

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 sources

481. During the period under review no information was received from the sources regarding outstanding cases.

Summary of the situation prior to the period under review

482. Of the three cases reported in the past, two concerned members of the Guerrilla Group of the East Coast and Aragon (Agrupación Guerrillera de Levante y Aragón). The disappearances were allegedly perpetrated by the Guardia Civil and occurred in 1947 and 1949. Another case concerns a farmer who belonged to the guerrilla group Federación de Guerrillas Astur-Galaico Leonesas, Agrupación de Orense, whose disappearance in 1950 in Ávila was alleged to have been carried out by the Guardia Civil.

Total cases transmitted, clarified and outstanding

483. In the past and during the year under review, the Working Group has transmitted three cases to the Government. All three of these cases remain outstanding before the Working Group.

Sri Lanka¹³

Information received from the Government

484. During the period under review no information was received from the Government regarding outstanding cases.

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	
6 901	0	0	1 193	0	5 708

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

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 received from the sources

485. During the period under review no information was received from sources regarding outstanding cases.

Clarifications

486. Based on information previously received from the Government that took a considerable time to process, the Working Group decided to clarify (see paragraph 9) 1,193 cases. In 3 cases, the persons had been released and in 1,190 cases, the persons were reportedly dead.

Summary of the situation prior to the period under review

487. The cases reported to the Working Group are alleged to have occurred in the context of two major conflicts in Sri Lanka: the confrontation between Tamil militants and government forces in the north and north-east of the country and that between the People's Liberation Front (JVP) and government forces in the south. Between 1987 and 1990, the disappearances occurred mainly in the southern and central provinces and coincided with extreme violence on the part of both security forces and the JVP. The cases reported to have occurred since 11 June 1990, the date of resumption of hostilities with the Liberation Tigers of Tamil Eelam, have been confined primarily to the eastern and north-eastern provinces of the country. In the one case that occurred in 2003, a man was allegedly arrested by police officers and last seen by his relatives at the Watthegama Police Station in Kandy.

488. The Working Group undertook three field missions to Sri Lanka, in 1991, 1992 and 1999. The central recommendation to the Government was the establishment of an independent body with the task of investigating all cases of disappearance which had occurred since 1995 and to accelerate its efforts to bring the perpetrators to justice. The Working Group also recommended the setting up of a central register of detainees as provided for in article 10.3 of the Declaration. It also pointed out that all families of disappeared persons should receive the same amount of compensation and that the procedure for issuing death certificates in cases of disappearances should be applied in an equitable and non-discriminatory manner. The Working Group further noted that the Prevention of Terrorism Act and the Emergency Regulations had not been abolished or harmonized with internationally accepted standards of human rights, and recommended that the prohibition of enforced disappearance be included as a fundamental right in the Constitution of Sri Lanka.

489. According to its records, the Government has so far provided information in respect of a total of 11,655 cases.

Total cases transmitted, clarified and outstanding

490. In the past and during the year under review, the Working Group has transmitted 12,278 cases to the Government; of those, 40 cases have been clarified on the basis of information provided by the source, 6,530 cases have been clarified on the basis of information provided by the Government and 5,708 cases remain outstanding.

Observations

491. The Working Group wishes to express its appreciation to the Government of Sri Lanka for the amount of information that it has provided and for its efforts to investigate and clarify the fate of the many thousands of persons who disappeared in the past.

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

Sudan¹⁴

Urgent actions

493. On 6 December 2004, the Working Group transmitted the cases of **19 persons of the Fur and Dajo communities** who had reportedly been arrested by armed forces and Janjaweed militia from their homes and from the streets of Adwa village north of Nyala on 28 November 2004. Reportedly, no information on the whereabouts of these persons was made available to their relatives and NGOs. Two of these disappeared persons were men aged 85 and 70 years old.

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	
120	44	0	0	1	163

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	Yes	N/A

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	No

494. On 28 January 2005, a source informed the Working Group that on 7 January 2005, **six men from the Zaghawa community**, all employees of a Chinese company constructing the Hamadab Dam, were arrested by security personnel from Marawi City, Northern Province. Although, three of the six detainees were reportedly released on 8 January, the whereabouts of the other three men remain unknown.

495. On 24 February 2005, an urgent appeal was sent by the Chair of the Working Group and the Special Rapporteur on the question of torture concerning **six persons** who were reportedly arrested and disappeared during an attack on 12 February by armed forces on Gedel Haboub.

496. On 24 February, an urgent appeal was sent by the Chair of the Working Group, the Special Rapporteur on the question of torture and the Special Representative of the Secretary-General on the situation of human rights defenders on the case of **a community leader (sheikh) of the Zaghawa community** who was reportedly arrested by security forces inside the Outash IDP camp No. 2 north of Nyala. Reportedly, the authorities informed the relatives that he had been transferred to Nyala police station, but despite the efforts of his family and NGOs to discover his whereabouts, they remain unknown. It was further alleged that his arrest was connected to the fact that he had provided information to an NGO on the rape of three women and two girls by Janjaweed militias on 17 February 2005, near the Outash IDP camp.

⁴ See annex IV for the list of the newly reported cases of disappeared persons.

⁵ Figures continue to be reviewed for accuracy.

⁶ The press statement and the minutes of the press conference can be found on the website of the Office of the High Commissioner for Human Rights in Colombia: <http://www.hchr.org.co/documentoseinformes/documentos/relatoresespeciales/documentos.php3?cat=59>.

⁷ See annex IV for the list of names of the newly reported cases of disappeared persons.

⁸ 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.

⁹ In accordance with the practice of the Working Group, Santiago Corcuera did not participate in the decisions relating to this section of the report.

¹⁰ See annex IV for the list of names of the newly reported cases of disappeared persons.

¹¹ In accordance with the practice of the Working Group, J. `Bayo Adekanye did not participate in the decisions relating to this section of the report.

¹² See annex IV for the list of names of the newly reported cases of disappeared persons.

¹³ Figures continue to be reviewed for accuracy.

¹⁴ See annex IV for the list of names of the newly reported cases of disappeared persons.

Annex I

Decisions on individual cases taken by the Working Group during 2005

Countries	Cases which allegedly occurred in 2005	Cases transmitted to the Government during 2005		Clarification by:		Discontinued cases
		Urgent actions	Normal actions	Government	Non-governmental sources	
Algeria	-	-	253	-	-	-
Burkina Faso	-	-	-	3	-	-
China	1	1	-	-	1	-
Colombia	7	7	-	-	5	-
Congo	-	-	80	-	-	-
Democratic Republic of the Congo	1	-	1	-	-	-
Egypt	2	2	-	-	-	-
Equatorial Guinea	-	-	3	-	-	-
Ethiopia	3	3	-	-	3	-
France	-	-	1	-	-	-
Guatemala	-	-	-	2	-	-
India	-	-	7	-	-	-
Indonesia	-	-	10	-	-	-
Iran (Islamic Republic of)	-	1	-	-	1	-
Lao People's Democratic Republic	-	-	-	-	4	-
Libyan Arab Jamahiriya	1	1	-	-	1	-
Malaysia	-	-	-	-	-	1
Morocco	-	-	-	3	-	-
Nepal	22	30	6	54	59	-
Philippines	11	11	28	-	-	-
Russian Federation	15	27	11	-	8	-
Saudi Arabia	-	-	1	-	-	2
Serbia and Montenegro	-	-	1	-	-	-
Sri Lanka	-	-	-	1 193	-	-
Sudan	23	44	-	-	1	-

Annex II

Statistical summary: cases of enforced or involuntary disappearance reported to the Working Group between 1980 and 2005

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	
	No. of cases	Female	No. of cases	Female						
Afghanistan	3	-	3	-	-	-	-	-	-	-
Algeria	1 608	17	1 592	15	9	7	7	2	7	-
Angola	10	1	3	-	7	-	-	-	7	-
Argentina ^a	3 462	772	3 375	746	44	43	58	-	29	-
Bahrain	1	-	-	-	-	1	-	1	-	-
Bangladesh	1	1	1	1	-	-	-	-	-	-
Belarus	3	-	3	-	-	-	-	-	-	-
Bhutan	5	-	5	-	-	-	-	-	-	-
Bolivia	48	3	28	3	19	1	19	-	1	-
Brazil	63	4	14	-	45	4	1	-	48	-
Bulgaria	3	-	-	-	3	-	-	-	3	-
Burkina Faso	3	-	3	-	-	-	-	-	-	-
Burundi	53	-	52	-	-	1	1	-	-	-
Cambodia	2	-	2	-	-	-	-	-	-	-
Cameroon	18	-	14	-	4	-	4	-	-	-
Chad	13	-	12	-	1	-	-	-	1	-
Chile	908	65	840	65	45	23	2	-	66	-
China	110	13	31	7	69	10	44	33	2	-
Colombia	1 165	112	897	87	201	67	157	24	87	-
Congo	114	3	114	3	-	-	-	-	-	-
Democratic People's Republic of Korea	9	5	9	5	-	-	-	-	-	-
Democratic Republic of the Congo	50	11	41	11	6	3	9	-	-	-
Denmark	1	-	-	-	-	1	-	1	-	-

Annex II (continued)

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	
	No. of cases	Female	No. of cases	Female						
Malaysia	2	-	-	-	-	1	-	1	-	1
Mauritania	1	-	1	-	-	-	-	-	-	-
Mexico	377	27	207	17	132	22	76	17	61	16
Morocco ^b	248	28	100	10	102	46	125	1	22	-
Mozambique	2	-	2	-	-	-	-	-	-	-
Myanmar	3	1	1	-	2	-	1	1	-	-
Namibia	1	-	1	-	-	-	-	-	-	-
Nepal	338	32	225	25	54	59	81	31	1	-
Nicaragua ^a	234	4	103	2	112	19	45	11	75	-
Nigeria	6	-	1	1	5	-	5	-	-	-
Palestine	3	-	3	-	-	-	-	-	-	-
Pakistan	83	2	75	2	4	4	6	2	-	-
Paraguay	23	-	3	-	20	-	19	-	1	-
Peru ^a	3 006	311	2 368	236	253	385	450	85	103	-
Philippines	752	87	595	67	124	33	103	19	29	-
Romania	1	-	-	-	1	-	1	-	-	-
Russian Federation	461	27	451	24	1	9	10	-	-	-
Rwanda	24	2	22	2	-	2	1	1	-	-
Saudi Arabia	4	-	1	-	1	-	1	-	-	2
Serbia and Montenegro	17	-	16	-	1	-	1	-	-	-
Seychelles	3	-	3	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6
Spain	3	-	3	-	-	-	-	-	-	-
Sri Lanka	12 278	148	5 708	82	6 530	40	101	24	6 444	-
Sudan	367	35	163	4	200	4	204	-	-	-
Syrian Arab Republic	39	3	15	3	11	13	16	4	4	-

Annex III

Graphs showing the development of disappearances in countries with more than 100 transmitted cases during the period 1964-2005



