

## **Urgent actions**

Cases that occurred within the three months preceding receipt of the report by the Group are transmitted to the Minister for Foreign Affairs of the country concerned by the most direct and rapid means. Their transmission can be authorized by the Chairman on the basis of a specific delegation of power given to him by the Group. Cases which occurred prior to the three-month limit, but not more than one year before the date of their receipt by the Secretariat, provided that they had some connection with a case which occurred within the three-month period, can be transmitted between sessions by letter, upon authorization by the Chairman. The Working Group provides the source with a copy of the summary of each urgent action, thus helping it to enter into communication with the authorities on the case concerned.

## **Pregnancy**

In the case of the disappearance of a pregnant woman, the child presumed to have been born during the mother's captivity should be mentioned in the description of the case of the mother. The child would be treated as a separate case when witnesses reported that the mother had actually given birth to a child during detention.

## **Situations of vulnerability**

With respect to reported cases of disappearances, the Working Group highlights the condition of people in situations of vulnerability, including women, children, the elderly, persons with disabilities, and other vulnerable groups.

## **Cases concerning two or more countries**

Reports on a disappearance indicating that officials from one country are directly responsible for or involved in a disappearance in another country, or in cases where officials from more than one country were directly responsible for or involved in the disappearance would be communicated to all Governments concerned. However, the case would only be counted in the statistics of the country in which the person was reportedly arrested, detained, abducted or last seen. The same principles are applied with respect to the transmission of general allegations and prompt interventions.

## **Government replies**

All replies received from Governments concerning reports of disappearances are examined by the Working Group and summarized in the Group's annual report to the Human Rights Council. Any information given on specific cases is forwarded to the sources of those reports, who are invited to make observations thereon or to provide additional details on the cases.

## **Reminders**

The Working Group reminds every Government concerned once a year of the cases which have not yet been clarified and three times a year of all urgent action cases transmitted since the previous session. On request, the Working Group provides to the Government concerned or the source, to the extent possible, updated information on specific cases.

## **Clarification**

Clarification occurs when the fate or whereabouts of the disappeared persons are clearly established as a result of investigations by the Government, inquiries by non-governmental organizations, fact-finding missions by the Working Group or by human rights personnel from the United Nations or from any other international organization operating in the field, or by the search of the family, irrespective of whether the person is alive or dead.

## **The six-month rule**

Any reply of the Government containing detailed information on the fate or whereabouts of the disappeared person is transmitted to the source. If the source does not respond within six months of the date on which the Government's reply was communicated to it, or if it contests the Government's information on grounds which are considered unreasonable by the Working Group, the case is considered clarified and is accordingly listed under the heading "Cases clarified by the Government's response" in the statistical summary of the annual report. If the source contests the Government's information on reasonable grounds, the Government is so informed and invited to comment.

## **Closed cases**

The Working Group may consider a case closed when the competent authority specified in the relevant national law pronounces, with the concurrence of the relatives and other interested parties, on the presumption of death of a person reported disappeared or preferably, a declaration of absence as a result of enforced disappearance. Presumption of death and a declaration of absence as a result of enforced disappearance should at all times respect the right to integral reparation.

## **Discontinuation of cases**

In exceptional circumstances, the Working Group may decide to discontinue the consideration of cases where the families have manifested, freely and indisputably, their desire not to pursue the case any further, or when the source is no longer in existence or is unable to follow up the case and steps taken by the Working Group to establish communication with other sources have proven unsuccessful.

## **Outstanding cases**

The Working Group considers cases as outstanding for as long as they have not been clarified, closed or discontinued in accordance with the methods of work. This principle is not affected by changes of Government in a given country nor in the event of State succession.

## **Reopening of cases**

If sources provide well-documented information that a case has been considered clarified, discontinued, or closed erroneously, because the Government's reply referred to a different person, does not correspond to the reported situation or has not reached the source within the six-month period referred to above, the Working Group transmits the case to the Government



anew, requesting it to comment. In such instances, the case in question is again listed among the outstanding cases and a specific explanation is given in the Group's report to the Human Rights Council, describing the above-mentioned errors or discrepancies.

### **General allegations**

The Working Group regularly transmits to the Governments concerned a summary of allegations received from relatives of disappeared persons and non-governmental organizations with regard to obstacles encountered in the implementation of the Declaration in their respective countries, inviting them to comment thereon if they so wish.

### **Prompt intervention**

Cases of intimidation, persecution or reprisal against relatives of disappeared persons, witnesses to disappearances or their families, members of organizations of relatives and other non-governmental organizations, human rights defenders or individuals concerned with disappearances are transmitted to the pertinent Governments, with the appeal that they take steps to protect all the fundamental rights of the persons affected. Cases of that nature, which require prompt intervention, are transmitted directly to the Ministers for Foreign Affairs by the most direct and rapid means. To that end, the Working Group has authorized its Chairman to transmit such cases between sessions.

### **Cooperation with other mechanisms**

If a case or allegation contains information relevant to other thematic mechanisms of the Council, the information is transmitted to the mechanism concerned.

### **Country missions**

The Working Group carries out visits to countries on invitation, but also takes the initiative of approaching Governments with a view to carrying out visits to countries, when considered appropriate. Such visits are intended to enhance the dialogue between the authorities most directly concerned, the families or their representatives and the Working Group, and to assist in the clarification of the reported disappearances. The Working Group also undertakes visits to examine the practices carried out by Governments to clarify cases of enforced disappearances, as well as the programmes and measures adopted to implement the Declaration and to guarantee the rights of the victims, including the right to integral reparation. The Working Group reports to the Council on its country visits in an addendum to its annual report.

### **Follow-up**

With regard to countries in which visits have been carried out, the Working Group periodically reminds the Governments concerned of the observations and recommendations formulated in the respective reports, requesting information on the consideration given to them, and the steps taken for their implementation or the constraints which might have prevented their implementation. The Working Group may also take the initiative to carry out follow-up visits.

## **Meetings**

The Working Group meets three times a year to consider the information brought to its attention since its previous session. Its meetings are held in private. However, the Working Group works intersessionally and regularly meets with representatives of Governments, non-governmental organizations, family members and witnesses.

## **Reports**

The Working Group reports annually to the Human Rights Council on the activities which it has carried out from the end of Council's previous session up until the last day of the Working Group's third annual session. It informs the Council of its communications with Governments and non-governmental organizations, its meetings and missions. Reports on missions are contained as addenda to the main report. The Working Group reports on all cases of disappearance received by the Group during the year, on a country-by-country basis, and on the decision it has taken thereon. It provides the Council with a statistical summary for each country of cases transmitted to the Government, clarifications, and the status of the person concerned on the date of clarification. It includes graphs showing the development of disappearances in countries with more than 100 transmitted cases as of the date of the adoption by the Working Group of its annual report. The Working Group includes conclusions and recommendations in its report and makes observations on the situation of disappearances in individual countries. The Working Group further reports on the implementation of the Declaration and the obstacles encountered therein, and periodically reports on broader issues surrounding the phenomenon of enforced disappearance.

## **Participation of experts**

When the information under consideration concerns a country to which one of the members of the Working Group is a national, that member does not participate in the discussion.

## **Titles**

Titles are for reference only and should not be considered as part of the methods of work.

## Annex 2

### DECISIONS ON INDIVIDUAL CASES TAKEN BY THE WORKING GROUP DURING THE REPORTING PERIOD

Countries	Cases which allegedly occurred during the reporting period	Cases transmitted to the Government during the reporting period		Clarification by:		Discontinued cases
		Urgent actions	Normal actions	Government	Non-governmental sources	
Algeria	3	2	768	-	3	-
Argentina	-	-	1	8	9	-
Bangladesh	1	-	1	-	-	-
Cameroon	1	1	-	-	-	-
Chad	-	7	-	-	-	-
China	-	-	-	2	-	-
Colombia	-	-	2	4	-	-
Ecuador	-	-	-	7	-	-
India	1	1	32	2	-	-
Indonesia	-	-	3	-	-	-
Iran (Islamic Republic of)	2	2	-	-	-	-
Iraq	-	-	9	-	-	-
Japan	-	-	2	-	-	-
Libyan Arab Jamahiriya	1	2	2	-	2	-
Mexico	3	3	-	-	-	-
Morocco	1	1	-	5	1	-
Namibia	-	-	2	-	-	-
Nepal	-	-	118	3	-	-
Pakistan	-	-	2	-	-	-
Peru	-	-	3	-	-	-
Philippines	2	2	4	2	-	-

### Annex 3

#### STATISTICAL SUMMARY: CASES OF ENFORCED OR INVOLUNTARY DISAPPEARANCE REPORTED TO THE WORKING GROUP BETWEEN 1980 AND 2008

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	Cases	Female	Cases	Female						
Afghanistan	3	-	3	-	-	-	-	-	-	-
Algeria*	2 728	19	2 704	18	9	15	9	7	8	-
Angola	10	1	3	-	7	-	-	-	7	-
Argentina•	3 445	772	3 286	738	107	52	28	5	126	-
Bahrain	2	-	-	-	-	2	-	1	-	-
Bangladesh	3	3	3	3	-	-	-	-	-	-
Belarus	3	-	3	-	-	-	-	-	-	-
Bhutan	5	-	5	-	-	-	-	-	-	-
Bolivia	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	-	15	-	4	-	4	-	-	-
Chad	32	-	29	-	3	-	2	-	1	-
Chile	908	65	816	64	69	23	2	-	90	-
China	114	13	29	6	74	11	48	35	2	-
Colombia	1 227	122	955	92	205	67	157	24	91	-
Congo	114	3	114	3	-	-	-	-	-	-
Democratic People's Republic of Korea	9	5	9	5	-	-	-	-	-	-

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	Cases	Female	Cases	Female						
Democratic Republic of Congo	52	11	43	11	6	3	9	-	-	-
Denmark	1	-	-	-	-	1	-	1	-	-
Dominican Republic	4	-	2	-	2	-	2	-	-	-
Ecuador	26	2	4	-	18	4	12	4	6	-
Egypt	23	-	15	-	7	1	1	7	-	-
El Salvador	2 661	332	2 270	295	318	73	196	175	20	-
Equatorial Guinea	8	-	8	-	-	-	-	-	-	-
Eritrea	54	4	54	4	-	-	-	-	-	-
Ethiopia	119	2	112	1	3	4	2	5	-	-
France	1	-	1	-	-	-	-	-	-	-
Gambia	2	-	1	-	-	1	-	-	-	-
Greece	3	-	1	-	-	-	-	-	-	2
Guatemala	3 155	390	2 899	372	177	79	187	6	63	-
Guinea	28	-	21	-	-	7	-	-	7	-
Haiti	48	1	38	1	9	1	1	4	5	-
Honduras	207	34	127	21	37	43	54	8	18	-
India	423	12	362	10	51	10	33	7	22	-
Indonesia	165	2	162	2	3	-	3	-	-	-
Iran (Islamic Republic of)	532	99	515	99	13	4	6	2	9	-
Iraq	16 526	2311	16 396	2 294	107	23	115	6	9	-
Israel	3	-	2	-	-	1	-	-	-	-
Japan	4	3	4	3	-	-	-	-	-	-
Jordan	2	-	2	-	-	-	-	-	-	-
Kazakhstan	2	-	-	-	-	2	-	-	-	-

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	Cases	Female	Cases	Female						
Kuwait	1	-	1	-	-	-	-	-	-	-
Lao People's Democratic Republic	6	-	-	-	-	5	-	4	1	1
Lebanon	320	19	312	19	2	6	7	1	-	-
Libyan Arab Jamahiriya	14	1	10	1	-	4	3	1	-	-
Malaysia	2	-	-	-	-	1	-	1	-	1
Mauritania	1	-	1	-	-	-	-	-	-	-
Mexico	382	29	211	19	133	22	76	18	61	16
Montenegro	16	1	15	-	1	-	-	1	-	-
Morocco	249	28	58	7	144	47	139	2	50	-
Mozambique	2	-	2	-	-	-	-	-	-	-
Myanmar	7	1	5	-	2	-	1	1	-	-
Namibia	3	-	3	-	-	-	-	-	-	-
Nepal	649	72	435	56	135	79	152	60	1	-
Nicaragua	234	4	103	2	112	19	45	11	75	-
Nigeria	6	-	-	-	6	-	6	-	-	-
Pakistan	118	2	94	2	18	6	22	2	-	-
Paraguay	23	-	-	-	20	-	19	-	1	3
Peru	3 009	311	2 371	236	253	385	450	85	103	-
Philippines	780	94	619	74	126	35	108	19	29	-
Romania	1	-	-	-	1	-	1	-	-	-
Russian Federation	478	26	467	24	1	10	11	-	-	-
Rwanda	24	2	21	2	-	2	1	1	-	1
Saudi Arabia	6	-	3	-	1	-	1	-	-	2
Serbia	1	-	1	-	1	-	1	-	-	-

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	Cases	Female	Cases	Female						
Seychelles	3	-	3	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6
Spain	3	-	3	-	-	-	-	-	-	-
Sri Lanka <sup>*</sup>	12 297	155	5 727	87	6 530	40	101	24	6 445	-
Sudan	382	37	173	5	205	4	208	-	-	-
Switzerland	1	-	1	-	-	-	-	-	-	-
Syrian Arab Republic	44	3	18	3	12	14	17	5	4	-
Tajikistan	8	-	6	-	-	2	1	-	1	-
Thailand	58	5	55	5	1	-	1	-	-	2
Timor-Leste	504	36	428	28	58	18	50	23	2	-
Togo	11	2	10	2	-	1	1	-	-	-
Tunisia	17	1	-	-	12	5	1	16	-	-
Turkey	182	11	63	3	69	49	68	24	26	1
Turkmenistan	2	-	-	-	2	-	-	2	-	-
Uganda	22	4	15	2	2	5	2	5	-	-
Ukraine	4	2	3	2	1	-	-	-	1	-
United Arab Emirates	2	-	1	-	1	-	1	-	-	-
United Kingdom of Great Britain and Northern Ireland	1	-	-	-	-	-	-	-	-	-
United Republic of Tanzania	2	-	-	-	2	-	2	-	-	-
United States of America	1	-	-	-	1	-	-	-	-	-
Uruguay	31	7	22	3	8	1	4	4	-	-

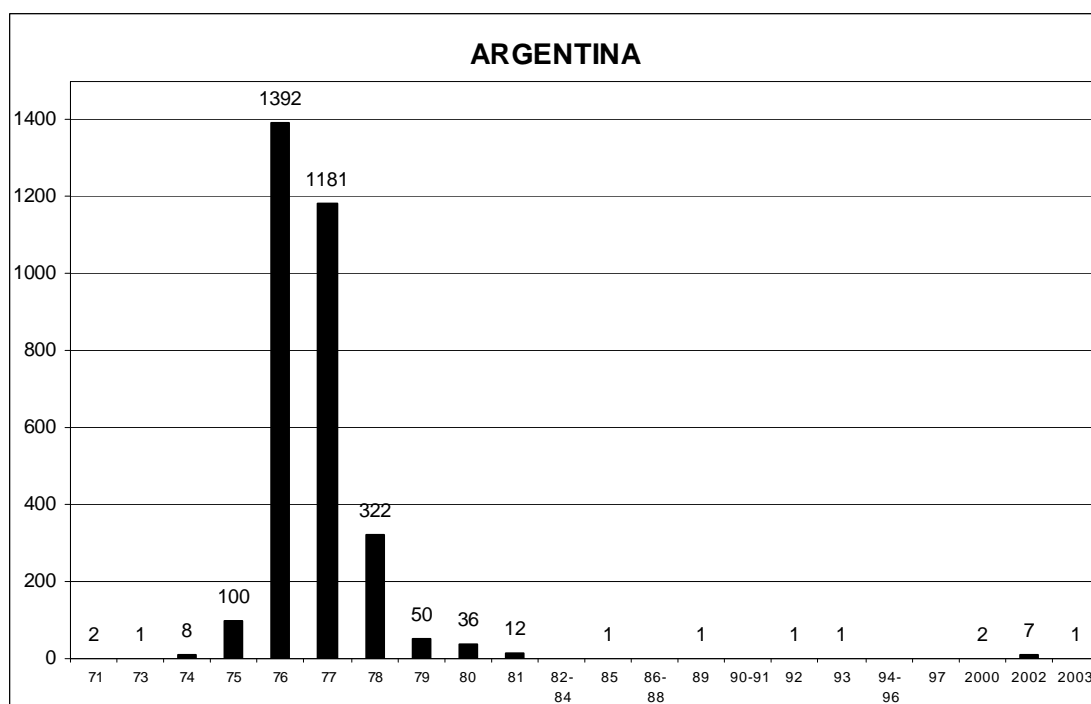
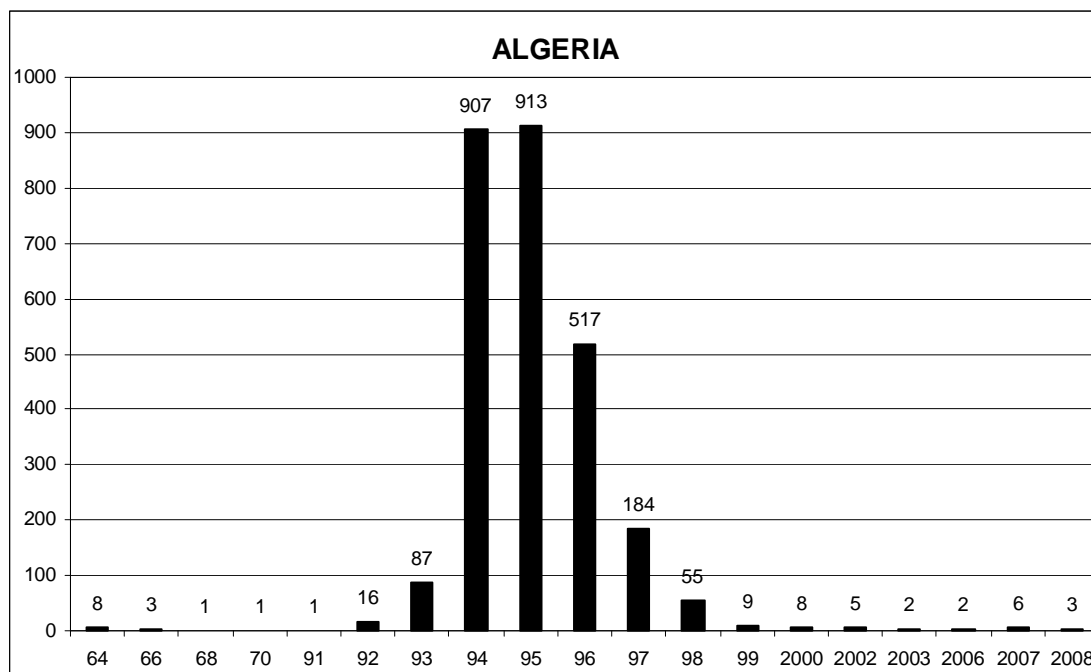
Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	
	Cases	Female	Cases	Female						
Uzbekistan	19	-	7	-	11	1	2	10	-	-
Venezuela	14	2	10	1	4	-	1	-	3	-
Viet Nam	1	-	1	-	-	-	-	-	-	-
Yemen	151	-	1	-	135	1	63	-	73	14
Zambia	1	1	-	-	-	1	-	1	-	-
Zimbabwe	5	1	4	1	1	-	-	-	1	-
Palestinian Authority	3	-	3	-	-	-	-	-	-	-

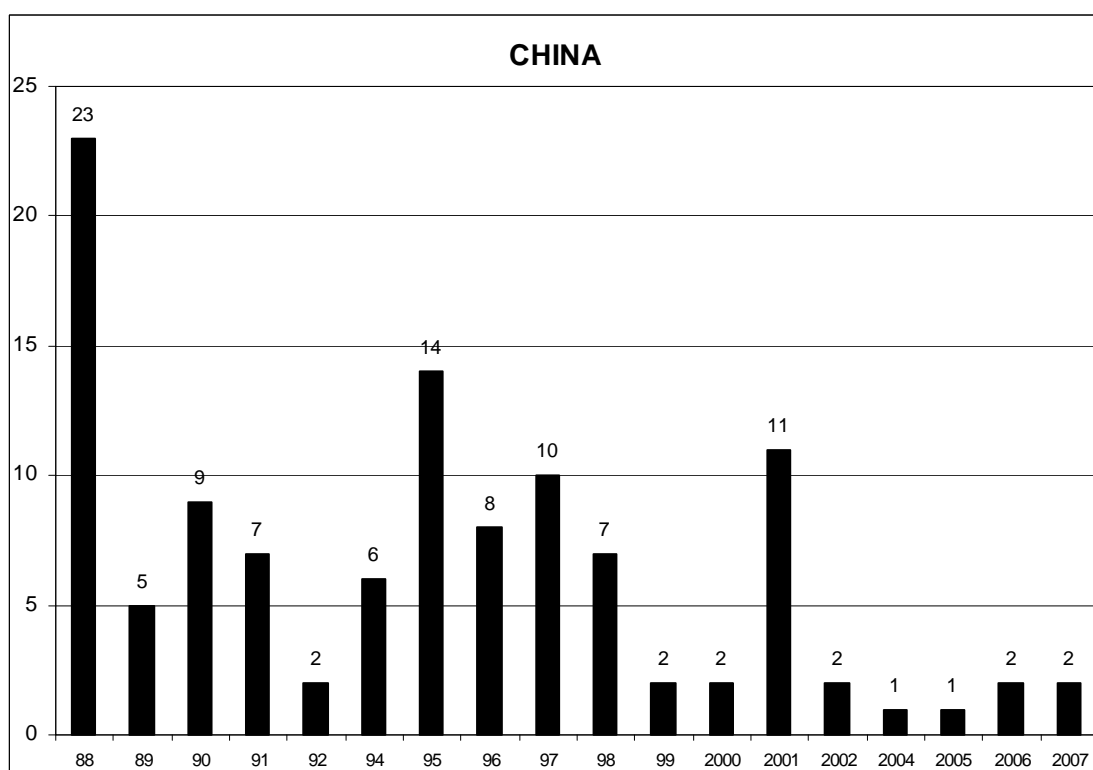
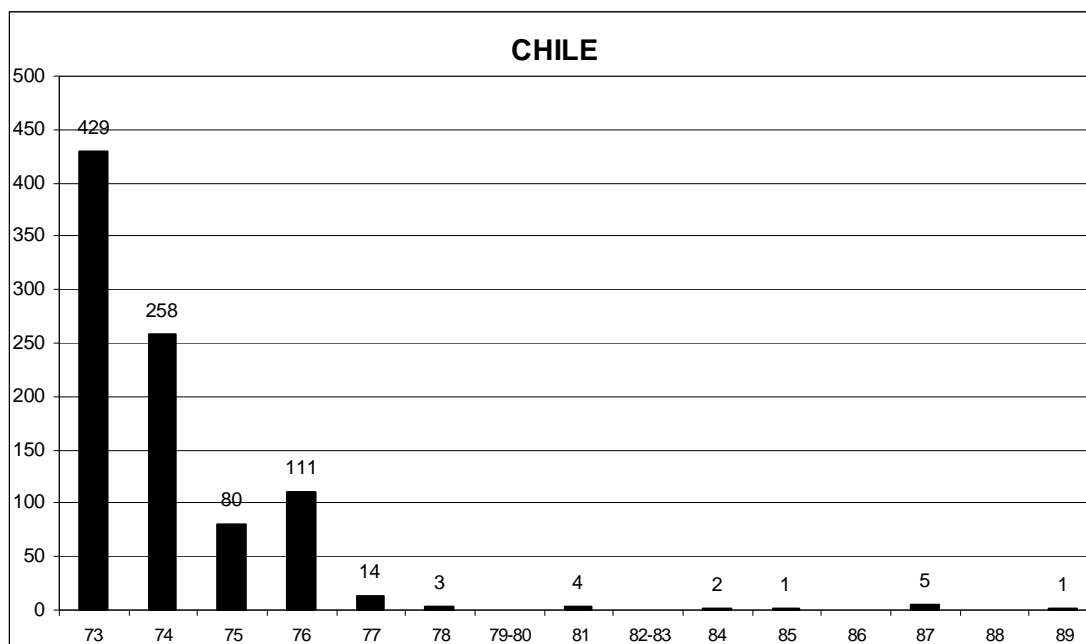
- \* In addition, the Working Group determined that 15 outstanding cases were duplicates and were subsequently eliminated from its records.
- In addition, the Working Group decided that one case was erroneously reported and was subsequently eliminated from its records.
- \* In addition, the Working Group determined that 378 were found to be duplications and were subsequently eliminated from its records.

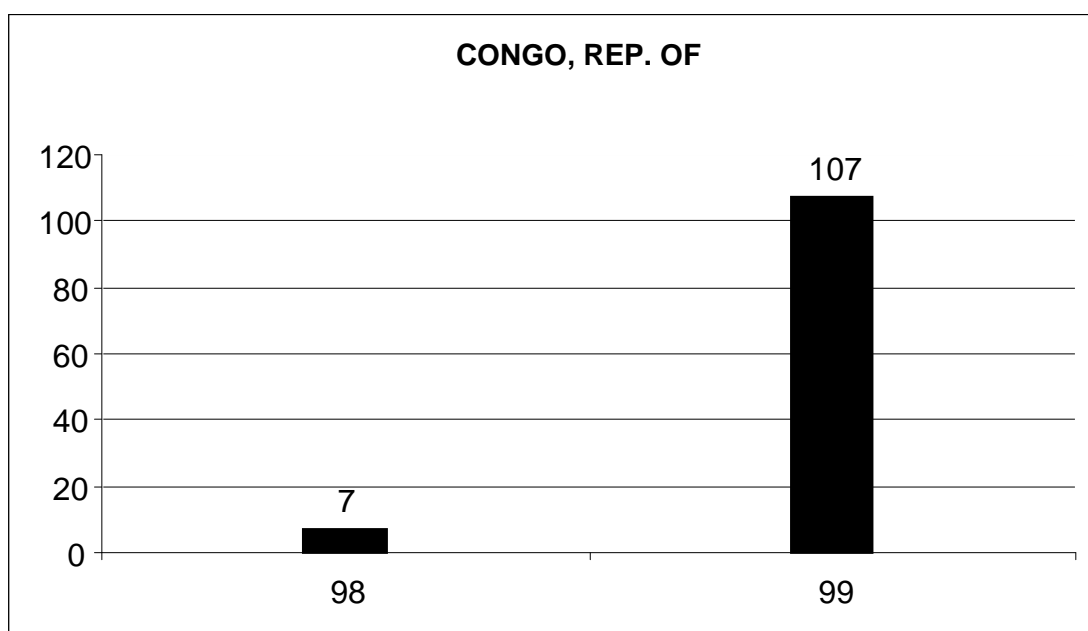
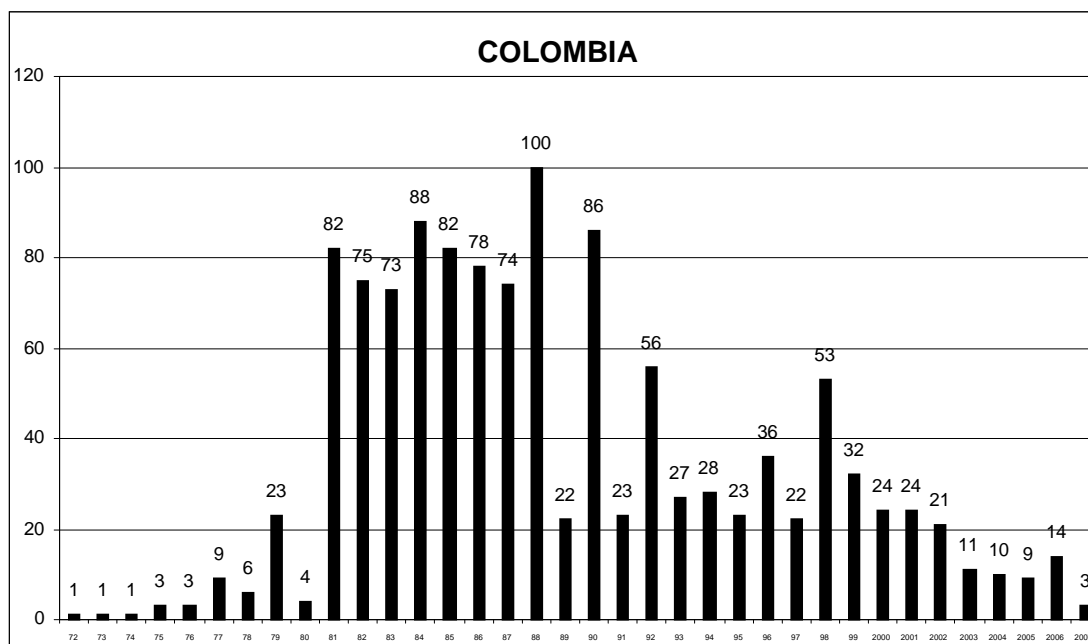


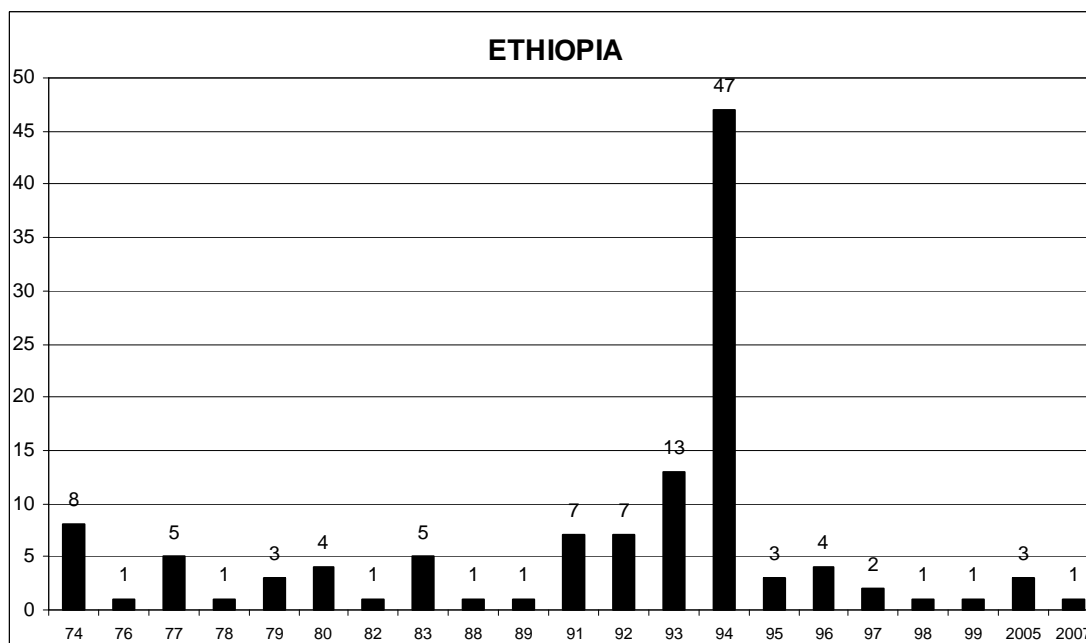
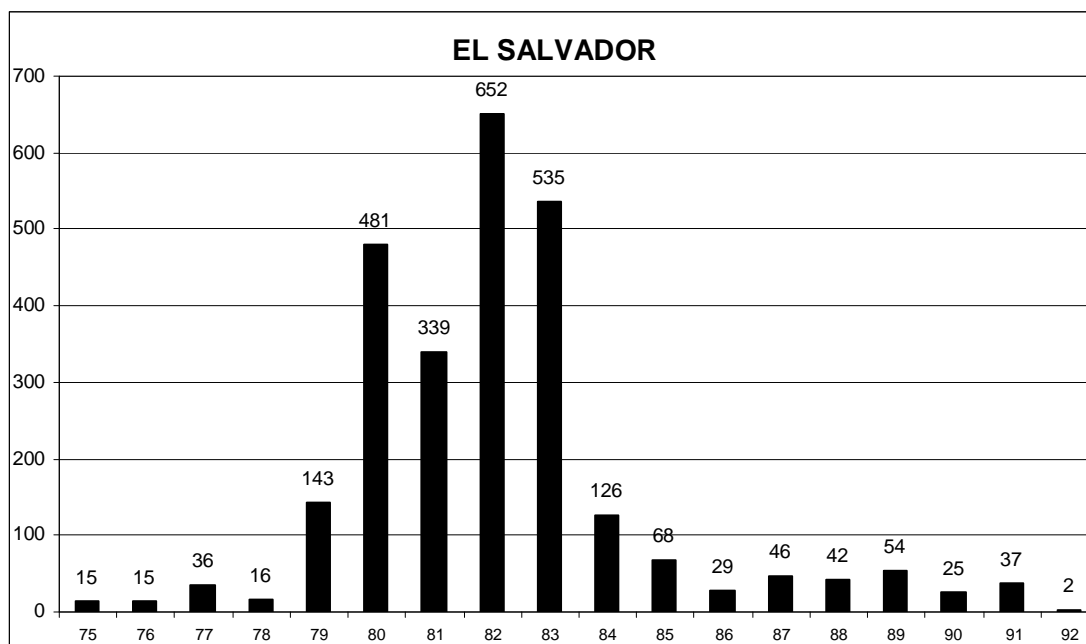
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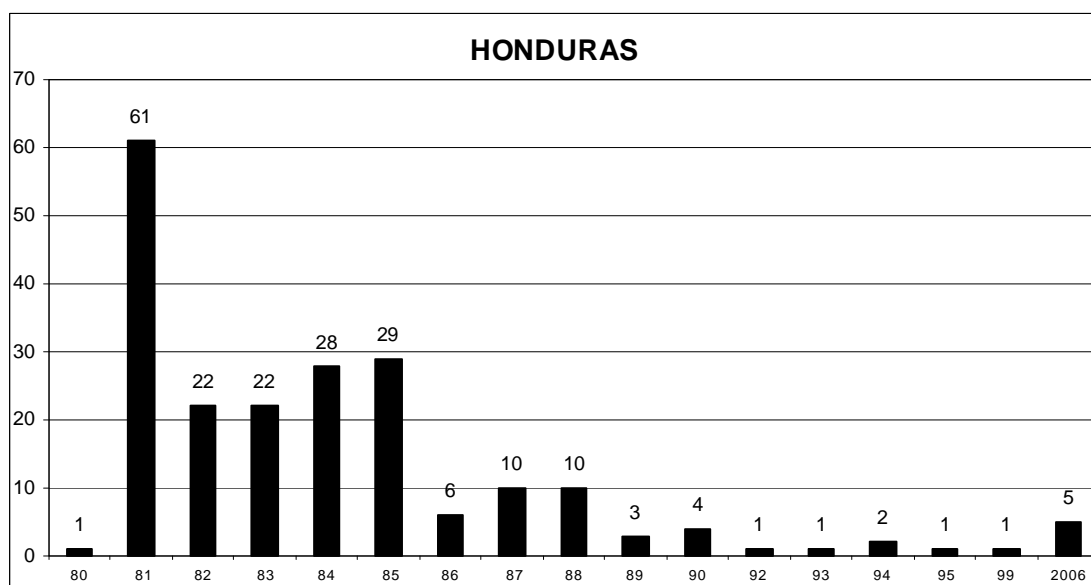
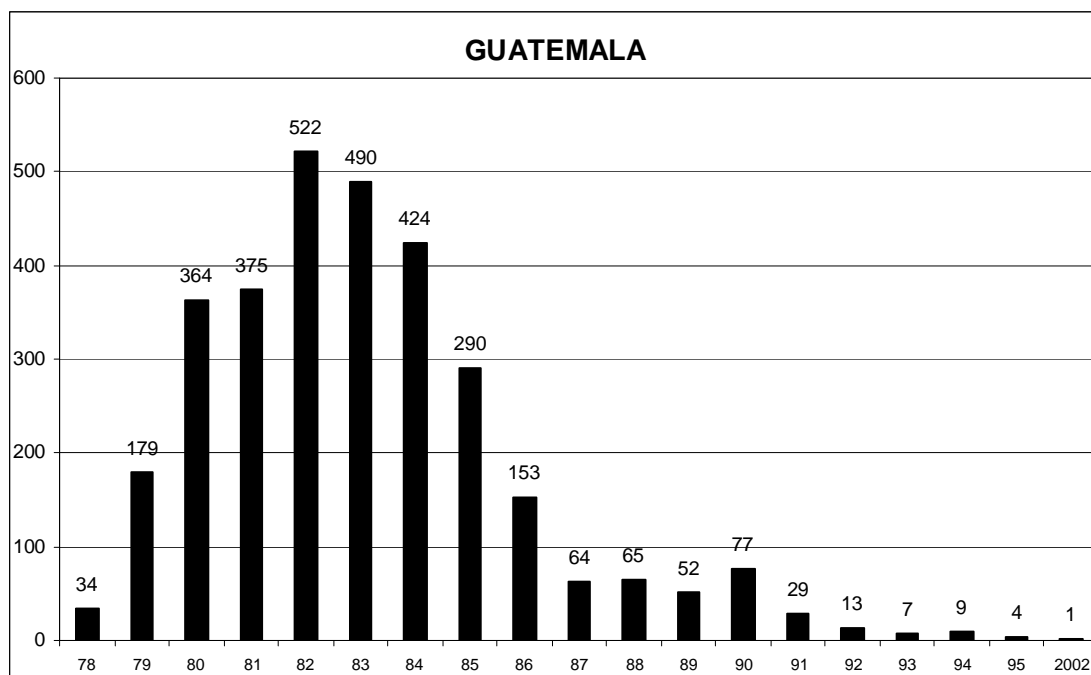
**GRAPHS SHOWING THE DEVELOPMENT OF DISAPPEARANCES  
IN COUNTRIES WITH MORE THAN 100 TRANSMITTED CASES  
DURING THE PERIOD 1980-2008**

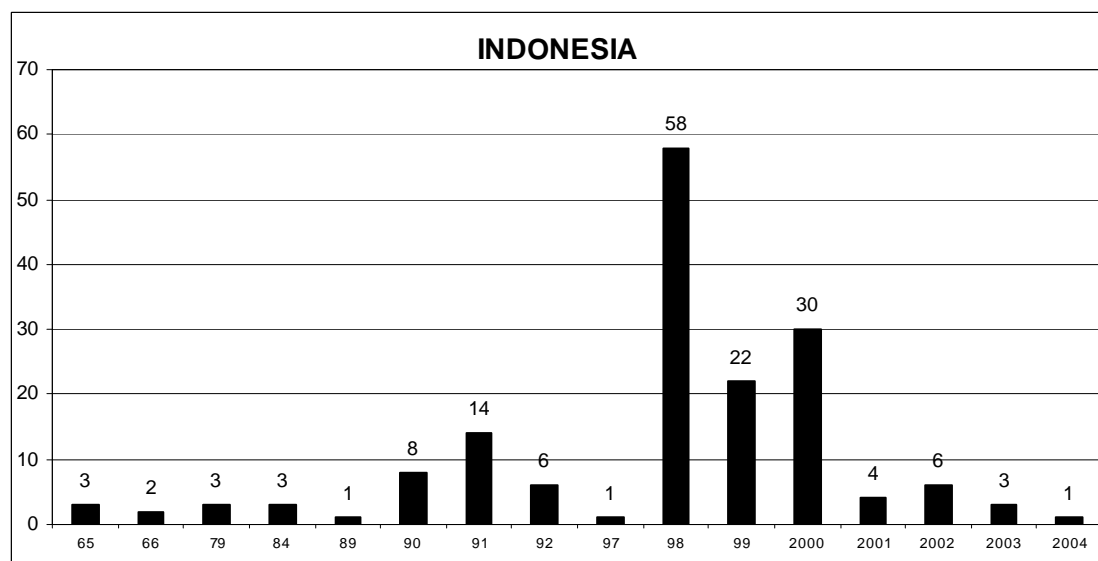
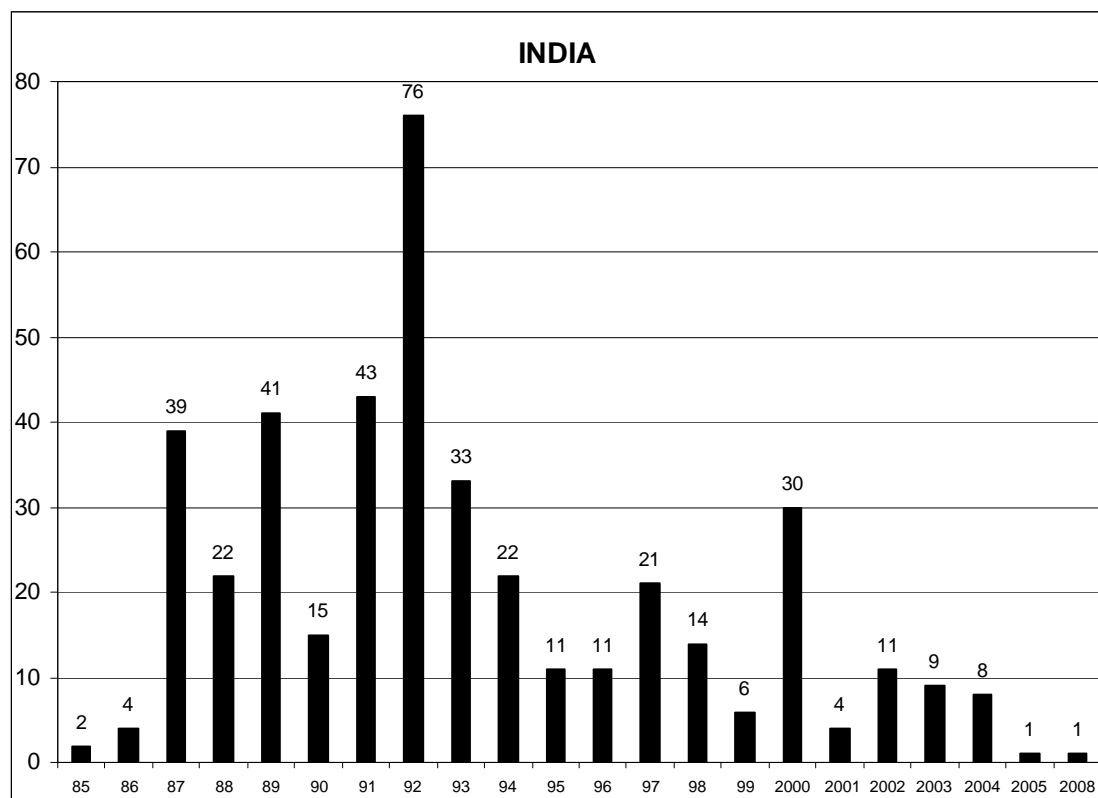


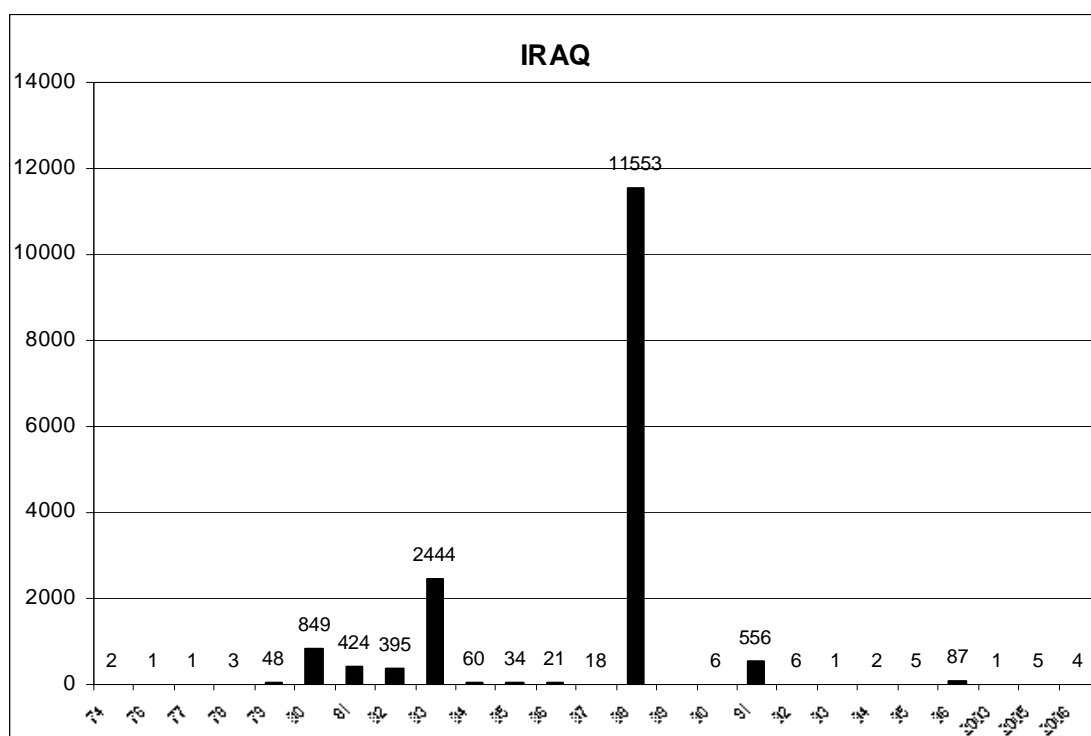
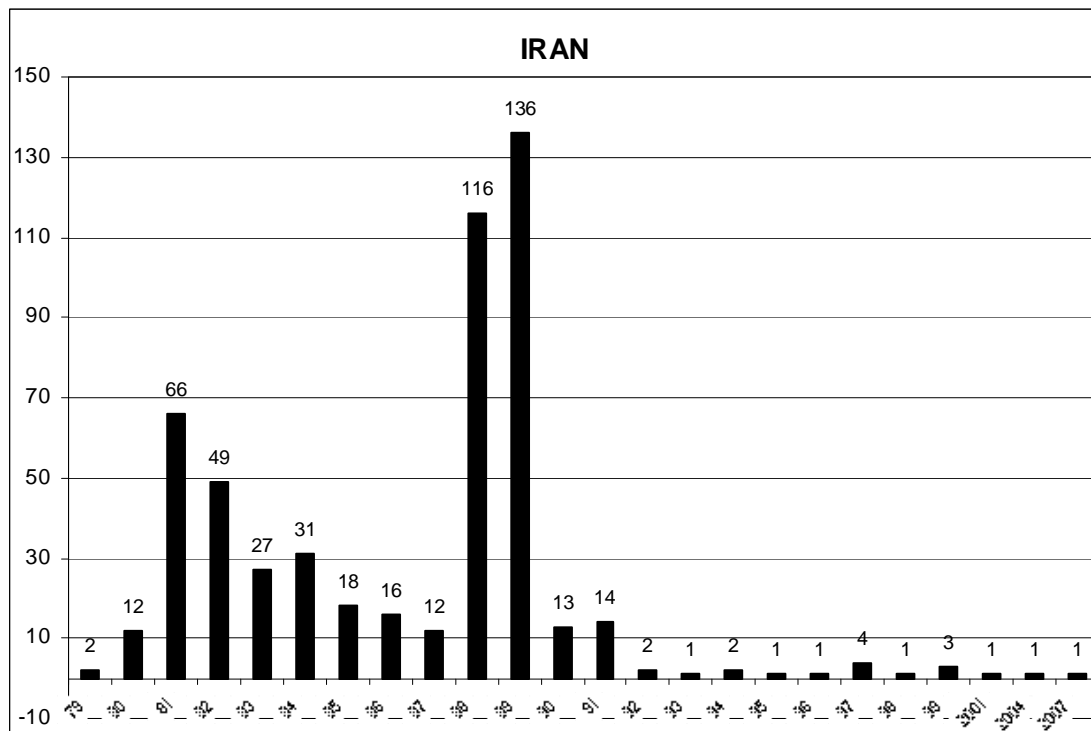


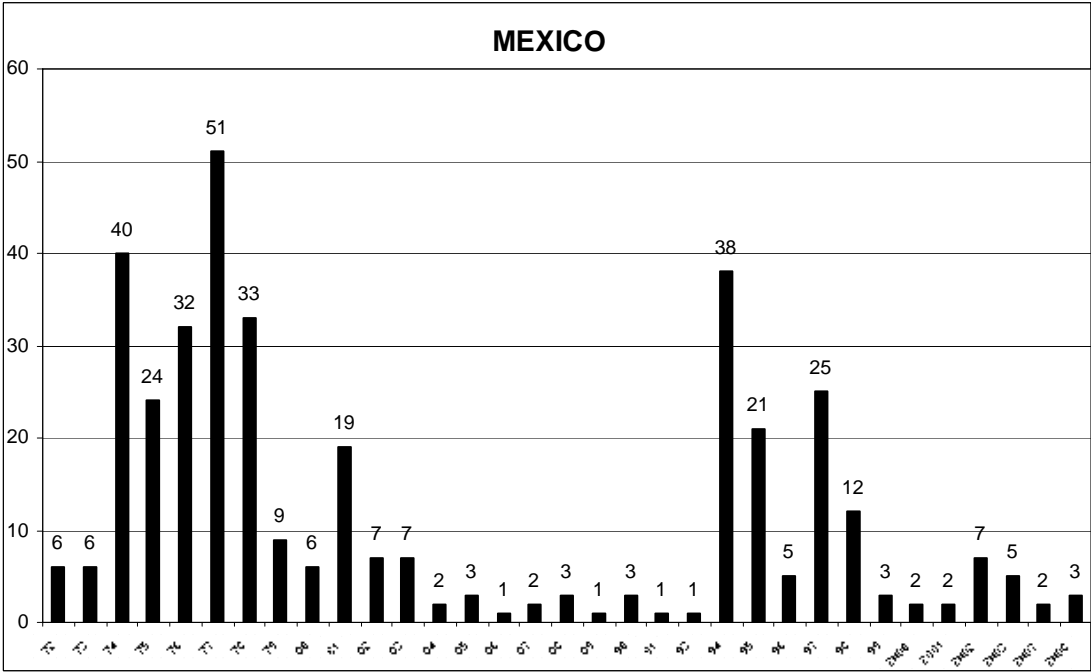
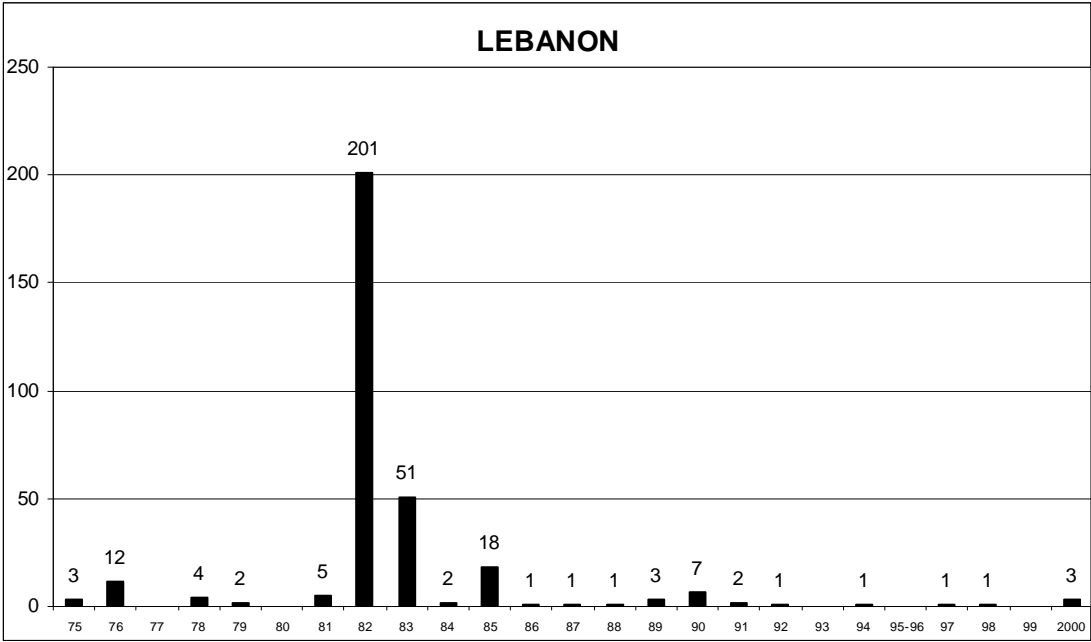




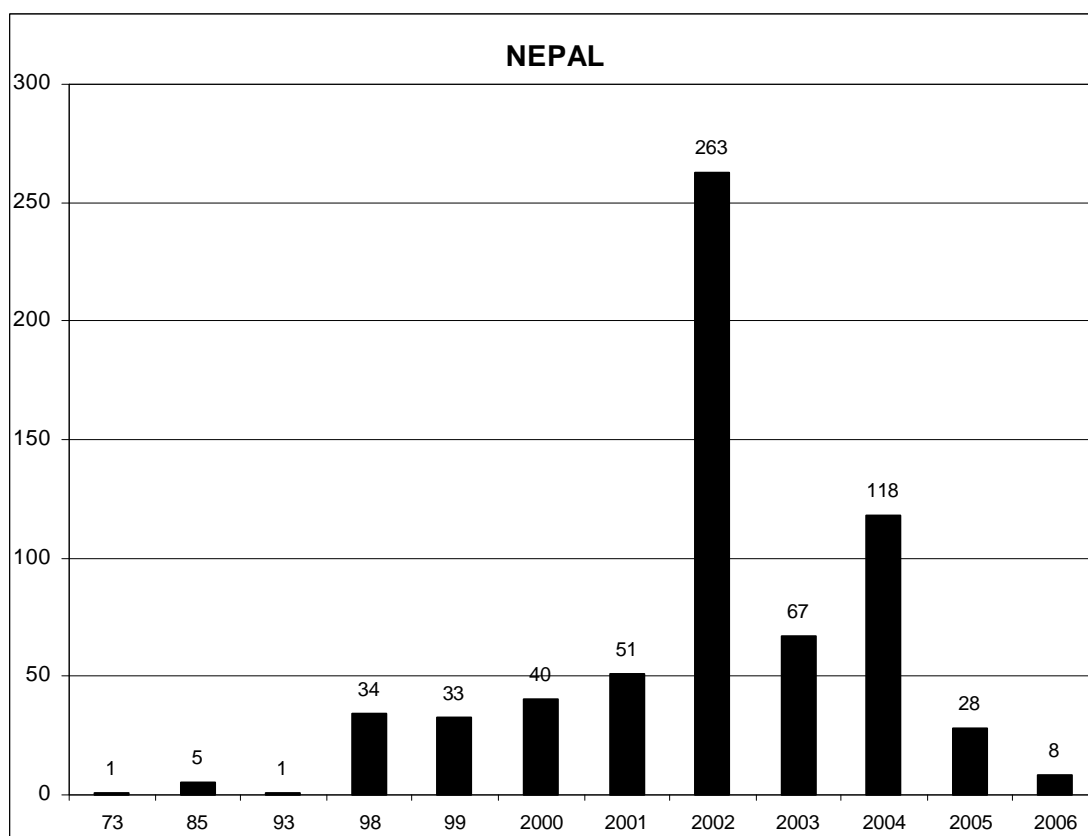
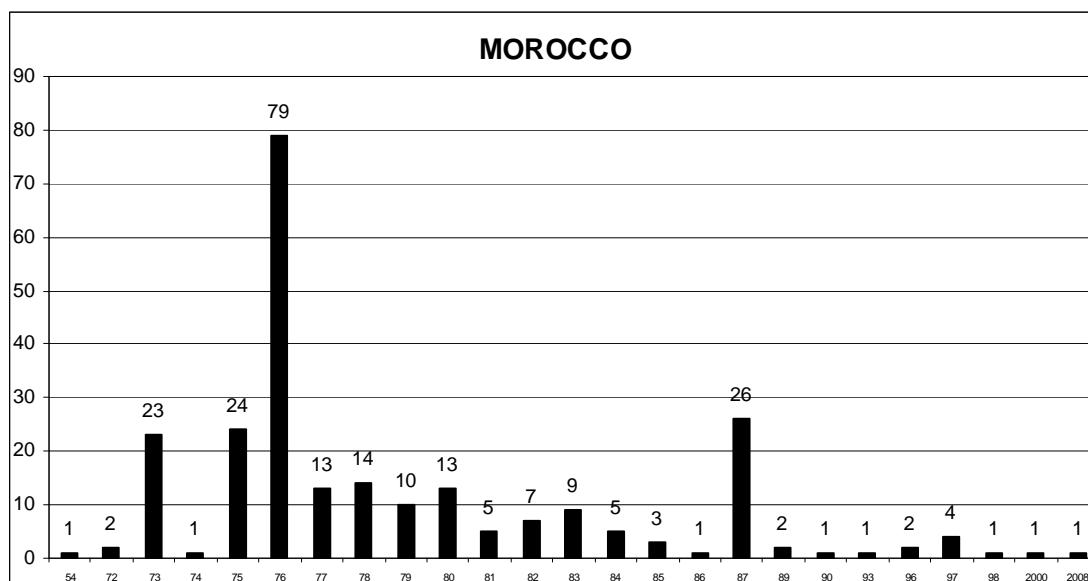


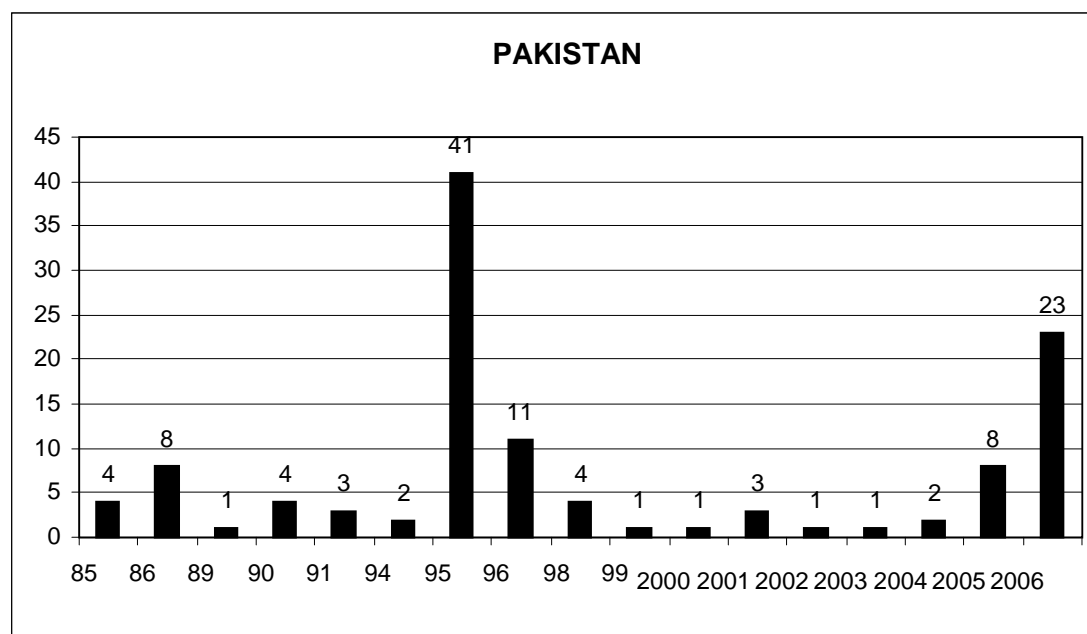
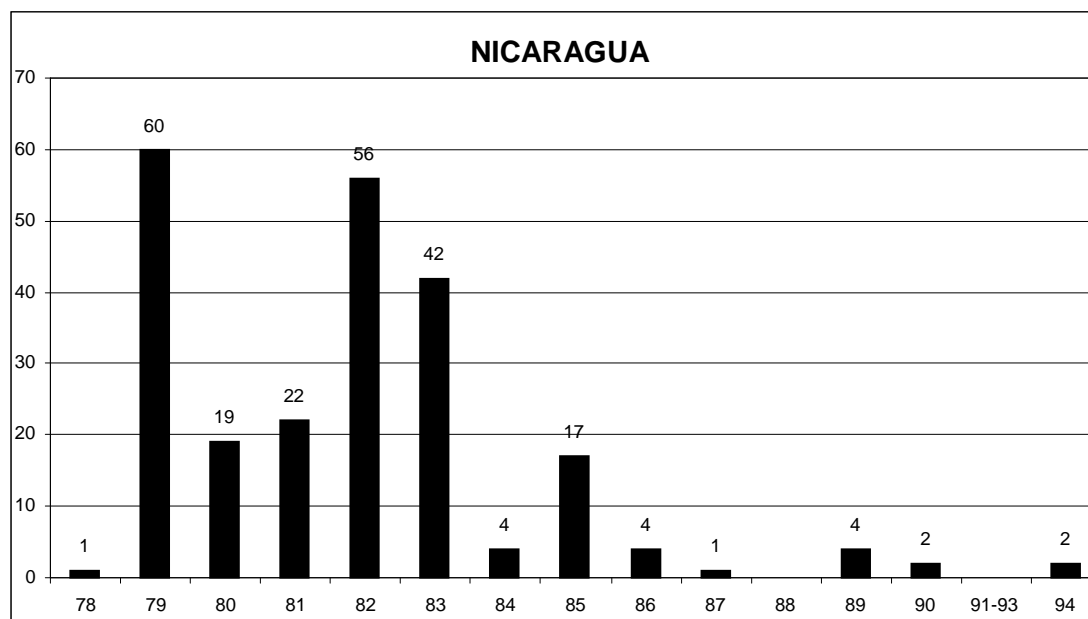


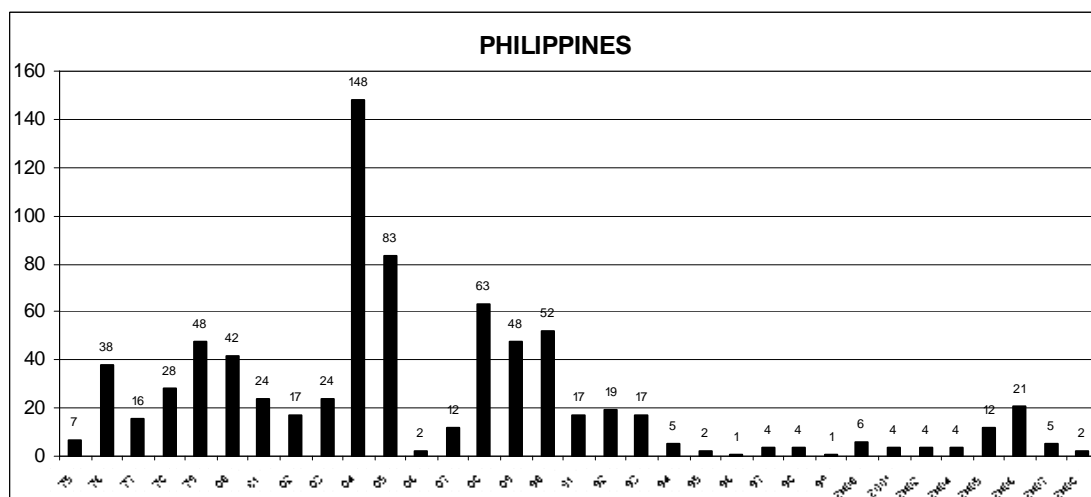
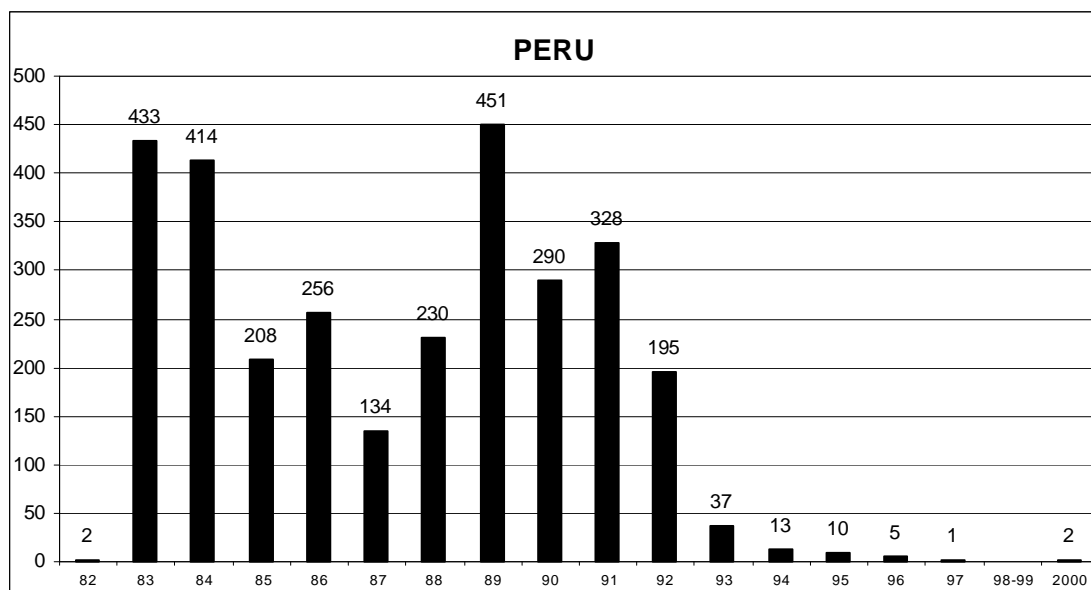


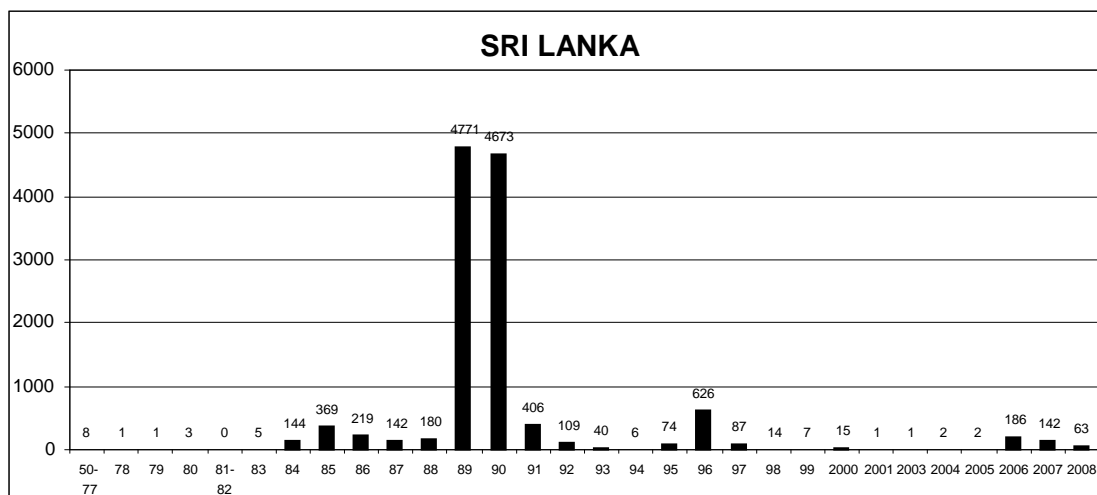
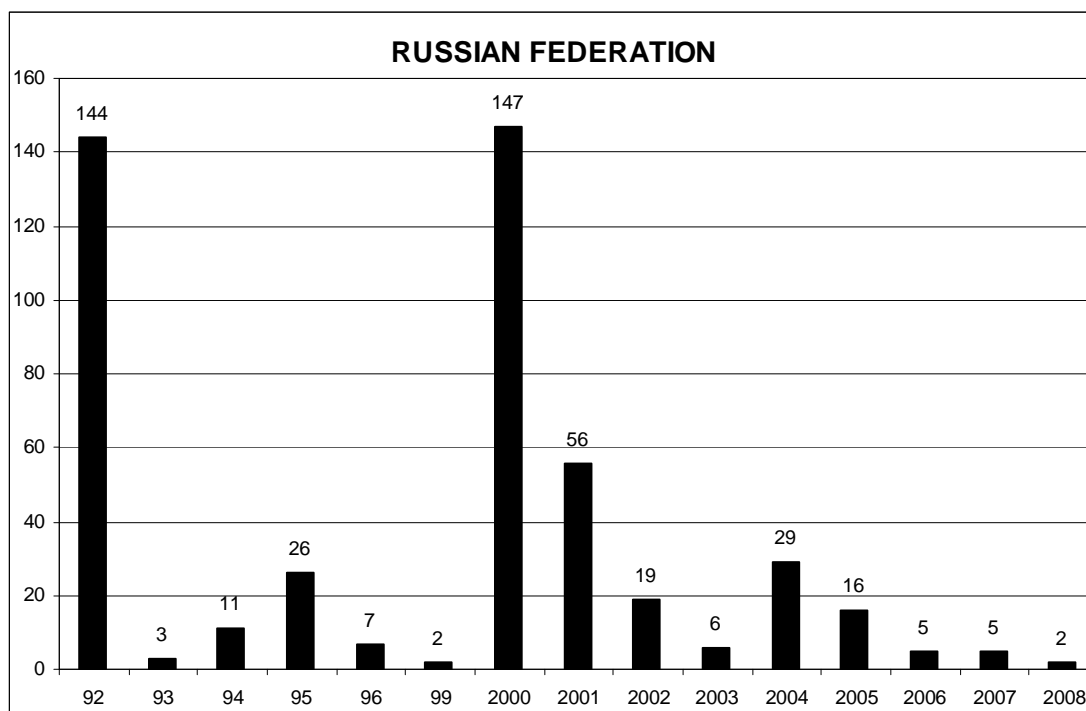


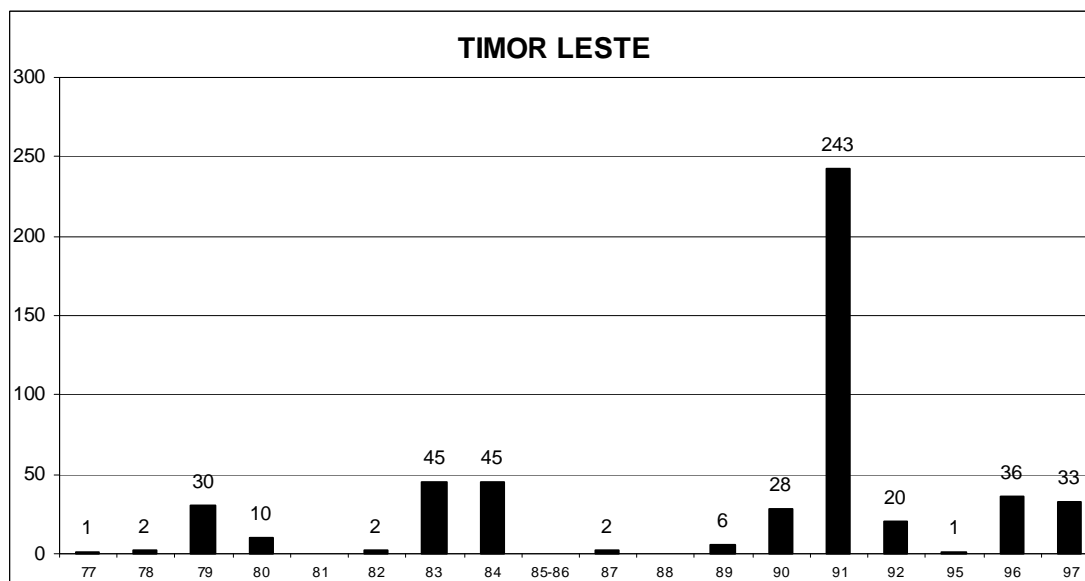
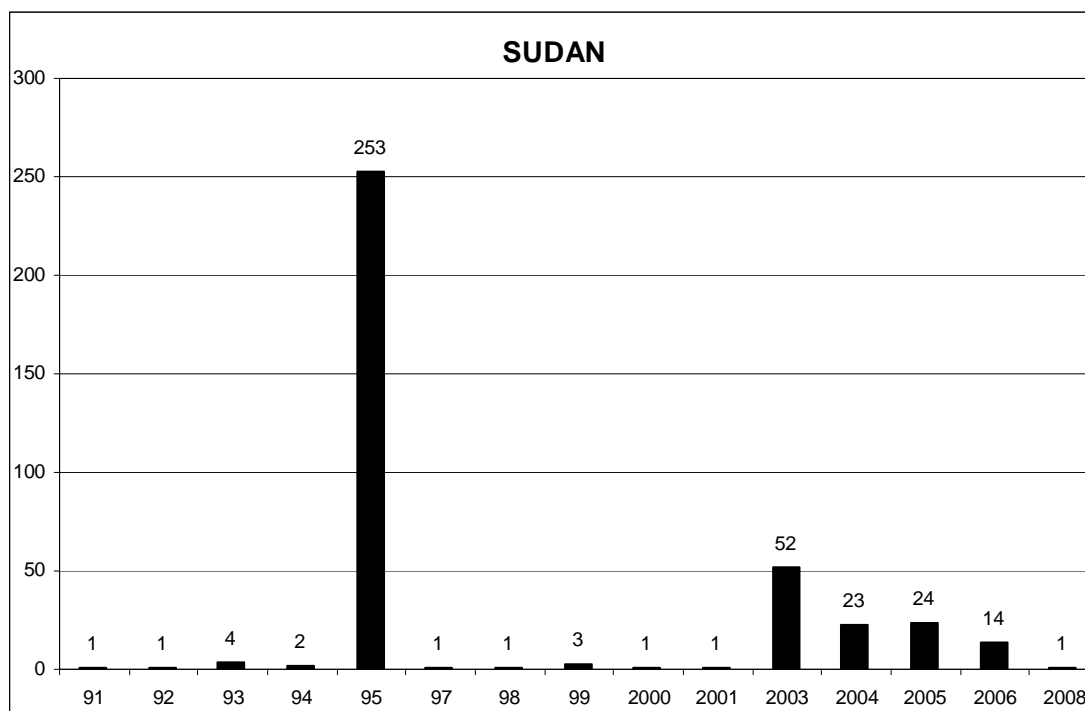


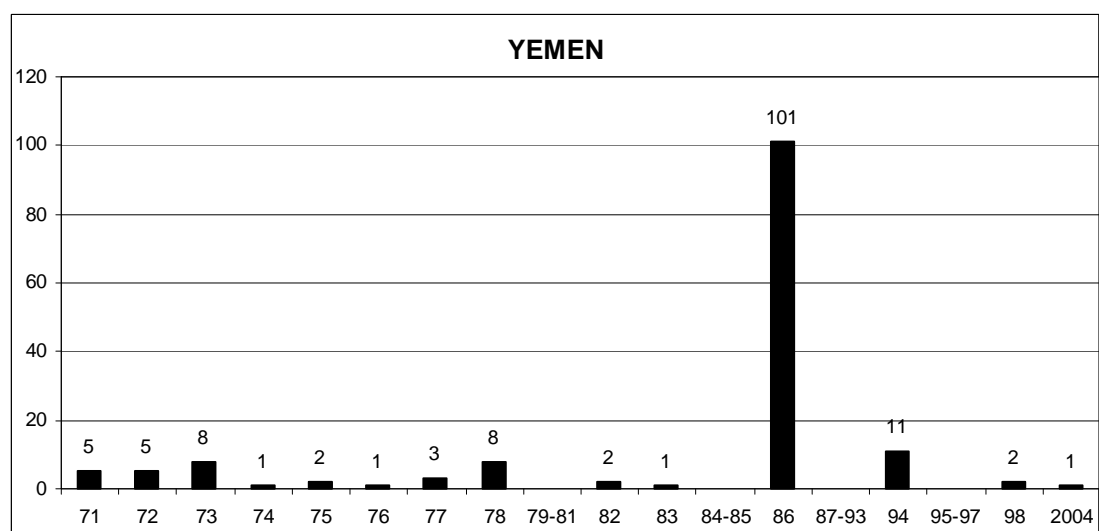
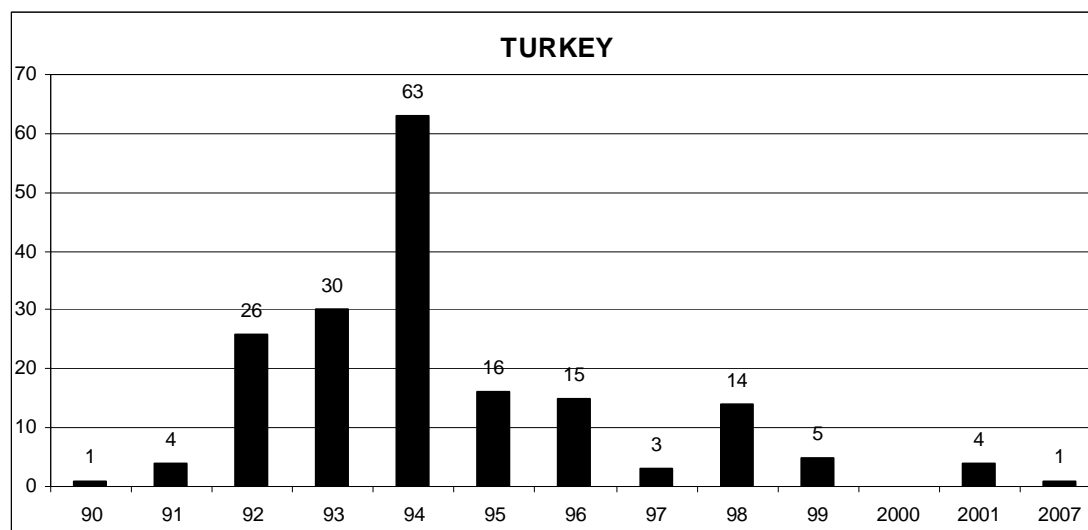












**Annex 5**

**LISTS OF NAMES OF NEWLY-REPORTED CASES, FROM COUNTRIES  
WHERE THERE WERE MORE THAN 10 NEWLY TRANSMITTED  
CASES DURING THE REPORTING PERIOD**

<b>Algeria</b>		
Case No.	First name	Family name
10001651	Abdelkrim	ABDELLAOUI
10001652	Djelloul	ABDELLAOUI
10001653	Mokhtar	ABDELLAOUI
10001300	Bouabdellah	ABDENACER
10001697	Moussa	ABDESSELAM
10001698	Abdelkader	ACEM
10001614	Merzak	ACHOUR
10001654	Ali	ACHOUR
10001655	Abdelkader	ADDAOUI
10001656	Cherif	ADJROUD
10001911	Ahmed	AFFAN
10001699	Abdelkader	AHMANE
10001700	Hocine	ALIOUCHE
10001701	Nourredine	ALIOUCHE
10001702	Mohamed Samir	AMARA
10001657	Larbi	AMARI
10001658	Allaoua	AMIOUR
10001703	Daoud	AMIRET
10001704	Toufik	AMMARI
10001615	Djamel	AMRANE
10001659	Azzedine	AMRANI
10001910	Rabah	AMRI
10001912	Mouloud	AMROUCHE
10001913	Yassine	ANNAB
10002036	Brahim	AOUABDIA
10001660	Yahia	AOUABDIA
10001616	Mohamed	AOUICHA
10001048	Mohamed Salah	ARAMI
10001617	Abdallah	ASBAR
10001914	Ahmed	ASNOUN
10001063	Abd El Malek	ASSILA
10001064	Youcef	ATHMANE
10001065	Redha	ATIK
10001066	Ryad	ATIK
10001068	Tarek	ATIK
10001069	Abdelaziz	ATOUI

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10001071	Adlane	ATROUS
10001072	Rachid	ATTIT ALLAH
10002038	Sahraoui	AYACHE
10001074	Cherif	AYOU
10001915	Feghoul	AZEB
10001618	Ali	AZZOUNI
10001075	Brahim	AZZOUZ
10001077	Mabrouk	BAAZIZ
10001079	Hamid	BAHOULI
10001619	Nasreddine	BAHRI
10001081	Rabah	BAKHOUCHE
10001082	Ahcene	BARKAT
10001083	Hocine	BAYOUD
10001084	Himed	BEDJEGHIT
10001085	Ahmed Bey	BEGGAR
10001916	Mohamed	BEGHDAOUI
10001087	Laid	BEKAK
10001917	Achour	BELABID
10001918	Mohanmed	BELABID
10001088	Ouahib	BELAHCINI
10001090	Noureddine	BELAHRECHE
10001099	Mounir	BELAL
10001101	Abdelouaheb	BELARBI
10001102	Ahmed	BELARBI
10001107	Nabil	BELARIBI
10001109	Rabie	BELARIBI
10001110	Abdellah	BELATEL
10001620	Abderrahmane	BELAZZA
10001919	Rachid	BELAZZOUZ
10001112	Nasr Eddine	BELDJERDA
10001920	Abdelkader	BELDJILLALI
10001661	Djelloul	BELFACI
10001113	Chouaib	BELGHELSI
10001115	Mustapha	BELGHRIB
10001621	Larbi	BELHACENE
10001929	Larbi	BELHACENE
10001116	Omar	BELIL
10001921	Ali	BELKACEM
10001622	Hamid	BELKHARCHI
10001117	Abdelkader	BELLILI
10001118	Lazhar	BELLILI
10001623	Mohamed	BELLOUNIS
10001119	Said	BEN AMOUMA
10001124	Mostafa	BEN AZIEZ



<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001125	Saad Laid	BEN DAAS
10001128	Mohamed	BENABBES
10001131	Yahia	BENACER
10001132	Bachir	BENACHOUR
10001133	Abderrezak	BENAMAR
10001134	Hacene	BENAMER
10001122	Salah Eddine	BENATIA
10001181	Abdelaziz	BENATIA
10001182	Faycal	BENBARA
10001183	Samir	BENBARA
10001901	Redouane	BENCHABIR
10001184	Azzedine	BENCHIHEB
10001624	Brahim	BENDAHBI
10001186	Bachir	BENDJABALLAH
10001187	Smain	BENDJELLOUL
10001189	Abdellouahab	BENDJEMAA
10001190	Abdelmadjid	BENDJEMAA
10001192	Mohamed	BENDJEMAA
10001194	Hacene	BENELMADANI
10001195	Salah	BENGHIDA
10001197	Abderaouf	BENGREIT
10001198	Hicem	BENGUIDOUM
10001127	Mohamed Salah	BENHABOUCHE
10001202	Khoudir	BENKAHOUL
10001205	Zoheir	BENKAHOUL
10001206	Mahieddine	BENKERROUT
10001209	Salim	BENKHALEF
10001249	Cherif	BENLAHRECHE
10001251	Mohamed Riad	BENLATRECHE
10001252	Azzedine	BENLAZHAR
10001254	Hocine	BENMECHERI
10001922	Said	BENMORKAT
10001255	Hocine	BENMOUSSA
10001257	Tayeb	BENNAS
10001923	Mustapha	BENNOUA
10001259	Mourad	BENSALEM
10001625	Ahmed	BENSALEM
10001260	Salim	BENSIHAMDI
10001262	Yazid	BENSOUICI
10001263	Abdelkader	BENTELJOUR
10001265	Hocine	BENTRAD
10001266	Ryad	BENYEZAR
10001268	Mohamed	BENZAGHOU
10001270	Mohamed	BENZEKRI

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10001271	Toufik	BERKAMI
10001276	Salim	BERKANE
10001278	Abdenour	BERRABAH
10001279	Lakhdar	BERRICHE
10001281	Brahim	BESKRI
10001924	Mohamed	BESTERSA
10001283	Bouzid	BETCHINE
10001284	Abdelaziz	BETINA
10001285	Mohamed El Hadi	BETTOU
10001286	Souleymane	BEY
10001294	Amar	BEZAZ
10001296	Mohame Cherif	BEZAZEL
10001301	Ammar	BOUABDELLAH
10001302	Ahmed	BOUACHIBA
10001304	Mohamed	BOUAICHE
10001307	Ammar	BOUALDI
10001626	Mohamed	BOUALI
10001662	Omar	BOUAMAMA
10001925	M'Hamed	BOUAMAMA
10001308	Rachid	BOUAOUM
10001309	Ouail	BOUATOURA
10001310	Mohamed	BOUAZA
10001312	Nasser eddine	BOUAZIZ
10001314	Kadour	BOUBAKER
10001318	Yacine	BOUBAKRI
10001663	Hachemi	BOUBELOUTA
10001320	Youcef	BOUBENDIR
10001322	Yacine	BOUBRED
10001324	Med Larbi	BOUCEMRA
10001326	Kamel	BOUCENNA
10001328	Rabeh	BOUCENNA
10001330	Said	BOUCETTA
10001971	Ahmed	BOUCHAAR
10001331	Abdelmalek	BOUCHAIR
10001627	Ferhat	BOUCHAIR
10001333	Nabil	BOUCHEHEM
10001334	Toufik	BOUCHELIF
10001335	Ahmed	BOUCHELOUCHE
10001336	Mohamed	BOUCHEMA
10001338	Lotfi	BOUCHERIT
10001340	Boubakeur	BOUCHETIB
10001344	Mostapha	BOUCHTEOUNA
10001345	Ryad	BOUDCHICHA
10001346	Fares	BOUDEBZA

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001347	Laali	BOUDEBZA
10001628	Ahcene	BOUDEBZA
10001629	Fares	BOUDEBZA
10001365	Tarek	BOUDEJBBA
10001348	Ryad	BOUDEKHANE
10001349	Sebti	BOUDELIOU
10001351	Fouad	BOUDEMAGHE
10001353	Abdelhamid	BOUDENE
10001357	Kamel	BOUDERSA
10001359	Aissa	BOUDERSA
10001361	Mohamed	BOUDERSA
10001362	Nabil	BOUDIAF
10001363	Tahar	BOUDJAHCHA
10001972	Boulares	BOUDJALLAL
10001926	Ahmed	BOUDJELLAB
10001973	Hacene	BOUDJELLAL
10001366	Ali	BOUDJOURAF
10001049	Ali	BOUDMIAA
10001051	Bachir	BOUDRAA
10001056	Ahmed	BOUDRIA
10001057	Djelloul	BOUFELKA
10001058	Mohamed	BOUFENARA
10001059	Amar	BOUFOUHA
10001060	Brahim	BOUGANDOURA
10001061	Kamel	BOUGANDOURA
10001062	Mohamed Nadir	BOUGBIRA
10001050	Adel	BOUGHABA
10001055	Idriss	BOUGHABA
10001067	Salah	BOUGHENBOUZ
10001070	El-Hadi	BOUGHRARA
10001073	Amine	BOUGHRARI
10001076	Abdelali	BOUGHRIRA
10001078	Kamel	BOUGHRIRA
10001927	Mohamed	BOUHADI
10001928	Mustapha	BOUHADJI
10001080	Ammar	BOUHBLA
10001086	Abdelfettah	BOUHLASSA
10001089	Toufik	BOUHLASSA
10001091	Ali	BOUHROUR
10001092	Abdelaziz	BOUHZAM
10001093	Sabti	BOUJAADA
10001094	Hocine	BOUKAABECHE
10001095	Rachid	BOUKADEH
10001096	Hamid	BOUKALA

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10001097	Nacer	BOUKALOUA
10001974	Abdelali	BOUKELOUA
10001975	Toufik	BOUKELOUA
10001098	Abdeljalil	BOUKERKER
10001100	Mohamed	BOUKERZAZA
10001103	Brahim	BOUKHALFA
10001104	Youcef	BOUKHALFA
10001105	Nabil	BOUKHAMACHE
10001630	Rabah	BOUKHELIF
10001106	Taher	BOUKHENFER
10001108	Ahcene	BOUKHENOUFA
10001631	Maamar	BOUKHETACHE
10001111	Zoubir	BOUKHLASSA
10001930	Djamel	BOUKHRIS
10001114	Abdallah	BOULAARAS
10001120	Feçih	BOULAARES
10001121	Karim	BOULACHFAR
10001123	Hacène	BOULAKROUN
10001126	Yassine	BOULEKHAL
10001129	Ahmed	BOULEMDAIS
10001632	Ameur	BOULENOUAR
10001130	Azzeddine	BOULKAMH
10001415	Hacène	BOULKAMH
10001135	Makhlouf	BOULLOUDINAT
10001633	Boubekeur	BOUMADJEN
10001145	Belkacem	BOUMAZA
10001664	Ali	BOUMENDIL
10001146	Abdelmalek	BOUMESRANE
10001147	Drif	BOUMEZBAR
10001148	Abdelkrim	BOUMEZBEUR
10001416	Haoues	BOUMEZZHAR
10001150	Fares	BOUNAAS
10001185	Farouk	BOUNAB
10001417	Abdelmajid	BOUNAB
10001418	Tayeb	BOUNAB
10001188	Tayeb	BOUNAKDJA
10001191	Ahmed	BOUNOUAR
10001193	Azzeddine	BOURABA
10001196	Abdelhamid	BOURAMOUL
10001199	Abderrezak	BOURAMOUL
10001200	Salah	BOURAS
10001201	Amar	BOURBOUHATE
10001634	Nabil	BOUREZG
10001203	Abdelghani	BOUREZGUE

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001204	Nabil	BOUREZGUE
10001207	Abdelghani	BOURFAA
10001208	Noureddine	BOUSBIAT
10001246	Hacene	BOUSSAKER
10001247	Mokhtar	BOUSSALEM
10001248	Aboubakr-Essedik	BOUSSEBOUA
10001250	Hakim	BOUSSOUF
10001931	Abdelkader	BOUSSOUFA
10001253	Ahmed	BOUSSOURIA
10001256	Salah	BOUSSOURIA
10001258	Ali	BOUTABAKH
10001261	Rachid	BOUTAF
10001264	Brahim	BOUTEBIBA
10001665	Djamel	BOUTERFES
10001635	Boualem	BOUTOUTA
10001267	Djamel	BOUZAHZAH
10001269	Toufik	BOUZAKRI
10001272	Mohamed	BOUZIANE
10001273	Yacine	BOUZRIBA
10001419	El-Hadi	BRAHIMI
10001274	Abdessalem	BRIOUD
10001275	Abderrazak	CHAABANE
10001420	Foudil	CHABBI
10001277	Mourad	CHAHBOUB
10001280	Abderrezak	CHAIB
10001282	Ali	CHAIB
10001295	Abdelhafid	CHAIBAI
10001297	Abdelhamid	CHAMEKH
10001299	Abdelmalek	CHELIHI
10001303	Abdelfateh	CHENIKI
10001306	Abdelkader	CHERCHAR
10002025	Nabil	CHERIBET
10001311	Abdelouahab	CHERIBET
10001313	Aziz	CHERIBET
10001315	Nabil	CHERIBET
10001932	Rachid	CHERIFIA
10001316	Belkacem	CHEROUAT
10001317	Nabil	CHETTAB
10001319	Kechroud	CHETTAH
10001321	Rachid	CHIABRA
10001323	El-Garmi	CHIBANI
10001636	El Mekki	CHIBANI
10001637	Mohamed	CHIBANI
10001638	Moussa	CHIBANI

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10001933	Farid Abdelkader	CHIBI
10001666	Lakhdar	CHIKHI
10001668	Mokhtar	CHIKHI
10001669	Zoubir	CHIKHI
10001325	Abdelghani	CHORFI
10001327	Mohamed	CHORFI
10001329	El Hadi	CHOUAÏB
10001332	Ahcène	CHOUGUI
10001337	Nabil	CHRAÏT
10001339	Ramadan	CHRAÏT
10001341	Saïd	CHTRIBET
10002027	Cherif	DAGHOUCHE
10001342	Noureddine	DAHMANE
10001934	Kaddour	DAIFELLAH
10001343	Rabah	DAÏKHI
10001350	Azzeddine	DAKDAK
10001352	Abderrezak	DAMÈNE-DEBIH
10001354	Ali	DAOUD
10001355	Salah	DAOUDI
10001356	Youcef	DAOUDI
10001670	Miloud	DAR ASSAS
10001358	Salah	DEBACHE
10001671	Habib	DEBBAGH
10001672	Lahouari	DEBBAGH
10001372	Hocine	DEHAMNA
10001360	Boudjemaa	DELALI
10001364	Lazhar	DELMİ
10001935	Bouziri	DEM MOU
10001936	Djilali	DEM MOU
10001367	Salah	DERBAL
10001673	Abdelkader	DERBALI
10001368	Aïssa	DERDOUKHE
10001369	Boudjemâa	DERIOUK
10001370	Bachir	DEROUICHE
10001371	El - Fadel	DERRADJI
10001373	Ali	DIDI
10001674	Houcine	DJAALALI
10001675	Ben Ali	DJABOUB
10001374	Abdelhamid	DJALEB
10001937	Nacer	DJANATI
10002028	Toufik	DJAOU
10001421	Mohamed	DJEBALI
10001375	Djamel	DJEDAÏ
10001938	Mohamed	DJELILAHINE

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001939	Mohamed	DJEZZAR
10001940	Abderezak	DJIDEL
10001376	Abdelwahab	DJOUAL
10001377	Hocine	DOUADI
10001676	Ali	DOUAR
10001941	Tayeb	ELGHERIBI
10001379	Fayçal	EUCHI
10001381	Rachid	FENDI
10001382	Yassine	FENDI
10002029	Hocine	FENIKH
10001383	Chouet	FERDI
10001380	Salah	FERHAT
10001677	Mustapha	FERHATI
10001942	Cherif	FERHATI
10001384	Hocine	FERMES
10001385	Djamel	FERTAKI
10001386	Abelhamid	FETATNIA
10001387	Abdelhakim	FETTECHE
10001943	Mohamed	FITAS
10001388	Mohamed Cherif	GARMAT
10001052	Mouloud	GASMI
10001053	Nacer Eddine	GATTOUCHE
10001054	Abdellah	GHAIB
10001396	Rabah	GHAMMAM
10001397	Abdelhakim	GHAMRANI
10001398	Abdelghani	GHARBI
10001399	Azzouz	GHARBI
10001400	Riad	GHARBI
10001401	Saïd	GHARBI
10001402	Saïd	GHARBI
10001403	Malik	GHARIB
10001404	Haçene	GHARZALLAH
10001405	Hocine	GHENAI
10001406	Ali	GHERAICHE
10001407	Djamel	GHERBI
10001408	Miloud	GHERBI
10001409	Youcef	GHERBI
10001410	Mohamed Salah	GHODBANE
10001411	Mohamed	GHORI
10001412	Bousenane	GHOURL
10001413	Youcef	GHOURL
10001414	Abdelhamid	GHRARRI
10001422	Ramdane	GOLAM
10001944	Tayeb	GOMRI

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10001423	Abdallah	GOUAOURA
10001424	Abdellah	GOUARIR
10001425	Noureddine	GOUASMA
10001426	Farouk	GOUASMIA
10001427	Abderrezak	GRANDI
10001428	Mostepha	GRANDI
10001429	Yacine	GUECHE
10001430	Mohamed Cherif	GUENIFI
10001431	Abdelkrim	GUERDOUH
10001432	Abdelnacer	GUERFI
10001433	Ahcene	GUERFI
10001434	Fatah	GUERFI
10001435	Ali	GUERMAT
10001436	Hamid	GUERMAT
10001437	Younes	GUERROUF
10001493	Salah	GUESSOUR
10001438	Abdelaaziz	GUETTACHE
10001439	Lahbib	GUETTECHE
10001440	Salim	HABOUL
10001441	Mohamed	HADDAD
10001705	Mohamed	HADDAD
10001442	Hamid	HADJI
10001571	Hocine	HADJI
10001572	Salem	HADJI
10001678	Mohamed	HALIMI
10001679	Yagoub	HALOUI
10001573	Messaoud	HAMADA
10001945	Moussa	HAMADANE
10001574	Abderrahmane	HAMAIDIA
10001575	Adel	HAMAMES
10001639	Ramdane	HAMANI
10001576	Saad	HAMDANE
10001946	Mousa	HAMDANI
10001577	Saad	HAMIDANE
10001947	Sid Ali	HAMIDAT
10001578	Tahar	HAMLAOUI
10001680	Moussa	HAMOUDI
10001579	Mohamed Larbi	HAMOUI
10001681	Mohamed	HARCHAOUI
10001948	Abdelaziz	HARIR
10001580	Slimane	HASSANI
10001581	Badaoui	HAZAM
10001582	Abdellah	HAZMOUNE
10001583	Mohamed	HEBBOUL



<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001584	Salah	HEBBOUL
10001585	Abdenmour	HEBIA
10001586	Salim	HEBOUL
10001587	Ammar	HENNI
10001640	Ben Youcef	HIRECHE
10001588	Mokhtar	H'LLILIF
10001589	Faouzi	HOBAR
10001682	Mustapha	HOUARI
10001590	Tayeb	KACEM
10001591	Abdeslem	KADDOUM
10001592	Boubakeur	KADDOUR
10001593	Omar	KADRI
10001594	Abdelrachid	KAHOUL
10001595	Khelil	KAHOUL
10001596	Tarek	KAHOUL
10001597	Youcef	KAHOUL
10001598	Brahim	KALFALLAH
10001599	Hacene	KARA
10001600	Hichem	KARBOUA
10001601	Mohamed Tahar	KARBOUA
10001602	Rabah	KARBOUA
10001603	Derradji	KASSAH-LAOUAR
10001604	Abdelaziz	KATTACHE
10001605	Omar	KEBIR
10001490	Ahmed	KECHIDA
10001491	Mourad	KEDISSA
10001492	Abdelkader	KEMACHE
10001494	Nourreddine	KENNOUNI
10001496	Abdelhamid	KERBOUA
10001497	Hocine	KERMANI
10001500	Samrane	KERMICHE
10001505	Adel	KEROUANE
10001506	Mohamed	KEROUANE
10001507	Abdeslam	KERRIZI
10001508	Mohamed Yazid	KERROUACHE
10001510	Lakhdar	KHACHA
10001512	Abdelhamid	KHADAR
10001513	Kamel	KHAIRI
10001949	Lakhdar	KHALDI
10001683	Tahar	KHALED
10001950	Abdelmalek	KHALED
10001951	Abdelhak	KHANICHE
10001514	Mahmoud	KHANTIT
10001515	Mourad	KHAROUACHE

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10002030	Abdeslem	KHELIFA
10001516	Allaoua	KHELIFA
10001517	Abdelhamid	KHELIFATI
10001518	Rachid	KHELIFI
10001533	Cherif	KHELIFI
10001519	Abdelfetah	KHELLIFI
10001520	Zaoui	KHELLOUF
10001684	Bachir	KHELOUFI
10001685	Redouane	KHELOUFI
10001952	Mohamed	KHEMIDJA
10001521	Ahcene	KHEMISSI
10001522	Djamel	KHEMISSI
10001523	Ryad	KHENFER
10001524	Toufik	KHENFRI
10001525	Yahia	KHENICHE
10001526	Abdelhamid	KHENNAOUI
10001527	Mahfoud	KHENNAOUI
10001641	Mohamed Amine	KHENNAS
10001528	Rabah	KHERCHICHE
10001529	Faycal	KHERIS
10001530	Reda	KHETAB
10001531	Makhlouf	KHETTOUF
10001953	Abdenaceur	KHICHANE
10001532	Hocine	KHIRI
10001954	Ahmed	KHORIFI
10001534	Makhlouf	KITOUNI
10001535	Djemai	KOUADRI
10001536	Amar	KOUALILA
10001537	Kamel	KOUIDER
10002031	Farid	KRIKOU
10001538	Yahia	KROUMI
10001686	Othmane	LAADJAL
10001539	Nacer	LAAGAGUINE
10001540	Abdelghani	LAAMOUR
10001541	Ahmed	LAANANI
10001542	Ahmed	LAIB
10001543	Mebarek	LAIFAOU
10001544	Mohamed Salah	LAIROUGE
10001545	Rachid	LAKHAL
10001546	Lakhdar	LALAOUATNI
10002032	Hocine	LALOUATNI
10001547	Aissa	LAMAMRI
10001687	Rabah	LAMRI
10002033	Mohamed	LAOUFI

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001378	Samir	LARGHEM
10001642	Menouar	LAROU
10001561	Mohamed Salah	LATLOUT
10001562	Laarbi	LEBSIR
10001563	Salim	LECHAR
10001564	Mourad	LEMOUI
10001565	Saïd	LEMOUNES
10001566	Ali	LEULMI
10001569	Mohamed	LITIME
10001567	Mohamed Faouzi	LOGBI
10001568	Nouar	LOUCIF
10001570	Fatah	MAADI
10002034	Nacer-Eddine	MAALEM
10001548	Mohamed	MAAOUI-BOUNAB
10001549	Said	MAAOUI-BOUNAB
10001550	Mostepha	MAAZI
10001551	Ryad	MAAZI
10001552	Amar	MADACI
10001553	Azzouz	MADADI
10001955	Kamel	MAHAMDI
10001554	Mohamed	MAHDJOUB
10001555	Mohamed Cherif	MAHFOUDI
10001956	Adel	MAHI
10001957	Souhil	MAHMOUDI
10001556	Mahfoud	MAIRIF
10001557	Faycal	MAJADIB
10001558	Khaled	MAKHLOUFI
10001559	Lakhdar	MAKHLOUFI
10001560	Yassine	MAKHLOUFI
10001443	Mohamed Hocine	MAMI
10001444	Abdou	MAOUI-BOUNAB
10001445	Salah	MAOUI-BOUNAB
10001958	Kamel	MARECHE
10001446	Azzedine	MAROUK
10001447	Hocine	MAROUK
10001448	Toufiq	MASSAE
10001449	Mouloud	MEBARKI
10001450	Mourad	MEBARKI
10001959	Lounes	MEBARKI
10001451	Rachid	MECHATI
10001452	Rachid	MECHATI
10001453	Laamri	MECHTA
10001454	Salah	MECIAD
10001455	Mourad	MEDANI

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10001456	Abdelkader	MEDJADIB
10001457	Abdelmajid	MEGHERBI
10001458	Aissa	MEHAMLIA
10002035	Adel	MEHAZEM
10001459	Mohamed	MEHDAD
10001460	Salah	MEHIDEB
10001461	Mohamed	MEKHABA
10001462	Salah	MEKKIOU
10001464	Amoir (Ameur)	MEKRI
10001960	Belkacem	MELIHI
10001466	Messaoud	MELKI
10001467	Boumaaref	MELLAHI
10001463	Riad	MEMAH
10001465	Smain	MEMECHE
10001468	Mouloud	MERABET
10001470	Nasser	MERAZGA
10001473	Abderrahmane	MERDACI
10001476	Rabah	MERNIZ
10001478	Messaoud	MEROUANI
10001479	Mohamed	MEROUANI
10001484	Bachir	MEROUR
10001643	Noureddine	MERZOUG
10001485	Ali	MESSAI
10001486	Toufik	MESSAI
10001487	Sofiane	MESSALI
10001488	Nadir	MESSAOUDANI
10001489	Mohamed	MESSAOUDI
10001495	Belkacem	MESSIAAD
10001498	Omar	MESSIAD
10001499	Salim	MESSIAD
10001501	Salim	MESSIAD
10001502	Haoues	MESSIBAH
10001503	Miloud	MEZHAR
10001504	Ahmed	MEZHOUD
10001509	Brahim	MEZHOUD
10001511	Riad	MEZHOUD
10001469	Mohamed	MEZIANE
10001471	Mouloud	MEZICHE
10001961	Hocine	MIHOUBI
10001962	Mohamed	MILOUDI
10001472	Lakhdar	MOKHNACHE
10001474	Nabil	MOKRI
10001475	Skander	MOKRI
10001477	Farid	MOKRICHE

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10001480	Kamal	MOKRICHE
10001481	Mohamed	MOKRICHE
10001482	Issam	MOUALEF
10001483	Salah	MOUALKIA
10002041	Nabil	MOUSSA
10001298	Moussa	MOUSSA BIROUK
10002042	Amar	MOUSSA-EMBAREK
10002043	Zoubir	NACIB
10002044	Kamel	NAILI
10002045	Mourad	NAILI
10002046	Nadir	NAKAA
10001688	Ali	NAKIB
10002089	Smain	NAKOUB
10001963	Abdelhamid	NAMOUS
10002047	Mohamed	NASRALLAH
10002048	Abdelrrachid	NEKAA
10002049	Hamou	NEKAA
10002050	Mohamed	NEKIA
10002051	Toufik	NEKOUB
10002052	Zine Eddine	NEMOUCHI
10002053	Mohamed Tahar	NIGHOUD
10002054	Hassan	NOURI
10001689	Mustapha	OSMANE
10002055	Boubaker	OUAFI
10002056	Mohamed	OUAKTI
10002057	Fodil	OUALBANI
10002058	Badis	OUBAD
10001690	Ali	OUDOUID
10001964	Cheikh	OUKIL
10001696	Mohamed	OULED EL AID
10001965	Tahar	OUSSERIR
10002059	Hocine	RABHI
10002060	Othmane	RABIE
10002062	Toufik	RAHALI
10002063	Nasreddine	RAMDANE
10002064	Kamel	REBAHI
10001691	Lahouari	REBAI
10002065	Sadek	RECIOUNI
10001692	Kaddour	REDJIMI
10002066	Lakhdar	REGAD
10002061	Zinelabidine	REGGANI
10002067	Othmane	REMADNIA
10002068	Kais	REMITA
10002069	Kamel	REMITA

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10002070	Said	RIACHE
10002071	Mansour	RIBAH
10002072	Adel	RIGHI
10002073	Smain	RIGUI
10002074	Abdelmalek	ROUIBAH
10001693	Messaoud	SAAD
10002075	Abdelouahab	SAADI
10002076	Mohamed Larbi	SAADI
10002037	Kamal	SAFANE
10002078	Lahlali	SAIDI
10002079	Farhat	SAIDI
10002080	Larbi	SAIDI
10001644	Boubeker	SAIGHI
10001645	Mohamed Reda	SAIGHI
10002081	Azeddine	SALHI
10002082	Mourad	SALHI
10002083	Rabah	SALHI
10001646	Ali	SALHI
10001305	Bouakaz	SALIM
10002084	Abdelah	SAMSAR
10002085	Tahar	SAOULA
10002086	Messaoud	SAOULI
10002087	Moussa	SAOULI
10002088	Omar	SAOULI
10002090	Rachid	SASSENE
10001966	Mohamed	SASSI
10002091	Salah	SAUF
10002092	Boudjemaa	SEBBANE
10002093	Abderrahmane	SEDRATI
10002094	Ameur	SEGOUAT
10002095	Med Cherif	SEHIM
10002096	Abdelghani	SELLOULA
10002100	Aissa	SERAA
10002097	Lyamine	SERDIDI
10002098	Azzeddine	SERIDI
10002099	Mustapha	SERIDI
10001647	Moussa	SHERSHER
10002101	Samir	SLAMI
10001648	Mehdi	SMAHI
10002102	Choaib	SMAKDJI
10002103	Youcef	SOLTANE
10002104	Hocine	SOUAADIA
10002105	Ramdane	SOUAADIA
10002106	Ahmed	SOUISSI

<b>Algeria</b> (continued)		
Case No.	First name	Family name
10002107	Khelifa	SOUKHAL
10002108	Samir	SOULI
10002109	Abdelhafid	TAALAH
10001649	Abdelkader	TADRIST
10002110	Abedlbaki	TALKHI
10002111	Abdelaziz	TAMINE
10002112	Abdelhakim	TEBBANI
10002113	Mustapha	TEBBICHE
10002114	Mohamed-Cherif	TELITEL
10002115	Miloud	TELLI
10002144	Mabrouk	TENAH
10002116	Yacine	TENIOU
10001694	Belkheir	TEURKI
10002117	Brahim	TIGHA
10002118	Mohammed Abdelouahab	TIGHA
10002119	Smain	TIGHA
10002120	Ahmed	TITAGHE
10002121	Mohamed Seghir	TODI
10002123	Abdeslem	TOUBAL
10001695	Seghir Amar	TOUBAL
10002039	Raouf	TOUBANE
10002124	Youcef	TOUCHENE
10002125	Wahid	TOURECHE
10002026	Mohamed-Tahar	TRIFA
10002126	Ali	TRIFA
10002127	Farhat	TRIFA
10002128	Kamel	TRIFA
10002129	Rachid	TRIFA
10001650	Ali	YANINA
10002130	Aissa	YESSAAD
10002131	Ahmed	ZAAROUR
10002132	Boubaker	ZAIDI
10002133	Ahmed	ZAMICHE
10002134	Tahar	ZAMOULI
10002135	Lazhar	ZANDAOUI
10002136	Mohamed-Cherif	ZEBEIRI
10002137	Rabie	ZEBEIRI
10002138	Mohamed Cherif	ZEFIZEF
10002139	Aissa	ZEGHBIB
10002140	Ammar	ZEGHINA
10002141	Brahim	ZEKRI
10002169	Bachir	ZELLAGUI
10002142	Tarek	ZELLAQUI
10002143	Salim	ZEMMOURI

<b>Algeria</b> <i>(continued)</i>		
Case No.	First name	Family name
10002145	Ahcene	ZEMOULI
10002146	Ali	ZEMOULI
10002147	Aziz	ZENADJI
10002148	Abdelaziz	ZERFA
10002149	Ramdane	ZERFA
10002150	Ahmed	ZERGUINE
10002151	Cherif	ZERGUINE
10002152	Said	ZERMANE
10001967	Kamel	ZERMANE
10002153	Mohamed	ZERMANI
10001613	Mohamed	ZERMANI
10001968	Ahmed	ZEROUKI
10002154	Abdelhamid	ZERROUKI
10002155	Lofti	ZERTI
10002156	Youcef	ZERZOURI
10002157	Ali	ZIAD
10002158	Hocine	ZIADA
10002159	Taleb	ZIADI
10002160	Salah	ZID
10002161	Lakhdar	ZIDANI
10002162	Antar	ZIDOUN
10001969	El Hadj	ZINET
10002163	Hamid	ZIOUANE
10002164	Azouz	ZITOUNI
10002165	Amer	ZOUAK
10002166	Yacine	ZOUAOUI
10002167	Mebarek	ZOUATER
10002168	Hocine	ZOUIKRI

<b>India</b>		
Case No.	First name	Family name
10001211	Harjit	KUMAR
10001210	Sukhdev	SINGH
10001212	Ajmer	SINGH
10001213	Amarjit	SINGH
10001214	Amritpal	SINGH
10001215	Balbir	SINGH
10001216	Bhagwan	SINGH
10001217	Bhan	SINGH
10001218	Darshan	SINGH
10001219	Darshan	SINGH



<b>India</b> ( <i>continued</i> )		
Case No.	First name	Family name
10001220	Gurlal	SINGH
10001221	Gurmeet	SINGH
10001222	Gurnam	SINGH
10001223	Hardeep	SINGH
10001224	Harvinder	SINGH
10001225	Jagdeep	SINGH
10001226	Jaswinder	SINGH
10001227	Kanwaljit	SINGH
10001228	Kuldip	SINGH
10001229	Kulwant	SINGH
10001230	Kulwinder	SINGH
10001231	Labh	SINGH
10001232	Lakhvir	SINGH
10001233	Mahinder	SINGH
10001234	Makhan	SINGH
10001235	Malkeet	SINGH
10001236	Manjit Inder	SINGH
10001237	Mohinder	SINGH
10001238	Narinder	SINGH
10001239	Pritam	SINGH
10001240	Randhir	SINGH
10001241	Sewa	SINGH

<b>Nepal</b>		
Case No.	First name	Family name
10001794	Keshar Bahadur	BASNET
10001795	Hira Singh	BATHAMAGAR
10001798	Amar	BUDA
10001994	Jit Bahadur	CHAUDHARI
10001995	Ramkaram	CHAUDHARI
10001866	Asharam	CHAUDHARI
10001870	Monanlal	CHAUDHARI
10001996	ARjun	CHAUDHARY
10001997	Dashram	CHAUDHARY
10001998	Prem Prakash	CHAUDHARY
10001999	Sagun Lal	CHAUDHARY
10002000	Sallal	CHAUDHARY
10002001	Tenin	CHAUDHARY
10001806	Durga Nath	CHAUDHARY
10001808	Duspati	CHAUDHARY
10001812	Ghana Shyam	CHAUDHARY

<b>Nepal</b> ( <i>continued</i> )		
Case No.	First name	Family name
10001813	Gomati	CHAUDHARY
10001814	Hari Bahadur	CHAUDHARY
10001815	Himmat	CHAUDHARY
10001816	Jagat Prasad	CHAUDHARY
10001817	Janak Bahadur	CHAUDHARY
10001818	Kaliram	CHAUDHARY
10001819	Kallu	CHAUDHARY
10001820	Kalpana	CHAUDHARY
10001821	Krim Kumar	CHAUDHARY
10001822	Krishna	CHAUDHARY
10001823	Krishna Prasad	CHAUDHARY
10001824	Khushiram	CHAUDHARY
10001825	Lahanu	CHAUDHARY
10001826	Lallu Ram	CHAUDHARY
10001827	Lautan	CHAUDHARY
10001828	Laxman	CHAUDHARY
10001830	Nepali	CHAUDHARY
10001832	Patiram	CHAUDHARY
10001834	Patiram	CHAUDHARY
10001836	Pradesini	CHAUDHARY
10001837	Purni	CHAUDHARY
10001840	Raj Bahadur	CHAUDHARY
10001842	Tek Nath	CHAUDHARY
10001843	Rajan	CHAUDHARY
10001844	Saite	CHAUDHARY
10001845	Shivraj	CHAUDHARY
10001846	Shusila	CHAUDHARY
10001847	Sita Kumari	CHAUDHARY
10001867	Bal Bahadur	CHAUDHARY
10001871	Bagale	CHAUDHARY
10001872	Bandhu	CHAUDHARY
10001873	Basantu	CHAUDHARY
10001874	Bhawan	CHAUDHARY
10001875	Buddhi Ram	CHAUDHARY
10001876	Badhhuram	CHAUDHARY
10001877	Darwari	CHAUDHARY
10001878	Bhagauti Prasad	CHAUDHARY
10001879	Bharat	CHAUDHARY
10001880	Bhuklal	CHAUDHARY
10001881	Dharma Prasad	CHAUDHARY
10001882	Uma	CHAUDHARY
10001883	Sher Bahadur	CHAUDHARY
10001889	Nirmala	CHAUDHARY
10001884	Surya Bahadur	DAHIT

Nepal (continued)		
Case No.	First name	Family name
10001885	Dhan Bahadur	KAMI
10001886	Raj Dev	MANDAL
10001887	Suresh	OLI
10002002	Nar Bahadur	RANA
10001848	Buddhi Maya	SAPKOTA
10001849	Durga	SAPKOTA
10001850	Khadka Bahadur	SAPKOTA
10002003	Man Bahadur	SAUT
10002004	Nanda Bahadur	SUNAR
10002005	Chandra Bahadur	TARAMI
10001796	Tirtha Bahadur	THAPA
10002006	Antaram	THARU
10002007	Bhim Bahadur	THARU
10002008	Mangajh	THARU
10002009	Ram Bharose	THARU
10002010	Ram Prasad	THARU
10002011	Ramkrishnan	THARU
10002012	Rampyare	THARU
10002013	Rooplal	THARU
10002014	Sriram	THARU
10001797	Sriram	THARU
10001799	Mahesh (Fhuhare)	THARU
10001800	Phul Ram	THARU
10001801	Punaram	THARU
10001802	Radheshyam	THARU
10001803	Radhulal	THARU
10001804	Ram Karan	THARU
10001805	Ram Prasad	THARU
10001807	Runchay	THARU
10001809	Sanchu Ram	THARU
10001810	Sita Janaki	THARU
10001811	Som Prasad	THARU
10001829	Sonuram	THARU
10001831	Thagga	THARU
10001833	Thakur Prasad	THARU
10001835	Top Bahadur	THARU
10001851	Babu Ram	THARU
10001852	Bhagaram	THARU
10001853	Bhagiram	THARU
10001854	Birbal	THARU
10001855	Bishnu	THARU
10001856	Chairam	THARU
10001857	Chaitelal	THARU
10001858	Chamari	THARU

<b>Nepal</b> ( <i>continued</i> )		
Case No.	First name	Family name
10001859	Chhunuwa	THARU
10001860	Dhaniram	THARU
10001861	Fakhla	THARU
10001862	Hari Ram	THARU
10001863	Jeulal	THARU
10001864	Krishna Prasad	THARU
10001865	Kula Prasad	THARU
10001868	Keshar Kumar	THARU
10001869	Kalpatti	THARU
10001893	Hari Charan	THARU
10001993	Palta	THAU
10001838	Dil Raj	YOGI
10001839	Nil Prasad	YOGI
10001841	Pushpa Raj	YOGI

<b>Sri Lanka</b>		
Case No.	First name	Family name
10001143	Kobalasingam	ACHSUDAN
10002186	Thurai	AJANTHAN
10001764	Rajan	ALEXSANDER
10002179	Sivagnanam	ANPALAKAN
10002187	Vigneswaran	ANPUTHASAN
10002188	Rasenthiram	ANTHONY RANJAN
10001710	Kamalanathan	APPUTHURAI
10001736	Vijajathas	ARAVINTHAN
10001726	Mary Delcia	ARTHUR RAJARATNAM
10002189	Thevamanya	ARUL
10002191	Saravanamuthu	ARUMUGANAVALAR
10001144	Irasasekaram	BALAKRISHNAN
10001149	Sritharan	BALAKRISHNAN
10002192	Iniyavan	BALASINGAM
10001151	Fernando	BALENDHAN
10001755	Walter Edward	BARNES
10002190	Kiddinapillai	CHANDRAMOHAN
10001765	Sandanam	CHANDRAN
10002266	Thevananthan	CHANDRASEGARAM
10002193	Sivajinathan	CHANTIRASEKARAN
10001766	Selvaraj	CHITRAVEL
10001897	Chandralingam	CHITRAVEL
10001152	Nicholas Annesteen	CROOS
10002194	Velayutham	EMIL PREMITTAN

<b>Sri Lanka</b> ( <i>continued</i> )		
Case No.	First name	Family name
10001153	Nadarajah	ESWARANATHAN
10001154	Alex Besil	FERNANDO
10001909	Joseph	GNANASEGARAM
10001720	Sebastian	GOODFELLOW
10002195	Soosaithasan	HAMILTAN MARINTHIRAN
10002196	Francis Sekar	HAMILTON
10002197	Vettivelu	JEAYAPALU
10001715	Jegan	JEGARASA
10002198	Arumugan	JEGATHESWARAN
10002199	Punniyamoorthy	JEYASHANKAR
10002200	Jeya	JEYATHILEEPAN
10001155	Selvaraja	KAJANATHANAN
10001741	Sivasupramaniam	KAJENTHRAN
10002201	Suriyapraba	KALIRASA
10002202	Indiran	KAMALATHEEPAN
10001768	Muthulingam	KAMALRAJ
10002203	Loheswaran	KANAGASINGAM
10001769	Tharmeshvaran	KANAPATHIPILLAI
10002204	Arumugam	KANDAIH
10001156	Rajaratnam	KANDEEPAN
10002176	Varatharasa	KANESAMOORTHY
10001742	Mohanathas	KANNATHAS
10002205	Mohanaraj	KANTHASAMY
10001725	Muralitharan	KANTHASAMY
10001737	Shankar	KANTHASAMY
10002206	Yoganathan	KAPILAN
10002177	Ponnai	KARALASINGAM
10002207	Rajkumar	KARUNAKARAN
10001770	Vairamuththu	KESAVAN
10002208	Govintharasa	KIRUBAHARAN
10001721	Jeyakanthan	KOPALAPILLAI
10002209	Gopalasamy	KOSALAN
10002210	Kanapathipillai	KRISHNABAVAN
10002211	Velayutham	KRISHNAMOHAN
10001157	Victor Kanicias (Victor Kanicius)	KULAS (CULAS)
10001158	Ramakrishnan Ramesh	KUMAR
10001773	Murugaiah Ashok	KUMAR
10001744	Ratnasingam	KUMARASAMY
10001745	Charles Kumar	KUNASINGAM
10001898	Prakashkumar	KUPPASAMY
10001159	Sivapatham Niththiya	LAXMI
10002182	Vanatharasan	LAZARU

<b>Sri Lanka</b> (continued)		
Case No.	First name	Family name
10002212	Vaithilingam	MAHENTHIRAN
10002213	Perinbarasa	MAHESWARAN
10002214	Muthulingam	MALARAVAN
10002215	Balasubramanium	MATHANASEELAN
10001774	Paratheepan	MATHIYAPARANAM
10001775	Kumutharaj	MAYALAKU
10002216	Nirmalanathan	MAYOORAN
10002217	Rasenthiram	MERISTALIN
10001160	Laxman Suress Fernando	MIHINDUKULASSOORIYA
10002218	AshoKumar	MURUGAIAH
10002219	Navaneethan	MURUGAIAH
10001738	Sivagurunathan	MURUGUPPILLAI
10002221	Kalikkudi	MUTHAIH
10001161	Gobinath Nalathiru	NADANASABA
10001723	Pradeepan	NAGENDRAN
10002223	Govinthan	NAHARAJA
10002224	Newton	NICHOLAS
10001162	Sachchithanandam	NIRANJAN
10001739	Appuththurai	NISHANTH
10002226	Ramanaruben	PAKIYARASA
10001714	Kajendran	PAKIYARASA
10002225	Selvanayagam	PALANIVEL
10002220	Subramanium	PARAMESWARAN
10001740	Janahan	PARANJOTI
10002180	Jegatheeswaran	PASUPATHY
10001163	Mutthukkumar	PATHMANATHAN
10001164	Sena Jegagothiswaran	PERIES
10001792	Ramajeyam	PERUMAL
10002227	Sebastiampillai	PHILIP RUBAN
10002228	Muruhananthan	PIRAPANANTHAN
10002229	Perumal	PIRASANTH
10001790	Kumar	POOBALASINGAM
10001165	Thirulogarasa	PRABAHARAN
10002230	Anton	PRABANANTH
10001166	Veerasingam	PRAGANTHAN
10002232	Vimalraj	PRAKASARASA
10002231	Pathinathar	PRASANNA
10001167	Subramaniam	PUTHTHIMAN
10001168	Denis	RAJ
10002233	Thavaraj	RAJAJI
10001746	Sriharan	RAJAKAJAN
10001776	Kabalamuthu	RAJAPANDI
10001727	Nagaratnam	RAJENDRAM
10002234	Balasooryan	RAJI

<b>Sri Lanka</b> ( <i>continued</i> )		
Case No.	First name	Family name
10002236	Poopalasingam	RAMESHKUMAR
10002237	Thilikumar	RANJITHKUMAR
10001728	Somalingam	RASIKARAN
10002238	Premaraj	RATHINASINGAM
10001908	Premaraj	RATHINASINGAM
10001169	Kumarasamy	RATNARAJA
10001717	Satheeskumar	RATNARAJA
10002239	Gnanaseelan	RAVI
10001729	Muralitharan	RAVISHANKAR
10002241	Thavarasa	RAVIVARMAN
10002240	Soosaipillai	REGINALD YOGANANTH
10001767	Gnanasegaram	ROBERT
10001777	Joseph Anthony	RUBITA
10001170	Kathiravel	SAKTHIVEL
10001718	Yoganantham	SAMITHAMBY
10001778	Sangarapillai	SANDRAKUMAR (KUMAR AIYA)
10002243	Santhirasekaram	SANKAR
10002250	Subaskaran	SANMUGARASA
10002244	Thevarasa	SANTHAKUMAR
10002174	Prabaharan	SANTHARASA
10002178	Mahenthirarasa	SARANGAN
10002184	Shanmugarasa	SARAVANAMUTHU
10001712	Thenmoli	SASHIKUMAR
10002222	Kanthasamy	SASIKKUMAR
10002245	Arulvasakam	SASIKUMAR
10001716	Nishanthan	SATHANANTHARASA
10001757	Arul Seelan	SATHANANTHARASA
10002246	Ananthamoorthy	SATHIYASEELAN
10002247	Jeyarajan	SEBAMALAI PIERIS
10001747	Berchmans	SEBASTIAN
10001791	Surenthiranathan	SEENITHAMBY
10001748	Manokaran	SELLAMUTHU
10001171	Thillainathan	SELVANATHAN
10001896	Milroy	SELVANAYAGAM
10002248	Umasuthan	SELVARATNAM
10002249	Selvarasa	SENTHAN
10001788	Prabha	SHANMUGAM
10001172	Vinayaga Moorthy	SHUDAKAR
10002251	Ariyaratnam Yunith Rex	SIMPSON
10002252	Sivachelvan	SINNARASA
10002253	Chitravelayutham	SINNATHURAI
10001173	Sivathas	SINTHAN
10001174	Sivapatham	SIROJAN

<b>Sri Lanka</b> ( <i>continued</i> )		
Case No.	First name	Family name
10001749	Pulenthiran	SITTAMPALAM
10001730	Manikkapodi	SIVALINGAM
10002254	Nithiyananthan	SIVAN AANDY
10002255	Prabaharan	SIVANANTHAM
10001711	Chandradevi	SIVAPRAGASAN
10002256	Sivasuthan	SIVARAJAH S.
10002257	Nadarasa	SIVARUBAN
10001175	Tharmaratnam	SIVASOORIYAKUMAR
10002258	Kajenthiran	SIVASUBRAMANIAM
10001779	Arulampalam	SIVASUBRAMANIAM
10001724	Theepakumar	SOORIYALINGAM
10001780	Mayooran	SOUNDERARAJAN
10001750	Piraisoodi	SUBAHARAN
10002235	Ramachandran	SUBRAMANIAM
10001176	Subramaniam	SUDAGARAN
10002259	Kanthasamy	SUNTHARARASAN
10001751	Sithamparanadarasa	SURESH
10001177	Muniyandi	SURESHKUMAR
10002260	Arunakirinathan	SUTHAN
10001178	Arunagirinathan	SUTHAN
10002261	Vijayakumar	SUTHARSAN
10001731	Ganesh	SUVENTHERAN
10001772	Suntharan	SWENDRAN
10002172	Rajamohan	THAMBIMUTHTHU
10002173	Thamotharam	THAMBIRAJA
10002181	Samithamby	THANARAJ
10001756	Muhinthan	THANGAVADIVEL
10001781	Kirupakaran	THANGAVAL
10002175	Vijayaraj	THANGAVEL
10002242	T. Subendran	THARMALINGAM
10002262	Vijayakumar	THARMALINGAM
10001782	Uthayakumar	THARMARAJA
10001771	Sinnathamby	THAVACHELVAN
10001743	Rajaji	THAVARAI
10002263	Rasenthiram	THAVASEELAN
10002264	Nagenthitam	THAYALAM
10001752	Thavaprasath	THEVARAJAH
10001783	Selvakumar	THIAGARAJAH
10001713	Kirubaharan	THILAIAMPALAM
10001753	Chandran Premapalan	THILEPAN
10001732	Ranjithkumar	THILIKUMAR
10001733	Subash Chandrabos	THISSAVEERASINGAM
10002183	Jegan	THIYAGARAJA
10001179	Tharmaraja	UDAYAKUMAR



<b>Sri Lanka</b> ( <i>continued</i> )		
Case No.	First name	Family name
10001784	Nithiyanantan	ULAKANAATHAN
10001754	Achchuthan	VAIKUNTHAN
10001180	Tharmalingam	VASANTHARAJAN
10001758	Santhiralingam	VEERAKUDDY
10001734	Paskaralingam	VELAYUTHAN
10001735	Rasanayagam	VETHANAYAGAM
10002265	Kobiraj	VIJAYARAJA
10001785	Vijayarajaseagr	VIJAYARAJA
10001786	Gajabalan	VIJAYARAJAN
10001722	Vilvaraj	VIMALARASA
10001763	Amalan Raviraj	VISUVASAM
10001142	Dharmaratnam	WANIDARAJAH
10001787	Jonas	WESLY GNANASEELAN
10002185	Vannamany	YOGESWARAN

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