

Republic of Korea, who reiterated that the Government's stand on the issue is that it should be resolved within the bilateral framework provided for by the Pyongyang Declaration adopted by the two countries. (See section on the Democratic People's Republic of Korea, paragraphs 91-96.)

266. The Government of Japan also provided information on 2 outstanding cases. The Government stated that the information provided by the Government of the Democratic People's Republic of Korea was extremely unreliable. Reportedly, the death certificates for the persons concerned had all been issued by the same hospital, even though their addresses and place of death had differed. Moreover, many of the death certificates are said to have had the same format and identical seals. In addition, the "cause of death" and "age at time of death" were said to be profoundly unnatural when compared to that for ordinary human beings. There was reportedly also a lack of physical evidence to prove that the death had occurred. During the same period, the Working Group also met with the representatives of the Government of Japan and engaged in an exchange of views with regard to the outstanding cases. (See section on Japan, paragraphs 166-173.)

267. In respect of the 4 outstanding cases, the Working Group is unable to report on the fate or whereabouts of the disappeared persons.

Sri Lanka

268. During the period under review, the Working Group transmitted 1 new case of disappearance to the Government of Sri Lanka, which occurred in 2003 and was sent under the urgent action procedure. At the same time, the Working Group clarified 875¹³ cases on the basis of information provided by the Government on which no observations were received from the source. In all these cases, death certificates had been issued and/or compensation granted or was in the process of being granted.

269. The 12,297 cases reported in the past are alleged to have occurred in the context of 2 major sources of conflict in that country: 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 (LTTE), have been confined primarily to the eastern and north-eastern provinces of the country.

270. The newly reported case concerns a man who was allegedly arrested by police officers and last seen by his parents at the Watthegama Police Station in the Kandy District.

271. The Working Group undertook 3 field missions to Sri Lanka, in 1991, 1992 and 1999. The 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 equal and non-discriminatory manner. The Working Group further noted that the Prevention of Terrorism Act and the Emergency Regulations have 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.

272. According to its records, the Government has so far provided information in respect of a total of 11,654 outstanding cases. The Working Group has so far considered the replies relating to 8,151 outstanding cases. In 53 cases, the Government informed that death certificates had been issued, compensation granted, or was in the process of being granted. The Working Group decided to apply the six-month rule to these cases. In 3,847 cases, the Government informed that it had not been possible to establish the whereabouts of the persons concerned inasmuch as the addresses provided were incorrect or unclear or because the family had left the area; no person by the name had disappeared from the address provided; cases were pending in courts of law; family members had not requested or had declined death certificates or compensation; the persons were reported to be alive or the disappearance had not been reported to a government.

273. Of the 4,803 cases clarified by the Working Group, 4,764 were clarified on the basis of information provided by the Government and 39 on the basis of information provided by the source. At the current stage of the processing exercise, however, it must be borne in mind that the statistical figures indicated in the present section as well as in the statistical tables annexed to the present report in respect of the number of cases reported to the Working Group, cases that have been clarified and those still outstanding, reflect only an estimate and are, as such, subject to change.

Observations

274. 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.

275. It wishes to remind the Government of its obligation under article 2 of the Declaration not to practice, permit or tolerate enforced disappearances.

Syrian Arab Republic

276. During the period under review, 3 new cases of disappearance were transmitted by the Working Group to the Government of the Syrian Arab Republic.

277. Most of the 36 cases of disappearance reported in the past occurred between 1980 and 1994. The security forces or military intelligence were allegedly responsible for these cases. Among the victims were students, medical doctors, military personnel and an artist. Eight cases concerned Lebanese citizens, 3 concerned Jordanian nationals and 1 concerned another Palestinian. In the past, concern was expressed to the Working Group about the whereabouts of both Lebanese citizens and Palestinians who were reported to have disappeared in Lebanon, a circumstance for which the Government of the Syrian Arab Republic was allegedly responsible. (See section on Lebanon, paragraphs 181-188.)

278. The newly reported cases occurred between 1980 and 1986. They concerned Lebanese nationals who were allegedly abducted in Lebanon, 2 of whom were last seen in the Mazze detention centre in the Syrian Arab Republic. In 1 case, the person was allegedly abducted at the international airport in Damascus. All cases were attributed to the Syrian intelligence service. During the period under review, in accordance with its methods of work, the Working Group also sent to the Government of the Syrian Arab Republic copies of 5 cases concerning Lebanese nationals who were reportedly abducted by the Hezbollah and transferred to the Syrian intelligence service between 1981 and 1985. (See section on Lebanon, paragraphs 181-188.)

279. Concern was expressed by non-governmental organizations about the alleged repatriation in "relative secrecy" of bodies of Lebanese citizens, presumed to have disappeared in Syrian prisons or detention centres. Concern was also expressed at the alleged claim by Syrian authorities that there were no Lebanese prisoners or detainees in the Syrian Arab Republic.

280. During the period under review, the Government provided information on 11 outstanding cases. In 1 case concerning a Lebanese national, the person had died in prison and the body had been returned to the family. In the case of 2 Palestinians with Jordanian nationality, a mother and daughter, they had been taken hostage by the *Sabri al-banna* group, pending the return of her son who had fled, and been killed when he failed to return. In 1 case, a Lebanese artist, the person concerned had been arrested for his involvement in the Sabra and Chatila massacres, and for his failure to do his military service, and sentenced to 15 years' imprisonment. He was currently serving his sentence. In 7 cases involving 3 Syrian nationals, 3 Lebanese citizens, and 1 Jordanian national, the competent authorities had no information on the persons concerned. The information was not enough to apply the six-month rule to these cases or to consider them clarified.

281. Of the 24 cases clarified by the Working Group, 11 were clarified on the basis of information provided by the Government and 13 on the basis of information provided by the source. In respect of the 15 outstanding cases, the Working Group is unable to report on the fate or whereabouts of the disappeared persons.

Tajikistan

282. During the period under review, no new cases of disappearance were transmitted by the Working Group to the Government of Tajikistan.

283. Of the 8 cases reported to the Working Group, 6 occurred between late 1992 and July 1993 in Dushanbe and concern, among others, a member of parliament from the Garm region and his brother, a physician who had actively participated in the opposition demonstrations of April and May of 1992, a student and a driver. Two other cases concern brothers of Badakhshani ethnic origin. One of the brothers whose whereabouts are still unknown, was reportedly a member of the last parliament of the former Soviet Union and an influential member of Badakhshani community. The disappearances were attributed to the police, personnel of the Ministry of Defence, and the People's Front of Tajikistan.

284. During the period under review, the Government of Tajikistan informed that, in respect of the 6 outstanding cases, it had not been possible to determine those responsible for the crime, but that investigations were still in progress.

¹³ In its previous report, the Working Group reported that 1,234 cases had been clarified. Upon verification, however, it was found that, in respect of 359 cases, the replies had been sent in duplicate.

¹⁴ In accordance with legal advice, dated 14 May 2003, received from the Assistant-Secretary-General for Legal Affairs of the United Nations.

¹⁵ In accordance with legal advice, dated 14 May 2003, received from the Assistant-Secretary-General for Legal Affairs of the United Nations.

ANNEXES

Annex I

Decisions on individual cases taken by the Working Group during 2003

Countries	Cases which allegedly occurred in 2003	Cases transmitted to the Government during 2003		Clarifications by:		Discontinued cases
		Urgent actions	Normal actions	Government	Non-governmental sources	
Afghanistan	1	1	0	0	0	0
Algeria	0	0	56	0	0	0
Argentina	0	0	0	0	5	0
Brazil	0	0	2	0	0	0
China	0	0	1	5	0	0
Colombia	5	5	20	0	0	0
Democratic Republic of the Congo	0	0	1	0	0	0
Equatorial Guinea	1	1	0	0	0	0
Guatemala	0	0	0	22	0	0
Honduras	0	0	0	0	3	0
India	4	8	18	7	0	0
Indonesia	3	3	0	0	0	0
Iran	0	0	4	0	0	0
Iraq	0	0	2	0	0	0
Japan	0	0	1	0	0	0
Lebanon	0	0	7	0	0	0
Libya	0	0	1	0	0	0
Mexico	5	4	1	0	3	0
Morocco	0	0	0	7	0	0
Nepal	18	15	16	0	4	0
Pakistan	0	0	0	1	0	0
Philippines	0	0	20	0	0	0
Russia	4	4	37	0	1	0
Rwanda	1	1	0	0	0	0
Spain	0	0	1	0	0	0
Sri Lanka	1	1	0	875	0	0
Syria	0	0	3	0	0	0
Tunisia	0	0	0	1	0	0
Turkey	0	0	0	4	0	0
Uzbekistan	0	0	0	1	1	0
Yemen	0	0	0	56	0	0

Annex II

Statistical summary:

Cases of enforced or involuntary disappearance reported to the Working Group between 1980 and 2003

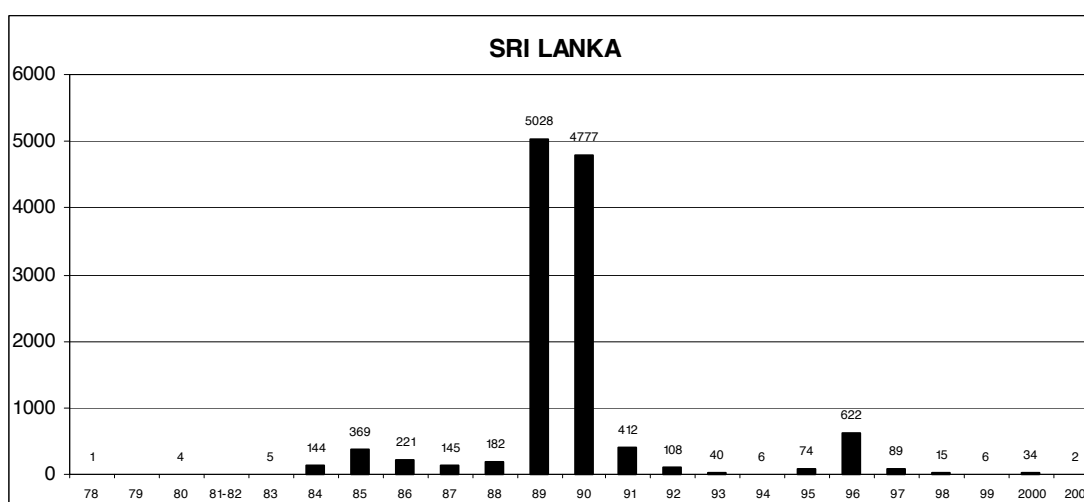
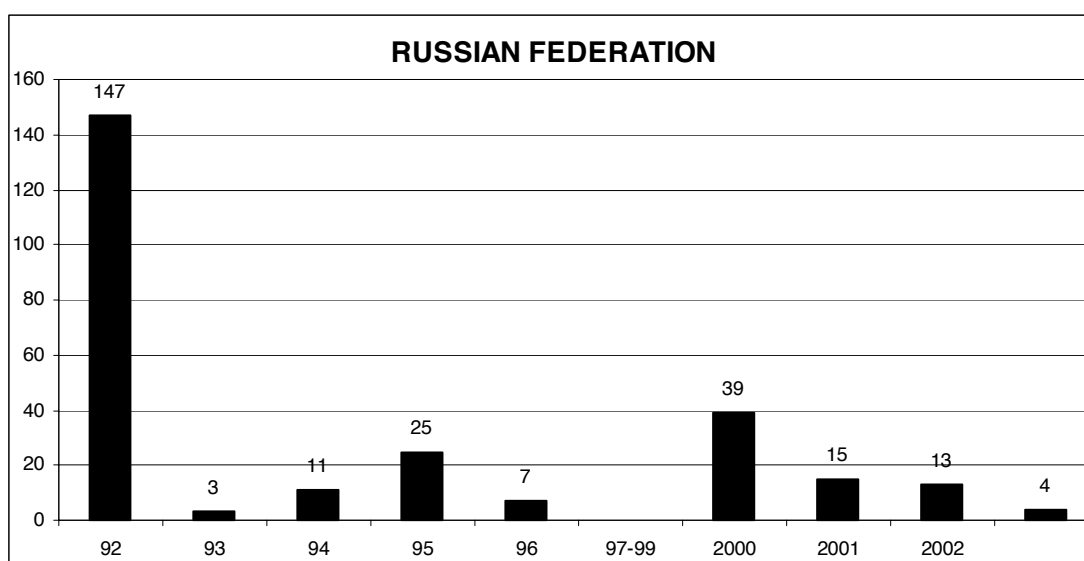
Countries/ entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding		Government	Non- governmental sources	At liberty	In detention	Dead	
	No. of cases	Female	No. of cases	Female						
Afghanistan	3	-	3	-	-	-	-	-	-	-
Algeria	1 177	18	1 161	16	9	7	7	2	7	
Angola	7	1	-	-	7	-	-	-	7	-
Argentina	3 462	772	3 379	746	43	40	54	-	29	-
Bangladesh	1	1	1	1	-	-	-	-	-	-
Bahrain	1	-	-	-	-	1	-	1	-	
Belarus	3	-	3	-	-	-	-	-	-	-
Bolivia	48	3	28	3	19	1	19	-	1	-
Brazil	59	4	10	-	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	108	7	34	4	65	9	43	31	1	-
Colombia	1 153	105	892	81	199	62	157	24	80	-
Congo	34	1	34	1	-	-	-	-	-	-
Cyprus	-	-	-	-	-	-	-	-	-	-
Democratic People’s Republic of Korea	1	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						
Peru ^b	3 006	311	2 368	236	253	385	450	85	103	-
Philippines	688	81	531	61	124	33	103	19	29	-
Romania	1	-	-	-	1	-	1	-	-	-
Russian Federation	264	15	262	11	-	2	2	-	-	-
Rwanda	23	2	21	2	-	2	1	1	-	-
Saudi Arabia	3	-	2	-	1	-	1	-	-	-
Seychelles	3	-	3	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6
Spain	5	-	5	-	-	-	-	-	-	-
Sri Lanka	12 298	148	7 495	135	4 764	39	97	24	4 841	-
Sudan ^c	268	35	65	4	200	3	203	-	-	-
Syrian Arab Republic	39	3	15	3	11	13	16	4	4	-
Tajikistan	8	-	6	-	-	2	1	-	1	-
Thailand	34	-	34	-	-	-	-	-	-	-
Timor-Leste	501	36	425	28	58	18	51	23	2	-
Togo	11	2	10	2	-	1	1	-	-	-
Tunisia	16	1	-	-	12	4	-	15	-	-
Turkey	181	11	92	4	41	48	55	21	13	-
Turkmenistan	2	-	-	-	2	-	-	2	-	-
Uganda	61	34	54	32	2	5	2	5	-	-

Annex III

**Graphs showing the development of disappearances in countries with more than
100 transmitted cases during the period 1971-2003**



Note: These graphs provide an illustration of the trend in disappearances reported to the Working Group during 1971-2003.