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### **IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

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

## 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 decision 1/102, reflects communications and cases examined by the Working Group during its sessions in 2006. The total number of cases transmitted by the Working Group to Governments since the Working Group's inception is 51,531. The number of cases under active consideration that have not yet been clarified or discontinued stands at 41,232 and concerns 79 States. The Working Group has been able to clarify 2,791 cases over the past five years. During the period under review, the Working Group transmitted 335 new cases of enforced disappearances to the Governments of Algeria, Bangladesh, China, Colombia, Guatemala, Honduras, India, the Libyan Arab Jamahiriya, Nepal, Pakistan, the Philippines, the Russian Federation, Sri Lanka, the Sudan, the Syrian Arab Republic and Thailand. Of the newly reported cases, 79 allegedly occurred in 2006. 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.

Concerns of the Working Group include that in numerous post-conflict situations or where democratic transition follows a period of widespread human rights violations, disappearances frequently remain unresolved and persecution of people working on disappearance cases continues for many years. It has been reported that in some countries, new Governments need to do more to clarify past cases of disappearances and ensure a strong system of rule of law whereby people are free to pursue truth and justice. In addition, new Governments need to be assisted with judicial reforms, strengthening State institutions and re-establishing the rule of law.

The Working Group reiterates its concern that the enactment of amnesty laws and the implementation of other measures that lead to impunity are contrary to article 18 of the Declaration on the Protection of All Persons from Enforced Disappearance and may perpetuate continuing human rights abuses for many years.

In connection with the above, the Working Group is gravely concerned about increasing numbers of reports it has received in the past year concerning the disappearance of human rights defenders and acts of intimidation, persecution or reprisal against human rights defenders, witnesses, legal counsel and relatives of disappeared persons seeking to discover the fate or whereabouts of those who have disappeared. States are reminded of their obligation under article 13 (3) of the Declaration to protect against ill-treatment, intimidation or reprisal all persons involved in the investigation of disappearances.

The Working Group is concerned that in some regions, non-governmental organizations are not present, organized, or well-funded enough to be able to work effectively on disappearances.

During the reporting period November 2005 to November 2006 the Working Group conducted a country visit to Guatemala. The report of the country visit to Guatemala is contained in an addendum to this report.

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## I. INTRODUCTION

### A. The mandate

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 Working Group derives its original mandate 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 over 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 Working Group's mandate was elaborated in General Assembly resolution 47/133 of 18 December 1992, entitled "Declaration on the Protection of All Persons from Enforced Disappearance". The mandate was most recently extended by Commission on Human Rights resolution 2004/40 of 19 April 2004 and Human Rights Council decision 1/102 of 30 June 2006.
3. The Working Group's mandate is humanitarian. It serves as a channel for communication between family members and Governments. The primary task of the Working Group is to clarify the fate or whereabouts of persons who are reported to have disappeared.
4. In addition to its core mandate, the Working Group has also been entrusted, according to Commission resolution 2004/40, with the task of monitoring the progress of States in fulfilling obligations derived from the Declaration.

### B. Methods of work

5. The methods of work were most recently revised by the Working Group (E/CN.4/2002/79, annex I) and approved by the Commission on Human Rights.
6. The Working Group does not deal with situations of international armed conflict.
7. The Working Group's mandate is defined to cover violations carried out by State agents or non-State actors acting with the acquiescence or consent of the State.
8. **Standard procedure.** Reported cases of disappearances are placed before the Working Group for detailed examination during its sessions. Those which fulfil the requirements as described in the methods of work are transmitted by letter from the Working Group's Chairperson-Rapporteur to the Government concerned through the Permanent Representative to the United Nations Office at Geneva or New York with the request to inform the Working Group about the fate or whereabouts of the disappeared persons (generally the current address or documented record of death or absence). It is common for the Working Group to facilitate subsequent exchanges of information between the source and the Government until the case is clarified (see paragraph 11).



9. **Urgent actions.** Cases that reportedly occurred within the three months preceding receipt of the report by the Working Group and otherwise fulfil the requirements for standard cases are transmitted directly to the Minister for Foreign Affairs of the country concerned by the most direct and rapid means. 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.
10. **Follow-up on cases.** All cases of enforced disappearance remain under active consideration by the Working Group until they are clarified. The crime of enforced disappearance, as defined in the Declaration on the Protection of All Persons from Enforced Disappearance, is a continuous crime until the fate or whereabouts of the disappeared person becomes known.
11. **Clarification.** A case is clarified when information is provided which can clearly establish the fate or whereabouts of the disappeared person. In general, the Working Group has found information sufficient to clearly establish a person's whereabouts when the Government provides the address where the person is currently living, whether the address of the person's home or that of the place where the person is being imprisoned or detained. As information establishing a person's fate, i.e. when the person is reported dead, in general, a copy of a death certificate has been sufficient.
12. **Six-month rule.** In all cases where the Working Group considers that a government reply contains sufficient information on the fate or whereabouts of the disappeared person that could constitute a clarification, it applies the six-month rule. This means that if the source does not respond within six months of the date on which the reply was communicated to it, or if it contests the Government's information on grounds that are considered to be unreasonable by the Working Group, the case is considered clarified.
13. **Prompt intervention actions.** The Working Group also takes prompt intervention actions in connection with acts of intimidation, persecution or reprisal against relatives of missing persons and private individuals or persons who seek to discover the fate or whereabouts of disappeared persons. Prompt intervention letters are sent to the Government concerned with the appeal that it take immediate steps to protect all the fundamental rights of the persons affected.
14. **General allegations.** In addition to dealing with individual cases of disappearance, the Working Group also reports upon general allegations. These general allegations derive from a summary of allegations received from relatives of missing persons and non-governmental organizations (NGOs) with regard to obstacles encountered in the implementation of the Declaration in their respective countries, inviting them to comment. The Working Group transmits the general allegations to Governments for their response.

### **C. Disappearance as a global problem**

15. The Working Group was initially formed to address the legacy of disappearance arising from authoritarian rule in Latin America. Now, however, disappearance is a global problem.

16. Today, disappearances tend to occur in States suffering from internal conflict, such as Colombia, Sri Lanka, Nepal, the Philippines and the Russian Federation. In some cases radical political changes created conditions that led to hundreds of cases of disappearance. Elsewhere, hundreds and in some countries thousands of cases of disappearance remain unresolved and as such are ongoing crimes. Countries such as Algeria, Iraq, some countries in Central America, Peru, Chile and Argentina may be mentioned in this regard.

17. The Working Group would also draw attention to the phenomenon of underreporting of disappearance cases. Reasons include poverty, illiteracy, feelings of powerlessness, fear of reprisal, weak administration of justice, ineffectual reporting channels, institutionalized systems of impunity, a practice of silence and, in some regions, restrictions on the work of civil society on this sensitive issue. Nevertheless, the Working Group continues to receive positive information on the development of a cross-regional network of associations of families of victims and NGOs that are dealing with this issue and commends these efforts.

18. In the context of internal armed conflict, such as in Nepal, Uganda and Colombia, opposition forces have reportedly perpetrated disappearances. While the mandate of the Working Group is limited to violations carried out by State agents or non-State actors acting with the consent or acquiescence of the State, the Working Group condemns the practice of disappearance irrespective of who the perpetrators may be.

#### **D. The present report**

19. The report reflects communications and cases examined by the Working Group during its sessions in 2006 and covers the period November 2005 to November 2006.

20. 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 correspondence or other activity during the period, only the table is provided and a reference is made to a description of cases.

21. 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 IV.

22. The total number of cases transmitted by the Working Group to Governments since the Working Group's inception is now 51,531. The total number of cases under active consideration that have not yet been clarified or discontinued stands at 41,232 and concerns 79 States. Over the past five years, the Working Group has been able to clarify 2,791 cases.

23. With respect to staffing, the situation has now stabilized. The Working Group looks forward to maintaining its improved ability to act as an effective channel of communication between Governments and families or representatives of victims. 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 person disappeared are processed by the secretariat and reviewed by the Working Group as an ongoing process.

### **E. Areas of particular concern during the reporting period**

24. The Working Group is concerned that in numerous post-conflict situations or democratic transitions following a period of widespread human rights violations, disappearances frequently remain unresolved and persecution of people working on disappearance cases continues for many years. It has been reported that in some countries, new Governments need to do more to clarify past cases of disappearances and ensure a strong system of rule of law whereby people are free to pursue truth and justice. In addition, new Governments need to be assisted with judicial reforms, strengthening State institutions and re-establishing the rule of law.

25. The Working Group reiterates its concern that the enactment of amnesty laws and the implementation of other measures that lead to impunity are contrary to article 18 of the Declaration and may perpetuate human rights abuses for many years.

26. In connection with the above, the Working Group is gravely concerned about increasing numbers of reports it has received during the reporting period concerning the disappearance of human rights defenders and acts of intimidation, persecution or reprisal against human rights defenders, witnesses, legal counsel and relatives of disappeared persons seeking to discover the fate or whereabouts of those who have disappeared. Particular concern is noted in such countries as Algeria, Argentina, Colombia, Guatemala, the Russian Federation and Thailand.

27. States are reminded of their obligation under article 13 (3) of the Declaration to protect against ill-treatment, intimidation or reprisal all persons involved in the investigation of disappearances.

28. The Working Group is concerned that in some regions, NGOs are not present, organized, or well-funded enough to be able to work effectively on disappearances.

## **II. ACTIVITIES OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES FROM NOVEMBER 2005 TO NOVEMBER 2006**

### **A. Meetings**

29. During the period under review, the Working Group held three sessions in Geneva. The seventy-eighth session was held from 24 to 28 April 2006, the seventy-ninth session from 24 to 28 July 2006 and the eightieth session from 20 to 29 November 2006.

30. At its seventy-ninth session, the Working Group elected a new Chairperson-Rapporteur, Mr. Santiago Corcuera. The other members of the Working Group are Mr. J. 'Bayo Adekanye, Mr. Saied Rajaie Khorasani, Mr. Darko Göttlicher, and Mr. Stephen J. Toope.

31. Mr. Corcuera attended the annual meeting of the special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Commission on Human Rights/Human Rights Council in June 2006.

32. During the period under review, the Working Group met formally with representatives of the Governments of Argentina, Guatemala, Japan, Kuwait, Nepal, Venezuela and Yemen. The Working Group also met with representatives of human rights organizations, associations of relatives of disappeared persons and families or witnesses directly concerned with reported cases of enforced disappearance.

33. During the second session of the Human Rights Council, the former Chairperson-Rapporteur, Mr. Toope, met with the Permanent Representative of Sri Lanka to the United Nations. He also met with NGOs from Asia and with representatives of Amnesty International, Human Rights Watch and the International Commission of Jurists to discuss specific country situations and the work of the Working Group.

34. On 22 November 2006, the Chairperson-Rapporteur, Mr. Corcuera, participated in the meeting of the Intergovernmental Working Group on the Review of Mandates of the Council, where he spoke of the relationships between the mandate holders and between the mandate holders and other human rights mechanisms and actors, as well as the support to the special procedures offered by the Office of the High Commissioner for Human Rights.

### **B. Communications**

35. During the period under review, the Working Group transmitted 335 new cases of enforced disappearances to the Governments of Algeria, Bangladesh, China, Colombia, Guatemala, Honduras, India, the Libyan Arab Jamahiriya, Nepal, Pakistan, the Philippines, the Russian Federation, Sri Lanka, the Sudan, the Syrian Arab Republic and Thailand.

36. The Working Group sent 87 of these cases under the urgent action procedure to the Governments of Algeria, Bangladesh, China, Colombia, Honduras, the Libyan Arab Jamahiriya, Nepal, Pakistan, the Philippines, the Russian Federation, Sri Lanka, the Sudan, the Syrian Arab Republic and Thailand.

37. Of the newly reported cases, 79 allegedly occurred during the reporting period and relate to Algeria, China, Colombia, Honduras, the Libyan Arab Jamahiriya, Nepal, Pakistan, the Philippines, the Russian Federation, Sri Lanka, the Syrian Arab Republic and Thailand.

38. During the same period, the Working Group clarified 152 cases in the following countries: Algeria, Brazil, Chad, Chile, China, Honduras, Morocco, Mexico, Nepal, Turkey, Uruguay, Uzbekistan and Yemen.

39. During the reporting period, the Working Group sent five prompt intervention communications addressing harassment of and threats to human rights defenders and relatives of disappeared persons in Algeria, Argentina, Nepal and Thailand. The Working Group also sent seven general allegations to the Governments of Algeria, Colombia, Nepal, Peru, the Russian Federation, Sri Lanka and the United States of America.

### **C. Country visits**

40. At the invitation of the Government of Guatemala, Working Group members Santiago Corcuera and Darko Götlicher, with staff from the Secretariat, visited Guatemala City

from 19 to 21 September. The mission fulfilled part of a request by the Working Group to conduct a regional visit to Guatemala, El Salvador, Honduras and Nicaragua, countries with significant numbers of cases that have been outstanding for many years. The delegation met with numerous high-ranking public officials, as well as with NGOs and families of the disappeared.

41. The report of the country visit to Guatemala is contained in an addendum to this report. It contains an overview of the constitutional and legal framework on disappearances. It reviews the institutional steps the country has taken to address disappearances and the measures adopted to guarantee victims' rights under the Declaration. It examines the gap between the advanced legal framework and clear expressions of political will on the part of the Government and the lack of significant results. The Working Group makes specific recommendations to the Government, including a request for information providing for the clarification of the more than 2,000 cases of disappeared persons still pending with the Working Group.

42. The Working Group has requested visits to Algeria, Argentina, El Salvador, Honduras, Indonesia, the Islamic Republic of Iran, Nepal, Nicaragua, the Philippines, the Russian Federation, Sri Lanka, the Sudan and Timor-Leste. The Working Group will visit Argentina in March 2007, immediately after holding its eighty-first session in Buenos Aires. A mission to El Salvador and Honduras has been confirmed for February 2007, and the Working Group is still awaiting a reply to its request for a visit to Nicaragua. The Russian Federation has agreed in principle to a country visit and the Working Group has proposed that it take place in September 2007. The Government of Sri Lanka stated that it would not be possible to schedule a visit by the Working Group in early 2007 because other special rapporteurs would be visiting the country at that time, but that it had taken note of the Working Group's request. 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. Regretfully, the Government of Algeria has not responded to repeated interest expressed by the Working Group in visiting the country.

#### **D. Participation in the intersessional working group on a draft legally binding normative instrument for the protection of all persons from enforced disappearance**

43. The Working Group on Enforced or Involuntary Disappearances participated in all the meetings of the intersessional working group to draft a legally binding normative instrument for the protection of all persons from enforced disappearance. The Working Group supported the approval of the draft international convention for the protection of all persons from enforced disappearance by the Human Rights Council and the General Assembly.

#### **E. Statements and studies**

44. For the report of the Secretary-General to the General Assembly at its sixty-first session (A/61/289) on the question of enforced or involuntary disappearances, the Working Group prepared a submission which identified obstacles to the realization of the provisions of the Declaration and recommended various ways of overcoming those obstacles.

45. On 26 August 2006, to commemorate the International Day of the Disappeared on 30 August, the Working Group issued a press release reiterating its solidarity with all those who suffer from enforced disappearance and paying tribute to human rights defenders working on behalf of disappeared persons and their relatives.

46. The Working Group issued statements on 30 March and 28 June 2006 and 3 November 2006 urging the approval of the draft international convention for the protection of all persons from enforced disappearance.

47. At its seventy-fifth session, the Working Group decided to prepare a comparative study on the criminal law treatment of enforced or involuntary disappearances in States around the globe. Article 4 of the Declaration requires that States treat all acts of enforced disappearance as “offences under criminal law punishable by appropriate penalties which shall take into account their extreme seriousness”.

48. The Working Group sent a note verbale inviting all Governments to provide information concerning the treatment of enforced or involuntary disappearances within their national law as part of input into the comparative study. Many of the 18 Governments which responded to the invitation provided very detailed information. A preliminary analysis reveals that outside of Latin America, very few States have created a specific criminal offence of enforced disappearance. Work on the comparative study is continuing.

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

#### **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	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

49. There was no activity during the period under review. A summary of the situation in the country is in the previous report (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	
1 592	1	31	0	2	1 622

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

### Urgent action

50. One case was sent to the Government of Algeria under the urgent action procedure. The case concerned **Nouaman Meziche**, who disappeared from Houari Boumediene airport on 5 January 2006.

### Standard cases

51. The Working Group transmitted 31 newly reported cases of disappearance which allegedly occurred in the 1990s.

### Information from the Government

52. No information was received from the Government regarding outstanding cases.

### Information from sources

53. The Working Group received new information from sources on 44 cases.

### Clarifications

54. Based on information provided by sources, the Working Group decided to clarify two cases. Regarding the disappearance of Nouaman Meziche, it was reported that he was released after 45 days of secret detention. In the second case, regarding a man who disappeared in 1999, the source reported where he is being imprisoned.

<sup>1</sup> See annex IV for the list of the newly reported cases of disappeared persons.

### **Prompt intervention**

55. The Chairman-Rapporteur of the Working Group and the Special Rapporteur on extrajudicial, summary or arbitrary executions continued a dialogue with the Government regarding the Charter for Peace and National Reconciliation. On 2 March 2006, the two mandate holders expressed further concern regarding the latest legislation based on the Charter. The authors congratulated the Government for its decision to refuse amnesty for the gravest crimes but regretted the fact that perpetrators of extrajudicial executions, torture and enforced disappearances could be granted amnesty. They also noted that the Government's decision regarding compensation to victims' families reflected in chapter five violated articles 17 and 18 of the Declaration.

56. In a reply dated 24 March 2006 the Government recalled that its position was based on the will of the sovereign people and on a clearly realistic solution. It recalled that the ordinance that brought the Charter for Peace and National Reconciliation into effect was adopted on the basis of a democratic referendum. The Government stated that all victims of the national tragedy would be taken into account. The communication stressed that protecting human rights was indeed the responsibility of the State which had spared no effort to investigate and prosecute the perpetrators of human rights violations in any form.

57. The mandate holders wrote on 17 May 2006, agreeing that it was up to the Algerian people to decide on their own internal solutions for a lasting peace. The letter highlighted the commitments the Government had made to the international community and to its own people, which included conducting exhaustive investigations with respect to disappeared persons where the right to life was jeopardized.

### **General allegation**

58. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of Algeria (see paragraph 14). This information was transmitted to the Government.

59. It was reported that the arrest and disappearance of thousands of people by security forces and State-armed militias since 1992 have not yet been investigated and that this remains a key obstacle to addressing the legacy of the recent conflict.

60. With respect to the amnesty laws introduced in February 2006, it was reported that these grant security forces impunity for crimes under international law, including crimes against humanity and other serious violations, committed during the conflict of the 1990s. Allegedly, complaints against security forces cannot be investigated by Algerian courts and criticism of the forces is punishable by imprisonment. The amnesty laws reportedly are based on the Charter for Peace and National Reconciliation, which denies the responsibility of State security forces for massive human rights violations in the exercise of their duties.

61. NGOs have expressed concern about members of armed groups who have been granted measures of clemency and exemption from prosecution, including for acts constituting crimes under international law.



62. Victims of human rights abuses, human rights defenders and others have criticized the new measures for failing to uphold the rights of victims and their families to truth and justice. Some have reportedly been intimidated by State agents to stifle criticism.

63. Finally, it has been reported that the President of the National Consultative Commission for the Promotion and Protection of Human Rights publicly declared that 183 of the 6,146 disappeared persons registered in the Commission's files had been found alive. NGOs have reported that the veracity of this statement could not be confirmed. A list of the names of these persons has not been published.

64. No response was received from the Government regarding the general allegation.

### **Request for a visit**

65. The Working Group first transmitted a request for an invitation to undertake a visit to Algeria in 2000. The Working Group has sent reminders of this request but has not yet received a reply.

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

66. The majority of the cases reported to the Working Group in the past involved persons who reportedly disappeared between 1993 and 1997 and concerned a wide variety of persons from across Algerian society, including children, women and elderly people. The disappearances were attributed to the army, the security services, the gendarmerie, the police, civil defence forces, or the militia.

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

67. In the past and during the period under review, the Working Group has transmitted 1,640 cases to the Government; of those, 9 cases have been clarified on the basis of information provided by the Government, 9 cases have been clarified on the basis of information provided by the source and 1,622 cases remain outstanding.

### **Observations**

68. The Working Group expresses deep concern that little progress has been made in clarifying cases of disappearance in Algeria. New cases arising from the 1990s continue to be received by the Working Group and are being transmitted to the Government of Algeria.

69. The Working Group strongly recommends that the Government of Algeria allow NGOs to undertake their work freely and without impediment, that families of victims of disappearances be left free to organize without bureaucratic restriction or legislative obstacles, and that witnesses be protected.

70. The Working Group reminds the Government of Algeria of its obligations under article 14 of the Declaration "to bring to justice all persons presumed responsible for an act of enforced disappearance".

71. The Working Group reaffirms its request to the Government of Algeria for a country visit aimed at clarifying the 1,622 outstanding cases.

72. The Working Group recalls the guidelines contained in paragraphs 2 and 8 (c) of the Working Group's general comment on article 18 of the Declaration. Paragraph 2 of the general comment on article 18 states that "[a]n amnesty law should be considered as being contrary to the provisions of the Declaration even where endorsed by a referendum or similar consultation procedure". Moreover, paragraph 8 (c) of the general comment specifies that "[p]erpetrators of disappearances shall not benefit from such laws if the State has not fulfilled its obligations to investigate the relevant circumstances surrounding disappearances, identify and detain the perpetrators, and ensure the satisfaction of the right to justice, truth, information, redress, reparation, rehabilitation and compensation to the victims".

### 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	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 from the Government

73. The Government replied on the three outstanding cases. The Government indicated that the Working Group's communication concerning the three Angolans who had disappeared had been transmitted to the competent Angolan authorities.

### Information from sources

74. No information was received from sources regarding outstanding cases.

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

75. 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

76. In the past and during the period under review, the Working Group has transmitted 10 cases to the Government; of those, 7 cases have been clarified 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	
3 375	0	0	0	0	3 358 <sup>a</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)
82 (See paragraph 79)	N/A	55

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

<sup>a</sup> Seventeen cases were determined to be duplications and were subsequently deleted.

### Information from the Government

77. Communications reviewed by the Working Group during the last year, dated 15 March 2005, 20 September 2005 and 14 June 2006, contained a total of 82 replies to cases. The Working Group decided that in 55 cases, the replies had sufficient information on the fate or whereabouts of the disappeared person and could constitute clarifications, provided the source did not raise an objection within six months (see paragraph 12). With respect to the remaining 27 cases, the Government responses were not considered sufficient to constitute clarifications.

78. The replies received by the Working Group included information from the Government involving 10 children who were born to women who were reported to the Working Group as disappeared. The Government informed the Working Group that these children were “located and their identities were reinstated”. The fate or whereabouts of the mothers of these children has not yet been clarified and their cases remain outstanding.

79. Another two communications dated 19 October and 3 November 2006 were received by the Working Group, but the information could not be translated by the United Nations translation services in time for consideration for inclusion in the present report.

### Information from sources

80. No information was received from sources regarding outstanding cases.

### Prompt intervention

81. On 18 October 2006, a prompt intervention letter (see paragraph 13) was sent by the Working Group to the Government of Argentina regarding alleged reprisals and witness protection. One witness, Ms. Nilda Eloy, who had testified at a trial of a perpetrator of

disappearances, was reportedly threatened and intimidated. Another key witness in the same trial, Mr. Jorge Julio López, who himself was a former victim of enforced disappearance, went missing on Monday, 18 September.

82. The Government replied to the prompt intervention letter and informed the Working Group regarding the extensive actions undertaken in the search for the missing witness and the creation of a plan to protect all witnesses in highly political cases.

### **Meetings**

83. During the seventy-ninth session, the Working Group met with government representatives to discuss outstanding cases and action being taken to clarify outstanding cases.

84. During the same session, the Working Group met with NGO representatives to discuss issues in relation to past disappearances in Argentina and recent related events.

### **Request for a visit**

85. During its seventy-fifth session, the Working Group gratefully accepted the invitation of the Government to conduct a mission to Argentina. It was decided that the mission would take place immediately following the session of the Working Group to be held in Buenos Aires in March 2007.

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

86. The vast majority of the 3,445 previously reported cases of disappearance<sup>1</sup> occurred between 1975 and 1978 under the military Government, in the context of its campaign against left wing guerrillas and their alleged sympathizers. Two cases occurred in 2000 and concerned persons allegedly arrested in the city of Mendoza by members of the local police investigation office (Dirección de Investigaciones de la Policía). The other seven cases concerned persons who were allegedly detained by the police in 2002, following a demonstration.

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

87. Of the 87 cases previously clarified by the Working Group, 44 were clarified on the basis of information provided by the Government and 43 on the basis of information provided by the source. In respect of the 3,358 outstanding cases, the Working Group is unable to report on the fate or whereabouts of the disappeared persons.

### **Observations**

88. The Working Group welcomes the creation of a comprehensive database to establish the fate or whereabouts of disappeared persons in that country by the Government. As well, the commencement of trials against perpetrators is highly commended, and should be an example to other countries. The Working Group hopes that through continued cooperation with the Government and NGOs, progress can be made towards the clarification of the 3,358 cases that remain unresolved.

### 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	
1	1	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)
1	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	N/A	Government response	N/A

### Urgent actions

89. The Working Group transmitted one case to the Government of Bangladesh under its urgent action procedure. The case concerns **Tumpa Gosh**, a 14-year-old Hindu girl who was allegedly abducted at gunpoint on her way home from school in November 2005, by people from the trade union wing of the ruling Bangladesh National Party.

### Information from the Government

90. The Government of Bangladesh sent two communications to the Working Group on developments concerning the investigation of the case of the 14-year-old girl (see paragraph 89). In the first communication, dated 7 February 2006, the Government reported that the case had been forwarded to the concerned Bangladeshi authorities. On 9 June 2006, the Government stated that one of the alleged perpetrators was her fiancé and that she had left voluntarily.

### Information from sources

91. No information was received from sources regarding outstanding cases.

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

92. The one case previously reported to the Working Group concerned a leader of an organization for the defence of indigenous people's rights. She was allegedly abducted by security personnel prior to the 1996 general elections.

### Total cases transmitted, clarified and outstanding

93. In the past and during the year under review, the Working Group has transmitted two cases to the Government of Bangladesh, and both cases 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 (See paragraph 94)	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 from the Government**

94. Two communications were received from the Government of Belarus. One communication, dated 25 July 2006, could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report. In another communication, dated 11 August 2006, the Government replied on the three outstanding cases, stating that the preliminary investigation into those cases was continuing and that no new information had been obtained on the whereabouts of the victims.

**Information from sources**

95. No new information was received from sources concerning outstanding cases.

**Press release**

96. The Chairperson-Rapporteur of the Working Group issued a joint statement, dated 26 March 2006, with six other United Nations independent experts, expressing serious concern over the human rights situation in Belarus. Reportedly, at least 1,000 protesters, including numerous Belarusian and foreign journalists, were being held in detention in Minsk and the Minsk district and in most cases, family members were unaware of their whereabouts.

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

97. The three reported cases occurred in 1999. The first one concerned a former Minister of the Interior. The two other cases concerned a Deputy Chairman of the Parliament who was reportedly abducted together with a businessman from an opposition political party.

**Total cases transmitted, clarified and outstanding**

98. Of the three cases transmitted by the Working Group, none has been clarified. These three cases therefore remain outstanding before the Working Group.

**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)
4	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 from the Government**

99. The Government of Bhutan replied on four outstanding cases concerning members of the United Liberation Front of Assam (ULFA) who disappeared in 2003. The Government reported that in December 2003 it had a policy of removing ULFA foreign militants from Bhutan after all efforts to find a peaceful solution had failed. It is reportedly not known if the subjects crossed the border themselves or were arrested and handed over to the relevant Indian authorities.

**Information from sources**

100. No information was received from sources regarding outstanding cases.

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

101. The five outstanding cases occurred in 2003 and were transmitted to the Government in 2004. Of these, four cases concerned members of the ULFA who were allegedly arrested by the Bhutanese army and subsequently handed over to the Indian Army. In accordance with its methods of work, the Working Group sent copies of these four cases to the Government of India (see section on India, paragraph 217). The other case concerned the Publicity Secretary of the National Democratic Front of Bodoland who was reportedly arrested by the Bhutanese army at a hotel in Thimphu and subsequently disappeared.

**Total cases transmitted, clarified and outstanding**

102. In the past and during the period under review, the Working Group has transmitted five cases to the Government, and all of them remain outstanding.

**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	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

103. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

**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	
14	0	0	1	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	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 from the Government**

104. No information was received from the Government regarding outstanding cases.

**Information from sources**

105. No information was received from sources regarding outstanding cases.

**Clarifications**

106. Following the expiration of the six-month rule (see paragraph 11), the Working Group decided to clarify the case of a man who disappeared in Ipatinga in 1992.



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

107. The majority of the 63 cases of disappearances reported in the past occurred between 1969 and 1975, under the military Government, in particular, during the period of guerrilla warfare in the Aerugo region. The majority of the cases were clarified by the Working Group in 1996 on the basis of legal provisions (Law No. 9.140/95), whereby persons who disappeared by reason of their political activities in the period 1961-1979 are considered to have died. Relatives of the victims are legally entitled to decline this legal provision or exercise the right to request death certificates. Four recent cases concern land workers in the State of Pernambuco, who disappeared on 31 May 2004 after having allegedly been arrested by police officers.

### Total cases transmitted, clarified and outstanding

108. In the past and during the period under review, the Working Group has transmitted 63 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 46 cases have been clarified on the basis of information provided by the Government and 13 cases remain outstanding.

#### 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	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

109. There was no activity during the period under review. A summary of the situation in the country is in the last annual report (E/CN.4/2006/56 and Corr.1).

#### Cambodia

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)
2	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	N/A	Government response	N/A

### Information from the Government

110. In two communications, dated 14 June 2006 and 8 September 2006, the Government of Cambodia replied concerning two outstanding cases, reiterating its previous requests for information on the addresses, time and the specific place where both subjects were reportedly arrested on 9 September 1998 in Phnom Penh.

### Information from sources

111. No information was received from sources regarding outstanding cases.

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

112. The two cases reported to the Working Group occurred in 1998 and concerned persons who allegedly disappeared after a peace march.

### Total cases transmitted, clarified and outstanding

113. In the past and during the period under review, the Working Group has transmitted two cases to the Government and they remain outstanding.

### 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	0	0	0	0	14

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

114. There was no activity during the period under review. A summary of the situation in the country is in the last report (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	
12	0	0	2	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	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 from the Government**

115. No information was received from the Government regarding outstanding cases.

**Information from sources**

116. No information was received from sources regarding outstanding cases.

**Clarifications**

117. Based on information received from the Government in 2005, the Working Group decided to clarify two cases following the expiration of the six-month rule (see paragraph 11). Both of the cases concerned members of an armed opposition group reportedly arrested in 1996 and transferred to N'Djamena by members of the National Security Agency. The National Commission of Human Rights reported that one subject is currently a teacher at the King Fayçal University in N'Djamena, and the other is now a local district representative in Amdam, eastern Chad. Summary of the situation prior to the period under review

118. Of the 13 reported cases of disappearance, 1 case concerned a member of the Democratic National Union who was reportedly taken prisoner in July 1983 in the context of clashes in Faya-Largeau. Five cases concerned members of the Hadjerai ethnic group who were allegedly arrested in October 1991 by the security forces. Six other cases concerned members of armed opposition groups reportedly arrested by the Sudanese security forces in 1996 at El Geneina, Sudan, near the border, and handed over to the Chadian security forces. One case concerned a person who was arrested in N'Djamena in 1999 by members of the Presidential Security Group.

**Total cases transmitted, clarified and outstanding**

119. In the past and during the period under review, the Working Group has transmitted 13 cases to the Government; 3 cases have been clarified on the basis of information provided by the Government and 10 cases remain outstanding.

### 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	
840	0	0	24	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	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 from the Government

120. No information was received from the Government regarding outstanding cases.

### Information from sources

121. No information was received from sources regarding outstanding cases.

### Clarifications

122. Based on information previously received from the Government, the Working Group decided to clarify 24 cases following the expiration of the six-month rule (see paragraph 11). For 20 cases the Government provided the death certificates and in the 4 other cases, the subjects' remains were handed over to the families.

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

123. The vast majority of the 908 reported cases of disappearance occurred between 1973 and 1976 under the military Government and concerned political opponents of the military dictatorship, most of whom belonged to Chilean left wing parties. The disappearances were attributed to members of the army, the air force, the carabineros, and persons acting with the acquiescence of the authorities.

### Total cases transmitted, clarified and outstanding

124. In the past and during the period under review, the Working Group has transmitted 908 cases to the Government; of the 92 cases clarified by the Working Group, 69 were clarified on the basis of information provided by the Government and 23 on the basis of information provided by the source, 816 cases remain outstanding.

## Observations

125. The Working Group welcomes the cooperation of the Government of Chile in the clarification of cases and sincerely hopes further information will be received that could lead to the clarifications of the 816 outstanding cases.

### 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	1	1	3	1	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	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

## Urgent actions

126. The Working Group transmitted one urgent action to the Government concerning Jian Hu, a human rights defender who disappeared from his residence while he was under house arrest.

## Standard cases

127. The Working Group transmitted one case to the Government under its standard procedure, concerning **Thubten Samten**, a 19-year-old Tibetan monk who was allegedly taken by Chinese police officers from his room in a monastery in May 2006 for displaying prohibited items in his room, such as pictures of the Dalai Lama and a Tibetan national flag.

## Information from the Government

128. One communication, dated 17 May 2006, was received from the Government. This communication could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report.

## Information from sources

129. It was reported that the human rights defender who had disappeared from his residence (see paragraph 126) had returned home.

## Clarifications

130. Based on the information received from the source that the human rights defender (see paragraph 129) had returned home, the Working Group decided to clarify that case.

131. The Working Group also decided to clarify three cases where the six-month rule had been previously applied (see paragraph 11). The cases concerned a teacher and student who disappeared in 2001 and a female worker who disappeared in 2002.

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

132. Most of the cases of disappearance reported to the Working Group occurred between 1988 and 1990, and between 1995 and 2005. The majority of these cases concerned Tibetans, 19 of them monks, who were allegedly arrested in Nepal and handed over to the Chinese authorities. A further 13 cases concerned Falun Gong practitioners who were allegedly arrested or abducted in 2000 and 2001. In one case, an autistic boy reportedly disappeared in 2000 after having been questioned by Hong Kong immigration officers. In one case transmitted in 2004, a 4-year-old child, reportedly the daughter of Falun Gong practitioners, was allegedly taken from her home by police officers from the Tongnan Country National Security Team in 2004.

## Total cases transmitted, clarified and outstanding

133. In the past and during the year under review, the Working Group transmitted 112 cases to the Government; of those, 11 cases have been clarified on the basis of information provided by the source, 72 cases have been clarified on the basis of information provided by the Government and 29 cases remain outstanding.

## Observations

134. The Working Group expresses its appreciation to the Government of China for its cooperation and hopes that the Government will continue to make serious efforts to elucidate the fate or whereabouts of persons who have allegedly disappeared, including children and mentally challenged individuals.

## Colombia<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	
897	15	44	0	0	956

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)
12	N/A	N/A

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

### **Urgent actions**

135. The Working Group transmitted 15 cases to the Government under the urgent action procedure. These urgent action cases include the cases of seven farmers reportedly detained by army troops.

136. Three other urgent action cases concerned two brothers and their friend, two of them under 18, who were apprehended, reportedly by paramilitaries. These cases were also reported to the National Prosecutor's Office.

137. The five remaining cases referred to four men and one woman who allegedly disappeared after having been taken by paramilitary members.

### **Standard cases**

138. Forty-four new cases of disappearances were transmitted under the standard procedure to the Government. The disappearances took place from 2000 to 2004 and included seven women and three persons under 18 years of age. Most of these cases were reportedly committed by paramilitary groups acting with the complicity of the State.

### **Information from the Government**

139. Three communications were received from the Government, dated 3 April, 16 May and 6 November 2006. The information reviewed was considered insufficient to constitute a clarification. The last communication could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report.

### **Information from sources**

140. Additional information was received from a source on 23 October 2006, which was received too late for review by the Working Group and will be examined at the eighty-first session in early 2007.

### **Meetings**

141. During the eightieth session, the Working Group met with NGO representatives to discuss the situation of disappearances in Colombia.

### **General allegation**

142. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of Colombia (see paragraph 14). This information was transmitted to the Government.

143. According to reports, the Justice and Peace Law, approved in 2005 to facilitate the demobilization of members of illegal armed groups, has failed to uphold international standards on the right of victims to truth, justice and reparation.

144. Reportedly, this law gives judicial investigators strict time limits to investigate each case, with little incentive for potential beneficiaries of mitigation to collaborate with investigators. The participation of victims in legal proceedings is limited, and there are no provisions to reveal the involvement of third parties, such as the security forces, who have reportedly played an integral part in supporting human rights violations carried out by paramilitaries.

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

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

146. The majority of the 1,165 cases of disappearance reported in the past occurred beginning in 1981. In a large number of these cases, those responsible were allegedly members of paramilitary groups whose actions were believed to have been undertaken with the complicity or acquiescence of members of the State security forces. Those disappeared included members of trade unions, peasants and community workers.

147. The Working Group undertook a mission to Colombia from 5 to 13 July 2005. The report of the mission is contained in document E/CN.4/2006/56/Add.1. The Working Group's recommendations included to halt the continuing pattern of disappearances in the country, to protect the families of victims and non-governmental organizations working to discover the fate or whereabouts of disappeared persons, to address the problem of underreporting of cases of disappearance, to align domestic legislation with the State's obligations under the Declaration on the Protection of the Rights of All Persons from Enforced Disappearance and to more effectively implement the existing legal mechanisms on disappearances in Colombia.

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

148. In the past and during the period under review, the Working Group has transmitted 1,224 cases to the Government; of those, 67 cases have been clarified on the basis of information provided by the source, 201 cases have been clarified on the basis of information provided by the Government and 956 cases remain outstanding.

### **Observations**

149. The Working Group is deeply concerned about the new cases that continue to occur in Colombia.

150. The Working Group welcomes the decision of the Constitutional Court of Colombia declaring ineffective the relevant provisions of the Justice and Peace Law, which the Working Group had identified as potentially contrary to international human rights law, in particular the right to truth of victims.



151. The Working Group again urges the Government of Colombia to take effective measures to clarify outstanding cases and to implement the recommendations contained in the report of the Working Group issued after its country visit of 5-13 July 2005. The Working Group invited the Government to submit a report within one year on the measures taken to implement the recommendations and looks forward to receiving this.

### 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	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

152. There was no activity during the period under review. A summary of the situation in the country is in the last report (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)
9	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	N/A	Government response	N/A

### Information from the Government

153. The Government of the Democratic People's Republic of Korea transmitted a communication to the Working Group on 24 May 2006 in which it replied concerning all nine outstanding cases. The Government stated that with regard to the eight cases of Japanese nationals, it had already provided the Government of Japan with detailed information on those

persons. With regard to the other outstanding case concerning a national of the Republic of Korea who allegedly disappeared on the border between China and the Democratic People's Republic of Korea, the Government stated that it had undertaken an investigation into the case and that neither that incident nor any similar act had occurred in the border area.

154. In a reply dated 12 September 2006, the Government reported that in a recent press interview, the husband of one of the Japanese abductees confirmed that his wife was dead.

#### Information from sources

155. In communications dated 24 April and 16 June 2006, the source reported that the abduction issue would continue to be pursued and had not yet been resolved.

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

156. In addition to the eight disappeared Japanese nationals abducted in the 1970s and 1980s, the case of the disappearance of a woman on the border between China and the Democratic People's Republic of Korea was reported to have occurred in 2004.

#### Total cases transmitted, clarified and outstanding

157. In the past and during the period under review, the Working Group has transmitted nine cases to the Government, all of which remain outstanding.

#### Observations

158. The Working Group hopes that the Government of the Democratic People's Republic of Korea will continue to take steps to clarify 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	
41	0	0	0	0	41

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

159. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

### 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)
2	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 from the Government

160. The Working Group reviewed a communication sent by the Government on 18 July 2006 regarding the two outstanding cases. The Working Group decided that the government responses were not sufficient to clarify the two cases.

### Information from sources

161. No information was received from sources regarding outstanding cases.

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

162. Of the four cases reported to the Working Group, one concerned a person who was arrested in June 1984 in Santo Domingo; another concerned a university lecturer, journalist and political activist who was reportedly detained in May 1994; the third concerned a day labourer and Haitian national who was allegedly arrested in 1984; and the fourth, a person who was reportedly arrested in 1988 together with two community leaders.

### Total cases transmitted, clarified and outstanding

163. In the past and during the period under review, the Working Group has transmitted four cases to the Government; two cases were clarified on the basis of information provided by the Government and two cases remain outstanding.

### 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	0	0	11

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	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 from the Government

164. Communications received on 26 July and 11 September 2006 were considered by the Working Group during the period under review. The Working Group decided that the information was not sufficient to clarify the 11 outstanding cases.

### Information from sources

165. No information was received from sources regarding outstanding cases.

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

166. The majority of cases of disappearance reported to the Working Group occurred between 1985 and 1992 in Quito, Guayaquil and Esmeraldas and concerned persons who were allegedly arrested by members of the Criminal Investigation Service of the National Police. Three of these cases concerned children. Two cases reported in 2004 concerned persons who reportedly disappeared in Guayaquil after being arrested by judicial police agents, and another case regarded a person reportedly disappeared while being transferred from a detention centre in Quevedo to the locality of Buena Fe.

### Total cases transmitted, clarified and outstanding

167. In the past and during the year under review, the Working Group transmitted 26 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 11 cases have been clarified on the basis of information provided by the Government and 11 cases remain outstanding.

### 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	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

168. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

### 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	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	Yes	Government response	Yes

### Information from the Government

169. No information was received from the Government regarding outstanding cases.

### Information from sources

170. No information was received from sources regarding outstanding cases.

### Request for a visit

171. Following a decision of the Working Group at the seventy-eighth session, a request for a visit as part of a four-country initiative in Central America was sent to the Government of El Salvador on 23 May 2006. The Government agreed and dates are being finalized for the mission to take place in February 2007.

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

172. The majority of the 2,661 reported cases of disappearance occurred between 1980 and 1983, in the context of the armed conflict between the Government of El Salvador and the Farabundo Martí National Liberation Front. Many people disappeared following arrest by uniformed soldiers or police, or were abducted in death-squad style operations carried out by armed men wearing civilian clothing and reportedly linked to the Army or to the security forces. Abductions of this kind in some cases subsequently became formal detentions, thus giving rise to allegations of links with the security forces.

**Total cases transmitted, clarified and outstanding**

173. In the past and during the year under review, the Working Group has transmitted 2,661 cases to the Government; of those, 73 cases have been clarified on the basis of information provided by the source, 318 cases have been clarified on the basis of information provided by the Government and 2,270 cases remain outstanding.

**Observation**

174. The Working Group welcomes the invitation and cooperation of the El Salvador Government.

**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	
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)
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

175. There was no activity during the period under review. A summary of the situation in the country is in the last report (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)
54	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	N/A	Government response	N/A

## Information from the Government

176. The Government sent a communication on 23 June 2006 regarding all outstanding cases. The Government responses were not considered sufficient to clarify the 54 cases.

## Information from sources

177. No information was received from sources regarding outstanding cases.

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

178. The 54 cases reported to the Working Group occurred in 1998 and all concerned Ethiopian nationals who were reported to have been arrested by the Eritrean police in front of the Ethiopian Embassy in Asmara. In the past, the authorities have requested more detailed information regarding these cases from the sources of the cases.

## Total cases transmitted, clarified and outstanding

179. In the past and during the period under review, the Working Group has transmitted 54 cases to the Government and all of them remain outstanding.

### 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	
111	0	0	0	0	111

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

180. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

### France

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	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 from the Government

181. The Government replied concerning its one outstanding case, stating that the French authorities had requested the Algerian authorities to assist in finding the subject.

### Information from sources

182. The source provided further information on the circumstances of the disappearance.

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

183. The one outstanding case of disappearance concerns a man of Algerian nationality whose asylum request had been denied in France. He was deported from France to Algeria on 23 December 1999, aboard a French ship, but reportedly did not disembark at Algiers.

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

184. In the past and during the year under review, the Working Group has transmitted one case to the Government of France; this case remains outstanding before the Working Group.

### 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	
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	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

185. There was no activity during the period under review. A summary of the situation in the country is in the last report (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	
2 896	0	3	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)
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	Yes	Government response	Yes

### Standard cases

186. The Working Group transmitted three newly reported cases of disappearance to the Government. The first case concerned **Oscar Humberto Duarte Paiz**, who reportedly disappeared in Quetzal in May 2006 after he was taken by six heavily armed men who were allegedly policemen. The second case referred to **Tzulma América Vásquez Galán**, a 26-year-old woman who disappeared in May 2006 when she was in the car on her way to work. The last case concerned **Mayra Angelina Gutiérrez Hernández**, a woman who disappeared in 2000 on her way to work.

### Information from the Government

187. No information was received from the Government regarding outstanding cases.

### Information from sources

188. No information was received from sources regarding outstanding cases.

### Mission

189. Following a decision of the Working Group at the seventy-eighth session, a request for a visit as part of a four-country initiative in Central America was sent to the Government on 23 May 2006. The Government agreed and the Working Group undertook a mission to Guatemala from 19 to 21 September 2006. The report of the mission is contained in document A/HRC/4/41/Add.1, and summarized in paragraph 41 above.

### Meetings

190. During the seventy-ninth session, the Working Group met with government representatives to discuss the planned visit to the country.

## Press release

191. Press releases were issued prior to and following the mission to Guatemala in September 2006.

192. On the last day of the mission, the Working Group held a press conference in Guatemala City, which was well attended by the media.

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

193. The majority of the 3,152 cases reported to the Working Group occurred between 1979 and 1986, mainly under the military regime and in the context of the Government's fight against the Unidad Revolucionaria Nacional Guatemalteca (URNG).

194. In 2002 the Working Group received one new case of enforced disappearance that concerned a 14-year-old boy who was reported by the police to have died after he was allegedly run over by a police patrol in Chiquimula.

## Total cases transmitted, clarified and outstanding

195. In the past and during the period under review, the Working Group has transmitted 3,155 cases to the Government; of those, 79 cases have been clarified on the basis of information provided by the source, 177 cases have been clarified on the basis of information provided by the Government, and 2,899 cases remain outstanding.

## Observations

196. The Working Group is grateful to the Government for the invitation and calls on the Government to implement the recommendations contained in the above-mentioned mission report, and requests that the Government and sources provide information on the fate or whereabouts of the disappeared persons, concerning many of whom no information has been received for several years.

## 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	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

197. There was no activity during the period under review. A summary of the situation in the country is in the last report (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)
38	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 from the Government

198. The Working Group received a communication from the Government on 16 August 2006. It reported that the Permanent Mission of Haiti to the United Nations Office at Geneva had transmitted the communication of the Working Group to the Ministry for Foreign Affairs for necessary action.

### Information from sources

199. No information was received from sources regarding outstanding cases.

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

200. The majority of the 48 reported cases of disappearance occurred during three periods: 1981-1985, 1986-1990 and 1991-1994. Most of the cases that occurred during the first period concerned members or supporters of the Haitian Christian Democrat Party who were allegedly arrested by members of the Armed Forces or by the Tonton Macoutes. The cases that occurred during the second period concerned persons who were reportedly arrested by armed men in civilian clothes, members of the Anti-Gang and Investigation Service, and by the police. The last wave of cases took place in the aftermath of the coup d'état which ousted President Aristide in 1991.

### Total cases transmitted, clarified and outstanding

201. In the past and during the period under review, the Working Group transmitted 48 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 9 cases have been clarified on the basis of information provided by the Government and 38 cases remain outstanding.

## 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	
129	1	0	5	0	125

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)
125	Yes	5

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

### Urgent actions

202. The Working Group transmitted one case to the Government under its urgent action procedure concerning the disappearance of Jorge Ruiz, who was travelling from Tegucigalpa toward Cocoa when he was reportedly arrested by five agents from the Direction of Criminal Investigation.

### Information from the Government

203. The Government provided information on 28 September 2006 on the case referred to in the preceding paragraph. The information could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report.

204. The Working Group reviewed government replies concerning 125 cases. In 118 cases, the Working Group decided that the information provided was not sufficient to consider the cases clarified and decided to retransmit these cases to the authorities. In five others, the Working Group decided to apply the six-month rule (see paragraph 12).

### Information from sources

205. The Working Group received new information from sources regarding 20 outstanding cases of disappeared persons which had taken place in the 1980s. The information detailed the efforts carried out by the families of the victims to learn the whereabouts of their disappeared relatives.

### Clarifications

206. Based on the information received from the Government, the Working Group decided to clarify the five cases mentioned in paragraph 204 following the expiration of the six-month rule (see paragraph 11). In all cases the deaths of the subjects were confirmed and the families received compensation from the Government.

### Request for a visit

207. Following a decision of the Working Group at the seventy-eighth session, a request for a visit as part of a four-country initiative in Central America was sent to the Government of Honduras on 23 May 2006. The Government agreed and dates are being finalized for the mission to take place in February 2007.

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

208. The majority of the 202 previously reported cases occurred between 1981 and 1984. Reportedly, the Armed Forces and heavily armed men in plain clothes seized people perceived to be ideological enemies and took them to clandestine detention centres. Four cases reportedly occurred in 1983 and concerned leaders of the Revolutionary Party of Central American Workers-Honduras, including a Jesuit priest, who were allegedly captured by the Honduran Army. Two of these persons were reportedly citizens of the United States. Allegedly, the United States Army and Central Intelligence Agency personnel may have helped the Honduran Army in the Olancho operation in which, according to the Honduran Army, these persons were killed.

### Total cases transmitted, clarified and outstanding

209. In the past and during the year under review, the Working Group has transmitted 203 cases to the Government; of those, 43 cases have been clarified on the basis of information provided by the source, 35 cases have been clarified on the basis of information provided by the Government and 125 cases remain outstanding.

### Observations

210. The Working Group welcomes the invitation and cooperation of the Government of Honduras.

### India

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	
325	0	1	1	0	325

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	N/A	2

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**

211. The Working Group transmitted one newly reported case of disappearance, concerning **Sukwinder Singh Batti**, a criminal defence lawyer who had represented victims of human rights abuses. He was reportedly last seen in 1994 in an unofficial detention centre located in Bahadur.

### **Information from the Government**

212. In a communication dated 10 April 2006, the Government replied on three outstanding cases. In one case the Government stated that the subject, a militant from a pro-Pakistani group, Al-Jehad, had been released and was now at home. In another case, concerning the disappearance of an owner of a hardware shop, the Government reported that the subject's dead body was recovered from an orchard and handed over to the relatives. The Working Group considered that both replies could be clarifications, provided that the source did not raise objections within six months (see paragraph 12). In the third case, the Government provided new information on the subject, a 33-year-old watchman, and the circumstances concerning his arrest, but the Working Group considered it to be insufficient to determine the fate or whereabouts of the person.

### **Information from sources**

213. A source replied concerning one case of a criminal defence lawyer who reportedly disappeared in 1994 (see paragraph 211), stating that an inquiry report remains pending before the Supreme Court.

### **Clarification**

214. The Working Group decided to clarify one case, concerning a 17-year-old student who disappeared in 1999, where the six-month rule had been previously applied (see paragraph 11).

### **Request for a visit**

215. On 13 July 2005, the Working Group requested to undertake a mission to India in the course of 2006. The request was based on an expected significant increase in the number of cases to be submitted by an NGO. However, these cases were not submitted. As a result, the Working Group decided at its eightieth session to withdraw its request for a visit to India.

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

216. Most of the cases of disappearance reported to the Working Group occurred between 1983 and 2004, in the context of ethnic and religious disturbances in the Punjab and Kashmir regions. The disappearances were allegedly related to wide powers granted to the security forces under emergency legislation, in particular the Terrorist and Disruptive Activities Act and the Public Security Act, which allow for both preventive and prolonged detention in the absence of normal safeguards available under the criminal codes. The victims included two children, one aged 13 and one aged 16, students, a religious leader, journalists and human

rights activists. Regarding a case of a Kashmiri who disappeared in Kathmandu, it was reported that the Indian Embassy in Nepal was involved in his arrest. In accordance with the Working Group's methods of work, a copy of this case was sent to the Government of India (see also section on Nepal, paragraph 300).

217. Three cases concerned members of the Akhil Bharatiya Nepali Ekta Samaj (All India Nepalese Unit Society), who were reportedly arrested in New Delhi by the Indian Special Branch Police and handed over to Nepali security officials. In accordance with its methods of work, the Working Group sent copies of those cases to the Government of Nepal (see section on Nepal, paragraph 300). Four cases concerned members of the ULFA who were allegedly arrested by the Bhutanese Army and handed over to the Indian Army. Copies of those cases were sent to the Government of India (see section on Bhutan, paragraph 101).

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

218. In the past and during the period under review, the Working Group has transmitted 383 cases to the Government; of those, 10 cases have been clarified on the basis of information provided by the source, 48 cases have been clarified on the basis of information provided by the Government and 325 cases remain outstanding.

### **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	
154	0	0	0	0	154

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	Yes	Government response	N/A

### **Information from the Government**

219. No information was received from the Government regarding outstanding cases.

### **Information from sources**

220. No information was received from sources regarding outstanding cases.

### **Request for a visit**

221. Following a decision made at its eightieth session, the Working Group decided to request a mission to Indonesia in order to facilitate the clarification of outstanding cases.

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

222. The majority of the cases of disappearance reported to the Working Group occurred in 1992 and between 1998 and 2000 in Jakarta, Aceh and East Timor (formerly under Indonesian control); a large number concerned students involved in anti-Government demonstrations in East Timor, Jakarta and Sumatra, among them the leader of the Indonesian Students Solidarity for Democracy. Eight other cases that occurred in 2002 and 2003 in Aceh concerned three trade unionists and the Head of the Aceh Besar District Branch of the Information Centre for a Referendum in Aceh, two students, and the Head of the production unit of TVR1 Studio at Gue Gajah. The one case transmitted in 2004 concerned a person who was reportedly abducted in Sanggeue village by Indonesian Army and Mobile Brigade troops during their joint operation in Delima and Garut areas, Pidie regency. Other cases concerned the personal driver of the leader of the Papua independence movement who was allegedly abducted by government forces in 2001, a man who allegedly disappeared when an Islamic lecture was broken up by military gunfire in 1984, and eight men who reportedly disappeared during a riot in 1998 near a department store in Jakarta.

223. In 2002, in accordance with its methods of work, the Working Group decided to transfer cases of disappearances that occurred in the past in East Timor and were listed under Indonesia to the authorities of Timor-Leste.

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

224. In the past and during the year under review, the Working Group transmitted 157 cases to the Government; of those, 3 cases have been clarified on the basis of information provided by the source and 154 cases remain outstanding.

### **Observations**

225. The Working Group encourages the Government of Indonesia to communicate with the Working Group to further the clarification of the 154 outstanding cases.

226. The Working Group encourages Indonesia, in cooperation with Timor-Leste, to communicate with the Working Group to further the clarification of the 425 cases of disappearance which occurred on the territory of Timor-Leste during Indonesian rule.

227. The Working Group urges the Government of Indonesia to respond positively to its request for a country visit.

228. The Working Group requests information concerning the investigation and prosecution for the death of Mr. Munir, the Chairman of the Asian Federation Against Involuntary Disappearances, who was the subject of a prompt intervention letter in 2004 (see E/CN.4/2006/56, para. 276).



**Iran (Islamic 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	
512	0	0	0	0	512

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	Yes	Government response	Yes - postponed

229. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

**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	0	0	0	16 387

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

230. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56, Corr.1).

**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	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

231. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

### 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	
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	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	N/A	Government response	N/A

### Information from the Government

232. The Government of Japan transmitted two communications to the Working Group, on 24 April and 16 June 2006. In these communications, the Government replied concerning its one outstanding case of enforced disappearance, that of a Japanese national who was allegedly abducted by secret agents of the Democratic People's Republic of Korea in 1977 and was last seen on Japanese territory.

### Information from sources

233. No information was received from sources regarding Japan's one outstanding case.

### Meetings

234. The Government of Japan met with the Working Group at its seventy-eighth, seventy-ninth and eightieth sessions to discuss developments connected to its outstanding case and related cases.

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

235. The one outstanding case of disappearance concerns a Japanese national who was reportedly abducted in Japan by agents of the Democratic People's Republic of Korea in 1977. Of the nine cases of disappeared Japanese nationals reported to the Working Group, this is the only case not acknowledged by the authorities of the Democratic People's Republic of Korea.

### Total cases transmitted, clarified and outstanding

236. In the past and during the year under review, the Working Group has transmitted one case to the Government. This case of a disappeared person remains outstanding before the Working Group.

### 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)
1	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 from the Government

237. With respect to the case of an Indian national who was allegedly arrested by Syrian border police, the Government communicated information on 13 April 2006 on the movements through border checkpoints of Jordan of all persons with the same name as the subject. However, the Working Group decided that this information was insufficient to clarify the case.

### Information from sources

238. No information was received from sources regarding outstanding cases.

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

239. Of the two cases reported to the Working Group, one concerns an Iraqi national who was allegedly abducted by Iraqi intelligence services and the other an Indian national who was allegedly arrested in Jordan, close to the border with the Syrian Arab Republic, by Syrian border police. The other case concerns a political activist who was allegedly arrested by Jordanian security officials and deported to the Sudan.

**Total cases transmitted, clarified and outstanding**

240. In the past and during the period under review, the Working Group has transmitted three cases to the Government. All three cases 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	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 from the Government**

241. The Working Group reviewed communications from the Government of Kuwait dated 31 July and 22 November 2006. However, the Working Group decided that the information submitted was insufficient to clarify the one outstanding case.

**Information from sources**

242. No information was received from sources regarding outstanding cases.

**Meetings**

243. The Working Group met with government representatives to discuss the one outstanding case.

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

244. The one case reported in the past concerned a person described by the source as a “bedouin” of Palestinian origin, carrying a Jordanian passport, who was allegedly arrested and detained by the Kuwaiti secret police after the retreat of Iraqi forces from Kuwait in 1991. In 2005, the Working Group facilitated a meeting between family members of the disappeared person and representatives of the Government of Kuwait.

**Total cases transmitted, clarified and outstanding**

245. In the past, the Working Group has transmitted one case to the Government and this case remains outstanding.

### Lao People's Democratic 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:		Discontinued cases	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	1	1	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)
2	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 from the Government

246. The Government replied concerning its two outstanding cases, stating that in one case it had no new information. In the other case, concerning a member of the Lao Students Movement for Democracy, who reportedly disappeared after being arrested in 1999, the Government stated that in 2002, upon completion of his prison term, the subject was freed and transferred to guardians to further educate him to become a good citizen.

### Information from sources

247. The source replied on the case of the disappeared member of the Lao Students Movement for Democracy (see paragraph 246), stating that the subject was being held at Samkhe prison.

### Clarifications

248. Based on the information received from the source (see paragraph 247), the Working Group decided to clarify that case.

### Discontinued cases

249. The Working Group decided, in accordance with paragraph 21 of its methods of work, exceptionally, to discontinue consideration of one case. Over the years, the Working Group has made numerous attempts to contact the source, but to no avail. The Working Group believes that it no longer has a useful role to play in trying to elucidate the whereabouts of the persons involved, as no follow-up can be given to the case. The case can be reopened at any time if presented again to the Working Group.

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

250. Of the two outstanding cases, one occurred in 1999 and concerned a member of the Lao Students Movement for Democracy who was allegedly arrested by the police during a demonstration in Vientiane. The other case concerned the leader of a group of repatriates who was last seen in 1993 with a high official of the Department of the Interior.

### Total cases transmitted, clarified and outstanding

251. In the past and during the year under review, the Working Group has transmitted six cases to the Government; of those, five cases have been clarified on the basis of information provided by the source and one case has been discontinued. No cases remain 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	
311	0	0	0	0	311

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	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

252. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

#### 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	
4	1	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	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

## Urgent actions

253. The Working Group transmitted one case to the Government under its urgent action procedure, regarding **Al Raquoubi Abdelatif**, a man who disappeared on 19 June 2006 from his commercial warehouse. Reportedly, several agents of the interior security service, dressed in civilian clothes, were responsible for his disappearance.

## Information from the Government

254. No information was received from the Government regarding outstanding cases.

## Information from sources

255. No information was received from sources regarding outstanding cases.

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

256. Of the five outstanding cases, one was a Palestinian national who was allegedly arrested in 1996 in Tubruk on suspicion of having links with a religious opposition movement. One case concerned a Sudanese translator of the Green Book at the World Centre for Studies and Research in Tripoli who reportedly disappeared in 1983. Another case involved a Lebanese citizen who was reportedly abducted in Tripoli in 1978 while he was accompanying a Shiite Muslim scholar visiting the country. One case concerned a businessman who was allegedly arrested by the security forces during a mass arrest in 1989 and last seen at the Abu Salim prison in Tripoli.

## Total cases transmitted, clarified and outstanding

257. In the past and during the year under review, the Working Group has transmitted seven cases to the Government; of those, two cases have been clarified on the basis of information provided by the source and five cases 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	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

258. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

## Mexico<sup>2</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	
207	0	0	1	0	206

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)
See paragraph 259	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 from the Government

259. The Working Group received two communications from the Mexican authorities, on 30 June and 22 September 2006. The information will be reviewed during the next reporting period.

### Information from sources

260. No information was received from sources regarding outstanding cases.

### Clarifications

261. On 15 June 2005, a communication from the Government concerning an outstanding case stated that the subject was confined in a maximum-security Federal Social Rehabilitation Centre. The Working Group decided to apply the six-month rule in this case (see paragraph 11). Since no new observations were received from the source, this case is now considered clarified.

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

262. A large number of the cases reported to the Working Group occurred between 1974 and 1981. Of those cases 98 took place in the context of rural guerrilla warfare in the State of Guerrero. Between 1994 and 1997, 111 cases occurred, primarily in the States of Chiapas, and Veracruz. In most cases, the disappearances were attributed to law enforcement agencies and the Army. In 2003, the two reported cases concerned a member of an indigenous organization, allegedly arrested in the State of Chiapas, and a member of the Democratic Revolution Party who was allegedly abducted in the State of Guerrero by agents of the Federal Investigation Agency.

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<sup>2</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.



### Total cases transmitted, clarified and outstanding

263. In the past and during the year under review, the Working Group has transmitted 377 cases to the Government; of those, 22 cases have been clarified on the basis of information provided by the source, 133 cases have been clarified on the basis of information provided by the Government and 206 cases remain outstanding. Sixteen cases were discontinued.

### Observations

264. The Working Group encourages the Government to provide information on the location or fate of the victims that could lead to the clarification of the 206 outstanding cases.

### 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	
See paragraph 267	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	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 from the Government

265. No information was received from the Government regarding outstanding cases.

### Information from sources

266. The source replied concerning one outstanding case, asking the Government what had happened to the subject as well as where his remains were located.

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

267. Prior to the period under review, all enforced disappearances which reportedly occurred on the territory of Serbia and Montenegro were transmitted by the Working Group to the Government of Serbia and Montenegro. Following the 21 May 2006 referendum, Montenegro declared independence on 3 June 2006 and was admitted as a Member of the United Nations on 28 June 2006.

268. Following its seventy-ninth session, in accordance with its methods of work, the Working Group decided to address to the newly formed Government of Montenegro 15 of the 16 outstanding cases of disappearances that had reportedly occurred in the past on the territory of Montenegro, but had previously been listed under Serbia and Montenegro.

269. Most of the outstanding cases occurred in 1999 and 2000 and include the disappearance of a group of men who were allegedly detained in 1999 while travelling by bus from the Province of Kosovo to Albania through Montenegro and the disappearance of the Chairperson of the Kosovo-Albanian Women's League. One outstanding case which occurred in 1992 concerns a man who was allegedly arrested by officers from the police headquarters of Bar, and was last seen entering a police car and being driven away to an unknown location.

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

270. In the past and during the year under review, the Working Group transmitted 15 cases to the Government of Montenegro, all of which remain outstanding.

### **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	
100	0	0	3	0	97

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)
45	N/A	32

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**

271. The Working Group reviewed replies from the Government that referred to 45 cases. It decided that in 32 cases, the replies could constitute clarifications, provided the source did not raise an objection within six months (see paragraph 12). In 13 others the government responses were not considered sufficient to constitute a clarification.

### **Information from sources**

272. No information was received from sources regarding outstanding cases.

### **Clarifications**

273. Based on information received from the Government, the Working Group decided to clarify three cases following the expiration of the six-month rule (see paragraph 11).

### Request for a visit

274. Based on the cooperation and progress made in Morocco and recent clarifications, the Working Group decided to withdraw the request for an invitation to carry out a visit.

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

275. The majority of the 248 cases the Working Group has transmitted to the Government occurred between 1972 and 1980. Most of them concerned persons who reportedly disappeared because they or their relatives were known or suspected supporters of the Polisario Front. The disappeared persons were reportedly confined in secret detention centres, such as Laayoune, Qal'at M'gouna, Agdz and Tazmamart. Cells in some police stations or military barracks and secret villas in the Rabat suburbs were also allegedly used to hide the disappeared persons.

### Total cases transmitted, clarified and outstanding

276. In the past and during the year under review, the Working Group has transmitted 248 cases to the Government; of those, 46 cases have been clarified on the basis of information provided by the source, 105 cases have been clarified on the basis of information provided by the Government and 97 cases remain outstanding.

### Observations

277. The Working Group expresses its appreciation to the Government of Morocco for the information that it has provided and for its efforts to investigate the fate and whereabouts of persons reported to have disappeared in the past. It hopes that this process will continue.

### 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	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

278. There was no activity during the period under review. A summary of the situation in the country is in the last report (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	
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	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

279. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

**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	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	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

280. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

**Nepal<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	
225	12	160	75	18	304

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)
202	N/A	N/A

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

### **Urgent actions**

281. The Working Group transmitted 12 cases to the Government under its urgent action procedure. In seven of these cases, the subjects were allegedly rearrested by security forces immediately following their release on court orders issued following habeas corpus petitions. Three of these involved women in Biratnagar District.

### **Standard cases**

282. One hundred and sixty cases were transmitted under the standard procedure to the Government. These cases reportedly took place between 2001 and 2005, in various districts of the country. The subjects included 20 persons under 18 years of age and a total of 22 females. One of these cases was the disappearance of a young French woman in a park, near Kathmandu. She was last seen on 3 September 2005 and allegedly, members of the Nepalese Army were responsible for the disappearance.

### **Information from the Government**

283. The Government sent replies regarding 202 cases. These included responses regarding nine of the urgent actions referred to in paragraph 281.

284. The Working Group decided that for 49 cases, the Government's reply could constitute a clarification, provided the source did not object within six months. The subjects were either reported released or the location of the place of detention was provided.

285. In 153 cases, the Working Group decided that the information was not sufficient for clarification.

### **Information from sources**

286. In the case of a 24-year-old Nepalese man who was last seen 8 October 2003, the source presented many questions regarding the case to the Working Group and requested that they be transmitted to the Government.

287. Sources also replied concerning 18 other cases of disappearances which occurred between 1995 and 2005. According to its methods of work, the Working Group decided to clarify all of them. In most cases, the subject was reported released.

## **Meetings**

288. During the seventy-eighth session, the Working Group met with government representatives to discuss cases of disappearances and follow-up to the recommendations of the Working Group's mission to the country in 2004 (see E/CN.4/2005/65/Add.1).

289. Also during the seventy-ninth session, the Working Group met with a family member of a disappeared person.

## **Request for a visit**

290. At the seventy-eighth session, the Working Group decided to request a visit to Nepal in order to follow up on the recommendations of its 2004 mission. The request was sent to the Government on 12 May and a reminder on 10 August 2006. The Working Group has not yet received a reply.

## **Prompt intervention**

291. On 3 February 2006, a prompt intervention letter (see paragraph 13) was sent by the Working Group to the Government of Nepal regarding participants in a demonstration on behalf of disappeared persons who were reportedly indiscriminately beaten and detained by police. The Working Group has not received a response.

## **Clarifications**

292. Based on information received from the Government, the Working Group decided to clarify 75 cases following the expiration of the six-month rule (see paragraph 11). These cases include alleged disappearances dating from 1999. In most cases, the subjects were reported released and their current addresses provided. The Government provided the location of the places of detention of the others.

293. Based on information received from sources, the Working Group decided to clarify 18 cases. In the majority of cases, sources reported that the subject had been released.

## **General allegation**

294. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of Nepal (see paragraph 14). This information was transmitted to the Government. Reports expressed concern that disappearances have continued in the country. NGOs have reportedly urged government ministers and the Attorney-General to ensure that those in the security forces who carry out, order or acquiesce to gross violations are prosecuted in public trials before civilian courts and given punishments commensurate with their crimes.

295. NGOs reported that the Government continued to not respect court orders to release detainees. Lawyers in Kathmandu and elsewhere who handle human rights cases reportedly have faced threats, intimidation and harassment. Finally, the habeas corpus procedure was reportedly the only available legal remedy in cases of enforced disappearances.

296. Reportedly, registering a first information report (FIR) was a difficult task, as it takes hours to convince the authorities that the case is under their jurisdiction. Police were reluctant to register the cases, mainly because high-level Royal Nepalese Army personnel are named in the FIRs. Criminal law in Nepal gives investigating authority to the sub-inspector, thus the ability of junior officers is questionable in cases where high-level security officers are involved.

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

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

298. The majority of the cases reported to the Working Group allegedly occurred between 1998 and 2005 in the context of counter-insurgency operations by security forces against members and supporters of the Communist Party of Nepal (Maoist), which had declared a “people’s war” in February 1996.

299. During the first phase of this conflict, disappearances occurred during police operations (1998). As security operations intensified, the number of cases reported increased during 1999 and 2001, particularly after November 2001, following the declaration of a state of emergency and the deployment of the Army. Following the breakdown of a seven-month ceasefire on 27 August 2003, there was a rapid escalation in the number of disappearances. Most cases concerned persons who were arrested by unidentified security forces personnel in plain clothes from their homes. In many cases, the subjects were rearrested by security forces immediately after their release on court orders issued following habeas corpus petitions. Although disappearances reportedly were taking place across the country, the majority of cases reported to the Working Group occurred in and around Kathmandu and other districts in central Nepal. The reported victims included girls, women, students, businessmen, farmers, workers, a writer, a government employee, a journalist and human rights defenders. The disappearances were attributed to security forces personnel, the Armed Forces and the police.

300. Regarding cases of three members of the Akhil Bharatiya Nepali Ekta Samaj (All India Nepalese Unit Society) who were reportedly arrested by the Indian Special Branch Police and handed over to Nepali security officials at the border, in Nepalgunj, in accordance with the Working Group’s methods of work, copies of these cases were sent to the Government of India. The same was done in the case of a Kashmiri residing in Kathmandu. It was reported that the Indian Embassy in Kathmandu was involved in the arrest; therefore, a copy of this case was also sent to the Indian authorities (see also section on India, paragraph 216).

301. At the invitation of the Government of Nepal, the Working Group visited the country from 6 to 14 December 2004. The delegation held meetings with His Majesty the King and other high-level officials, as well as with representatives of NGOs, relatives of the disappeared and members of the international community in Nepal. The Working Group found that the phenomenon of disappearance in Nepal was widespread; its use by the Nepalese security forces was arbitrary. Maoist insurgents also were reported to have committed widespread human rights violations. The mission report and recommendations can be found in document E/CN.4/2005/65/Add.1.

302. On 8 February 2005, the Chairman-Rapporteur of the Working Group issued a joint statement with eight other United Nations independent experts, expressing serious concern about the actions taken by the King to dissolve the constitutional Government and to assume direct power, including the proclamation of a nationwide state of emergency and the suspension of constitutional guarantees and civil and political liberties.

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

303. In the past and during the year under review, the Working Group has transmitted 510 cases to the Government; of those, 77 cases have been clarified on the basis of information provided by the source, 129 cases have been clarified on the basis of information provided by the Government and 304 cases remain outstanding.

### **Observations**

304. The Working Group welcomes the cooperation it has received from the Government of Nepal in providing information for the clarification of cases. The Working Group urges the Government of Nepal to report on the implementation of the recommendations of the Working Group following its country visit in 2004.

### **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	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	Yes	Government response	N/A

### **Information from the Government**

305. No information was received from the Government regarding outstanding cases.

### **Information from sources**

306. No information was received from sources regarding outstanding cases.



## Request for a visit

307. Following a decision of the Working Group at the seventy-eighth session, a request for a visit as part of a four-country initiative in Central America was sent to the Government of Nicaragua on 23 May 2006. The Government has not yet replied.

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

308. The majority of the cases reported to the Working Group occurred between 1979 and 1983, in the context of the internal armed conflict which took place during the 1980s. Many of the reports of these disappearances pointed to the involvement of members of the Army, the former Sandinista Government, the former General Directorate for the Security of the State and the Frontier Guard. Two cases reportedly occurred in 1994: one concerned a farmer who was allegedly detained by a group of members of the Army and the police, and the other concerned a person allegedly accused of being a member of the Contras armed group.

## Total cases transmitted, clarified and outstanding

309. In the past and during the period under review, the Working Group has transmitted 234 cases to the Government; of those, 19 cases have been clarified on the basis of information provided by the source, 112 cases have been clarified on the basis of information provided by the Government and 103 cases remain outstanding.

### Nigeria<sup>3</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)
1	N/A	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

<sup>3</sup> 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.

### Information from the Government

310. The Government informed the Working Group on 2 June 2006 that a human rights worker who allegedly disappeared in 1998 is currently working in law offices in Lagos.

311. The reply could constitute a clarification, provided the source does not raise an objection within six months (see paragraph 12).

### Information from sources

312. No information was received from sources regarding the outstanding case.

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

313. The outstanding case concerns a human rights activist who was allegedly arrested at Murtala airport in Lagos by security forces in 1998 (see paragraph 310).

### Total cases transmitted, clarified and outstanding

314. In the past the Working Group has transmitted six cases to the Government. The Working Group has clarified five cases on the basis of information provided by the Government. There remains one outstanding case to be clarified on the basis of the six-month rule.

### 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	
75	2	0	0	0	77

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	8

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

315. The Working Group transmitted to the Government of Pakistan two cases under its urgent action procedure. The first case concerned the alleged disappearance of **Allah Ditto (alias Asif Balladi)**, the secretary of the Sindh Nationalist Forum from Karachi, Sindh Province. The other case concerned **Samiullah Baloch**, who reportedly disappeared after being arrested at a military police checkpoint in Balochistan.

### Information from the Government

316. No new information was received from the Government concerning outstanding cases.

### Information from sources

317. No information was received from sources regarding outstanding cases.

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

318. The majority of the 85 cases of reported disappearance concerned members or sympathizers of the political party the Muhajir Qaomi Movement, who were allegedly arrested in 1995 and 2001. Most of the other reported cases allegedly occurred in 1986 and between 1989 and 1991, and involved Afghan refugees in Pakistan, many with links to the Harakate Inghilabe Islamic party of Afghanistan. The disappearances were reportedly perpetrated in Peshawar by persons allegedly acting with the acquiescence of the Pakistani authorities. Four other cases concerned members of the same family who were reportedly abducted by agents of military intelligence in Islamabad in 1996.

### Total cases transmitted, clarified and outstanding

319. In the past and during the period under review, the Working Group has transmitted 85 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source and 4 cases have been clarified on the basis of information provided by the Government. There are eight cases under the six-month rule (see paragraph 12) for which the time limit has been temporarily suspended by decision of the Working Group. A total of 77 cases remain outstanding.

### Paraguay

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:		Discontinued cases	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	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)
2	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 from the Government**

320. No information was received from the Government regarding outstanding cases.

**Information from sources**

321. No information was received from sources regarding outstanding cases.

**Discontinued cases**

322. Over the years, the Working Group has made numerous attempts to contact the source, but to no avail. The Working Group decided, in accordance with paragraph 21 of its methods of work, exceptionally to discontinue consideration of three cases. The Working Group believes that it no longer has a useful role to play in trying to elucidate the whereabouts of the persons involved, as no follow-up can be given to the cases. The cases can be reopened at any time if they are presented again to the Working Group.

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

323. The 23 cases of disappearance reported to the Working Group occurred between 1975 and 1977 under the Government of President Alfredo Stroessner. Several of the disappeared persons were members of the Communist Party, including its Secretary-General. Although disappearances took place in the capital, Asunción, the majority of the cases affected the rural population and were carried out in the districts of San José, Santa Helena, Piribebuy and Santa Rosa.

**Total cases transmitted, clarified and outstanding**

324. In the past and during the period under review, the Working Group transmitted 23 cases to the Government; of those, 20 cases were clarified on the basis of information provided by the Government and 3 cases were discontinued. There are no outstanding cases.

**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	0	0	0	2 368

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	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

### **Information from the Government**

325. No information was received from the Government regarding outstanding cases.

### **Information from sources**

326. No information was received from sources regarding outstanding cases.

### **General allegation**

327. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of Peru (see paragraph 14). This information was transmitted to the Government.

328. Reportedly, the Peruvian military has systematically failed to provide courts and prosecutors with information concerning the true identities of military personnel under investigation for human rights abuses, including disappearances, committed during the country's armed conflict, which lasted from 1980 to 2000.

329. NGOs reported to have called on the Government of Peru to ensure that the Armed Forces fully cooperate with civilian prosecutors and courts investigating human rights violations committed in Peru's armed conflict.

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

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

331. The majority of the 3,006 reported cases of disappearance occurred between 1983 and 1992 in the context of the Government's fight against the Communist Party of Peru, Shining Path (Sendero Luminoso) and the Tupac Amaru Revolutionary Movement. The majority of reported disappearances took place in areas of the country that had been under a state of emergency and were under military control. Detentions were frequently carried out by uniformed members of the Army and the Navy infantry, sometimes together with civil defence groups.

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

332. In the past and during the period under review, the Working Group has transmitted a total of 3,006 cases to the Government; of those, 385 cases have been clarified on the basis of information provided by the source, 253 cases have been clarified on the basis of information provided by the Government and 2,368 cases remain outstanding.

### **Observations**

333. The Working Group wishes to remind the Government of Peru once again of its responsibility 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, paragraph 6, of the Declaration.

## 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	
594	4	3	0	0	601 <sup>a</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	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	Yes	Government response	N/A

<sup>a</sup> One case was deleted after the seventy-seventh session.

### Urgent actions

334. The Working Group transmitted four cases under its urgent action procedure to the Government of the Philippines. All four cases concerned persons who reportedly disappeared from the Central Luzon region. **Philip Limjoco** allegedly disappeared near a bus terminal. **Philip Dela Cruz** was reportedly taken from the side of the road by an armed group. The two other urgent action cases concerned **Tessie Abellera** and her son **Rodel Abellera**, who were allegedly taken by soldiers from their home.

### Standard cases

335. The Working Group transmitted to the Government under its standard procedure the cases of three persons who reportedly disappeared together in June 2006 in the Bulacan District of the Philippines. The cases concerned **Manuel Merino**, **Karen Empeno** and **Sherlyn Cadapan**.

### Information from the Government

336. The Government of the Philippines sent two communications to the Working Group. On 22 August 2006, the Government reported on an investigation of the cases of four persons who disappeared in 2005. It reported that an investigation of the case had been conducted by the Commanding General of the Philippine Army, 4th Infantry Division. Initial reports revealed that the allegations against the 58th Infantry Battalion of the Philippine Army were unsubstantiated.

337. On 11 October 2006, the Government stated that the licence plate number attributed to the vehicle that had been used by soldiers to take a mother and son from their home (see paragraph 334) had been issued to a different vehicle and therefore had been purposely used to

mislead the investigation. A communication dated 8 November 2006 regarding efforts undertaken by the Government to implement the recommendations made following the visit to the Philippines by the Working Group in 1991 was received too late for review, and will be considered at the next session of the Working Group for inclusion in the 2007 report.

#### **Information from sources**

338. No information was received from sources regarding outstanding cases.

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

339. Following a decision of the Working Group at its seventy-eighth session, a request for a visit was sent to the Government of the Philippines on 24 May 2006. The Working Group has not yet received a reply.

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

340. The majority of the reported cases of disappearance occurred throughout the country in the late 1970s and early 1980s in the context of the Government's anti-insurgency campaign. Alleged victims included farmers, students, social and health workers, members of Church groups, lawyers, journalists and economists. Since 1980, many reported cases of disappearance concerned young men living in rural and urban areas who participated in legally constituted organizations which, according to the military authorities, were fronts for the outlawed Communist Party of the Philippines and its armed wing, the New People's Army (NPA).

341. Disappearances have continued to occur since the 1990s, mainly in the context of military operations against the NPA, the Moro National Liberation Front, the Mindanao Islamic Liberation Front, the Citizen Armed Forces Geographical Units and the Civilian Volunteer Organizations.

342. The Working Group visited the Philippines in 1991. The main recommendation to the Government was that the National Police should be severed from the Army and that the Government should introduce legislation to narrow the powers of arrest. It was also recommended that the Philippines Commission on Human Rights be empowered to make unannounced spot checks at places of detention, as well as improve protection of witnesses and overhaul the law and practice of habeas corpus (see E/CN.4/1991/20/Add.1, para. 168).

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

343. In the past and during the period under review, the Working Group has transmitted 758 cases to the Government; of those, 33 cases have been clarified on the basis of information provided by the source, 124 cases have been clarified on the basis of information provided by the Government and 601 cases remain outstanding.

#### **Observations**

344. The Working Group reminds the Government of its obligation under article 13 of the Declaration to make every effort to clarify the 601 outstanding cases.

345. The Working Group invites the Government to provide it with current information on the status of the consolidated anti-disappearance bills and reminds the Government of its obligation under article 4 of the Declaration to make all acts of enforced disappearance “offences under criminal law punishable by appropriate penalties which shall take into account their extreme seriousness”.

### Russian Federation<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	
452 <sup>a</sup>	5	3	0	1	454 <sup>b</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)
12 (See paragraph 348)	N/A	N/A

General allegation	Yes	Government response	No
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes (2005)	Government response	Yes

<sup>a</sup> The case of **Ibragim Abubakarovich Saidullaev** was sent under the Working Group’s urgent action procedure in 2005 but was inadvertently not included in last report. The case concerns a man who was reportedly taken from the computer room of a grocery store by armed persons thought to be from the Federal Security Service of Dagestan.

<sup>b</sup> Five cases were determined to be duplications and were subsequently deleted.

### Urgent actions

346. Five cases were sent to the Government of the Russian Federation under the urgent action procedure. Two cases concerned **Bulat Chilaev** and **Aslam Israilov**, who were allegedly taken from their car by military personnel in Chechnya. **Khamzat Shamsuldinovich Tushaev**, reportedly disappeared after entering the State office compound in Chechnya where he had been summoned. **Aslan Israilovich Mishiev** was last seen by the bank of a river surrounded by Russian military. **Galgi Shamkhanovich Bashaev** reportedly was pulled out of his car, put into a vehicle and held in unofficial detention facilities.

### Standard cases

347. The Working Group transmitted three further reported cases of disappearance to the Government. **Armen Aloyan** was reportedly taken by police in Moscow in May 1995. **Ibragim Tausovich Urus Khanov** was allegedly abducted from his home by members of the Russian federal armed forces. **Bashir Adamovich Mustolgov** was taken from in front of his house by men in military uniforms.



### **Information from the Government**

348. The Working Group received six communications from the Government of the Russian Federation. Three of the communications, dated 26 July, 16 August and 18 September 2006, could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report. In the other three communications, the Russian Federation provided additional information on 12 outstanding cases of enforced disappearance.

349. In a communication dated 15 September 2005, the Government stated that for five of the outstanding cases, pretrial investigations had been suspended, for one case, the decision to suspend pretrial investigations had been overturned and for another case, pretrial investigations had been resumed. In one case the Government also reported that measures to establish the subject's whereabouts were being carried out and a query had been sent to the Republic of Uzbekistan.

350. In a communication dated 24 February 2006, concerning three construction workers who disappeared together in 2005, the Government reported that the procurator's office had opened a criminal case in accordance with article 126 of the Criminal Code of the Russian Federation (abduction). In a communication dated 20 March 2006, the Government stated that a decision not to continue criminal proceedings in the cases of two persons had been overturned.

### **Information from sources**

351. Information was received from sources concerning four cases. Additional information on two cases from Chechnya and one from Moscow was transmitted to the Government. The fourth response provided information on where the person was imprisoned in Uzbekistan.

### **Clarifications**

352. Based on the information provided by the source on the location of the subject in prison in Uzbekistan (see paragraph 11), the Working Group decided that the case should be considered clarified.

### **General allegation**

353. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of the Russian Federation (see paragraph 14). This information was transmitted to the Government.

354. According to such reports, many enforced disappearances are perpetrated by federal troops in Chechnya. Allegedly, between 3,000 and 5,000 people have disappeared since 1999. Those detained are reportedly ill-treated and eventually killed. This practice of disappearance occurs in an overall climate of impunity. Although in most instances local prosecutors do launch criminal investigations, the prosecutors routinely suspend them shortly thereafter, stating that it is impossible to establish the identity of the perpetrator. In most cases, however, investigators reportedly fail to take basic investigative steps.

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

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

356. The Working Group has proposed September 2007 for a country visit to the Russian Federation, following prior agreement in principle by the Government to the visit.

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

357. A large number of the cases transmitted in the past concerned persons of ethnic Ingush origin who allegedly disappeared in 1992, in the context of fighting in the Northern Caucasus. The majority of the remaining cases were reported to have occurred in the Republic of Chechnya, primarily since 1994, in the context of the conflict there. The disappearances were alleged to have been carried out by Russian armed and security forces. Twenty-seven of the cases occurred between September 2004 and April 2005 in various locations such as Argun, Grozny and Koren-Benoi. Among the persons who disappeared were the relatives of the former President of the Republic of Chechnya, a 15-year-old child and the leader of the NGO called Let's Save the Generation.

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

358. In the past and during the period under review, the Working Group has transmitted 465 cases to the Government; of those, 10 cases have been clarified on the basis of information provided by the source, 1 case has been clarified on the basis of information provided by the Government and 5 were found to be duplications by the Working Group, leaving 454 cases outstanding.

#### **Observations**

359. The Working Group is deeply concerned about the new cases that continue to occur in the Russian Federation. The Working Group encourages the Government to respond to its general allegation letter (see paragraph 353) and to take steps to clarify outstanding cases, including the large number of unresolved cases arising from the conflicts in the Northern Caucasus. The Working Group reiterates to the Government its obligation under the Declaration to prevent and to terminate all acts of enforced disappearance and to prosecute alleged perpetrators.

360. The Working Group welcomes the invitation by the Government of the Russian Federation to the Working Group to conduct a country visit, and looks forward to finalizing dates as soon as possible.

361. The Working Group continues to be concerned about suspension of investigations in disappearance cases and wishes to remind 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, paragraph 6, of the Declaration.

### 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	
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)
22	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	N/A	Government response	N/A

### Information from the Government

362. The Government of Rwanda replied to the Working Group on 22 cases. The Government indicated that in most cases, the subject was “not known” and requested more information. The Working Group did not consider the responses provided by the Government regarding any of these cases sufficient to constitute clarifications.

### Information from sources

363. New information was provided about the case of a man who disappeared in 2003 in Kigali. He had been a member of the National Assembly until it was dissolved in May 2003. In 2003 and 2004, the Governing Council of the Inter-Parliamentary Union adopted a resolution on this case, which it continues to follow.

### Meetings

364. At its eightieth session, the Working Group met with an NGO representative to discuss cases from Rwanda.

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

365. Most of the 22 outstanding cases transmitted in the past occurred between 1990 and 1996. These included five cases which occurred in 1990 and 1991 in the north of the country in the context of the ethnic conflict between Tutsis and Hutus, and one case of a citizen of the Democratic Republic of the Congo who was allegedly arrested at the border between Rwanda and Uganda. The disappearances were attributed to the Armed Forces, the gendarmerie nationale and the Rwandese Patriotic Army.

366. In accordance with its methods of work, the Working Group sent to the Government of Rwanda copies of cases listed under the Democratic Republic of the Congo of 18 Rwandan refugees and a professor who reportedly disappeared in the Democratic Republic of the Congo at the hands of Rwandan soldiers.

**Total cases transmitted, clarified and outstanding**

367. In the past and during the year under review, the Working Group has transmitted 24 cases to the Government; of those, 2 cases have been clarified on the basis of information provided by the sources and 22 cases remain outstanding.

**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	
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	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 from the Government**

368. The Government of Saudi Arabia replied on 10 May 2006 regarding the one outstanding case. The authorities reported that the subject, who was arrested in 1995 by the anti-drug unit at Jeddah Airport, had been prosecuted and sentenced to death, and that the sentence was carried out. The Working Group decided that the information was insufficient to constitute a clarification.

**Information from sources**

369. No information was received from sources regarding the one outstanding case.

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

370. The previously reported case, referred to in paragraph 368 above, concerned a contractor, a citizen of India, who was allegedly detained by government officials in Jeddah in 1997.

**Total cases transmitted, clarified and outstanding**

371. In the past and during the period under review, the Working Group has transmitted four cases to the Government; of those, one case has been clarified on the basis of information provided by the Government and two were discontinued, and one case remains outstanding.

## 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	
16 (See paragraph 374)	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	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 from the Government

372. No information was received from the Government regarding outstanding cases.

### Information from sources

373. No information was received from sources regarding outstanding cases.

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

374. Prior to the period under review, all enforced disappearances which reportedly occurred on the territory of Serbia and Montenegro were transmitted by the Working Group to the Government of Serbia and Montenegro. Following a referendum on 21 May 2006, Montenegro declared independence on 3 June 2006 and was admitted as a Member of the United Nations on 28 June 2006.

375. Of the 16 cases that had been listed under Serbia and Montenegro, only 1 outstanding case occurred on the territory of Serbia. This case will be transmitted to the Government of Serbia. This outstanding case concerns a former President of Serbia who reportedly disappeared in Belgrade in August 2000.

### Total cases transmitted, clarified and outstanding

376. In the past and during the period under review, the Working Group transmitted 17 cases to the Government of Serbia and Montenegro; of those, 1 case was clarified on the basis of information provided by the Government of Serbia and Montenegro. Following the transfer of the 15 cases which occurred on the territory of what is today the Republic of Montenegro to its Government, 1 case remains outstanding with 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	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

377. There was no activity during the period under review. A summary of the situation in the country is in the last report (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)
3	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 from the Government

378. The Government replied on the three outstanding cases, stating that it had received the annual reminder letter from the Chairperson-Rapporteur of the Working Group, that the contents had been transmitted to the competent Spanish authorities and that it hoped soon to be able to give the Working Group the requested information.

### Information from sources

379. No information was received from sources regarding outstanding cases.

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

380. 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

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

### Sri Lanka<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	
5 708	41	0	0	0	5 749

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	N/A	N/A

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

## Urgent actions

382. The Working Group transmitted to the Government 41 cases under its urgent action procedure. The reported disappearances occurred primarily in the north and east of Sri Lanka, mostly in the Jaffna District. Eight cases concerned Tamil men who were all reportedly taken by Army personnel while at a Hindu temple. Two cases concerned co-workers from the Danish Demining Group in Jaffna. One case concerned a man with a mental disability. Four cases concerned persons who allegedly disappeared by the seashore, and one case concerned a fisherman who could not produce his national identity card when requested by the authorities to do so. Four cases concerned persons who were arrested during cordon and search operations. In seven cases persons were reportedly taken by Sri Lankan Navy or Army personnel from their homes. Four persons, including a priest, were last seen at Sri Lankan Navy checkpoints. Nine cases, including one case of a minor, concerned persons who were last seen either walking or driving along the road. In one case, the person was arrested and last seen at a tea shop.

### **Information from the Government**

383. The Government transmitted two communications to the Working Group. In a communication dated 1 September 2006, the Government replied concerning three cases that had been submitted under the Working Group's urgent action procedure, those of three brothers who disappeared together from their home. The Government requested more information on their place of residence, the police station where the complaint had been filed and the relevant complaint number.

384. In another communication dated 6 October 2006, the Government replied concerning five cases that had been transmitted under the Working Group's urgent action procedure, stating that investigations were being carried out in all cases. The Government stated that it had been reported in the recent past that members of the Liberation Tigers of Tamil Eelam (LTTE) were involved in similar abductions in the north and east of Sri Lanka, disguising themselves as security forces personnel. In one case, the Government replied that the subject was an underworld gang leader wanted by other groups. The Government also provided additional details surrounding the disappearance of a priest at a Sri Lankan Navy checkpoint.

### **Information from sources**

385. Following a request made by the Government, the source provided additional information on the disappearance of three brothers.

### **Meetings**

386. At its seventy-ninth session, the Working Group met with a Sri Lankan NGO to discuss the current situation in the country.

387. While attending the Human Rights Council, the former Chairperson-Rapporteur of the Working Group met with the Permanent Representative of Sri Lanka to the United Nations to discuss further collaboration with the Working Group.

### **General allegation**

388. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of Sri Lanka (see paragraph 14). This information was transmitted to the Government.

389. According to the reports, the Human Rights Commission of Sri Lanka officially decided to stop further inquiries into 2,000 cases of disappearance unless an order was received from the Government to continue with the inquiries, as the findings might result in "payments of compensation, etc.". The mandate of the Human Rights Commission of Sri Lanka is, among other things, to inquire into infringement of fundamental rights and to make appropriate redress, including the granting of compensation to the victims. The board of the Commission has reportedly completely abdicated from this responsibility.



390. In a response dated 11 August 2006, the Government of Sri Lanka stated: “With regard to the representations made on the Human Rights Commission of Sri Lanka, it should be noted that this is an independent body. The Government can only transmit to the Human Rights Commission of Sri Lanka any representations forwarded, with the request for appropriate action.”

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

391. Following a decision of the Working Group, a request for a visit to take place in early 2007 was sent to the Government of Sri Lanka on 16 October 2006. In a reply dated 24 October 2006, the Government stated that it would not be possible to schedule a visit for the Working Group during the requested period owing to the planned visits of other special procedure mandate holders, but that the interest of the Working Group would be noted and given due consideration.

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

392. 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 the resumption of hostilities with the LTTE, have been confined primarily to the eastern and north-eastern provinces of the country.

393. The Working Group has undertaken three field missions to Sri Lanka, in 1991 (see E/CN.4/1992/18/Add.1), 1992 (see E/CN.4/1993/25/Add.1) and 1999 (see E/CN.4/2000/64/Add.1). The central recommendation to the Government was the establishment of an independent body with the task of investigating all cases of disappearance that 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, paragraph 3, of the Declaration. It stated 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.

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

394. In the past and during the year under review, the Working Group has transmitted 12,319 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 5,749 cases remain outstanding.

## Observations

395. The Working Group wishes to express its appreciation to the Government of Sri Lanka for its ongoing cooperation and its efforts to investigate and clarify the fate of the many thousands of persons who disappeared in the past. The Working Group thanks the Government for the reply to its request for a country visit, and looks forward to receiving a positive reply and setting dates as soon as possible.

396. The Working Group is gravely concerned at the increase in reported cases of recent enforced disappearances occurring primarily in the north-east of the country in the context of renewed fighting in the region.

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

398. The Working Group would appreciate further information on the situation of the National Human Rights Commission, owing to its crucial role in addressing disappearances and other human rights issues in Sri Lanka.

## 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	
164	1	0	0	0	165

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)
12	N/A	5

General allegation	N/A	Government response	N/A
Prompt intervention letter	N/A	Government response	N/A
Working Group request for a visit	Yes (in 2005)	Government response	N/A

## Urgent action

399. One case was sent to the Government of the Sudan under the urgent action procedure. The case concerned **Mona Ibrahim Salih**, who disappeared from the Kalma internally displaced persons camp on 4 December 2005.

## Information from the Government

400. A communication was sent by the Government on 24 August 2006 regarding 12 cases. In five cases, the Working Group decided that the replies could constitute clarifications, provided the source did not raise an objection within six months (see paragraph 12). With respect to the

other seven, the Working Group decided that the responses were not sufficient to clarify the cases. A communication from the Government dated 29 June 2006 could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report.

#### **Information from sources**

401. No information was received from sources regarding outstanding cases.

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

402. Following a decision of the Working Group, a request for a visit was sent to the Government of the Sudan on 20 December 2005. The Working Group has not yet received a reply.

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

403. The majority of the 323 cases of disappearance reported in the past concerned 249 villagers who were allegedly abducted from the village of Toror in the Nuba Mountains in 1995 by the Armed Forces and taken to a Government-controlled “peace camp”. Another 54 disappeared persons were mainly members of the Sudan Liberation Army who were allegedly arrested after clashes with government forces in Dissa and Abu Gamra in June and August 2003. Three cases concerned civilians who were arrested by government forces at Serif Amra in July 2003.

404. Another group of cases were transmitted by the Working Group in 2005, including the cases of 19 members of the Fur and Dajo communities who reportedly were arrested by armed forces and Janjaweed militia from their homes and from Adwa village north of Nyala, and six persons who were reportedly arrested and disappeared during an attack by armed forces on Gedel Haboub.

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

405. In the past and during the period under review, the Working Group has transmitted 367 cases to the Government; of those, 4 cases have been clarified on the basis of information provided by the source, 200 cases have been clarified on the basis of information provided by the Government and 163 cases remain outstanding.

#### **Observations**

406. Although the Working Group did not receive any report of new cases this year, the Working Group remains concerned about disappearances in the Sudan.

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

### 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	
15	1	0	0	0	16

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	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

### Urgent actions

408. The Working Group transmitted one urgent action to the Syrian authorities on 12 April 2006. The case concerned **Mohammad Al-Abdullah**, who was reportedly abducted from his home in the city of Qatana on 23 March 2006. The Syrian Army was alleged to be responsible.

### Information from the Government

409. The Government sent responses concerning the cases of two men. The first concerned a Lebanese national who disappeared on 1 April 1998. The authorities reported on 13 April 2006 that the subject had been released on 13 November 2005 under a political amnesty declared by the President of the Republic.

410. Regarding the case of a Lebanese male who reportedly disappeared on 1 January 1994 and was last seen at the interrogation section in a prison in Damascus, the Government reported that the subject was abducted by the Union of People's Forces organization and that he has "not been heard from since".

411. The Working Group decided that the information provided was not sufficient to clarify the cases. Two communications from the Government, both dated 10 July 2006, could not be translated by the United Nations translation services in time for consideration by the Working Group for inclusion in the present report.

### Information from sources

412. No information was received from sources regarding outstanding cases.

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

413. The majority of the cases of disappearance reported to the Working Group in the past occurred between 1980 and 1994. The security forces or military intelligence were allegedly responsible. Among the victims were students, medical doctors, military personnel and an artist.

Of these, eight cases concerned Lebanese citizens, three concerned Jordanian nationals and one concerned a Palestinian. In the past, in accordance with its methods of work, the Working Group also sent to the Government of the Syrian Arab Republic copies of five cases concerning Lebanese nationals who were reportedly abducted by Hezbollah and transferred to the Syrian intelligence service between 1981 and 1985.

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

414. In the past and during the period under review, the Working Group has transmitted 40 cases to the Government; of those, 13 cases have been clarified on the basis of information provided by the source, 11 cases have been clarified on the basis of information provided by the Government and 16 cases 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	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

415. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

### **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	
32	1	3	0	0	36

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	Yes	Government response	No
Working Group request for a visit	N/A	Government response	N/A

### **Urgent actions**

416. The Working Group transmitted one case to the Government under its urgent action procedure. The case concerned **Guwaegama Wae-halem**, who was allegedly taken away by military personnel at a temporary army checkpoint in Narathiwat Province.

### **Standard cases**

417. The Working Group also transmitted three reported cases of disappearance from Yala Province which allegedly occurred in 2004. Two of the cases concern two friends, **Wae-arong Rohim** and **Yah Jeloh**, who were allegedly abducted by the police, and the other case concerns **Ibrohim Gayo**, whose disappearance was attributed to the Army.

### **Information from the Government**

418. No communication was received from the Government regarding outstanding cases.

### **Information from sources**

419. New information was received from a source concerning the disappearance of a prominent Thai human rights lawyer, Mr. Somchai Neelaphajit. The source stated that on 12 January 2006, Thai courts convicted a police major of forcibly pushing the lawyer into a car and acquitted four other defendants because of a lack of clear evidence. The judgement highlighted that the defendants had not been interested in the lawyer's property, despite having been charged with theft. The court also ruled that a State official had forcibly abducted him. Although the Department of Special Investigation had promised to regularly update the family on its investigation into the case, the source claims that nothing has been forthcoming. The source called on the Government of Thailand to pursue independent investigations to establish the fate and whereabouts of the victim and to hold those responsible for his disappearance accountable.

### **Prompt intervention**

420. On 26 March 2006 and on 7 November 2006, two prompt intervention letters (see paragraph 13) were sent to the Government of Thailand concerning alleged threats to and harassment of the family of Somchai Neelaphajit. Serious concern has been expressed that the reported harassment and intimidation of his wife may have been in retaliation for the activities related to calls for justice and the search for her husband.

### **Press release**

421. On 11 March 2006, the Chairperson-Rapporteur of the Working Group issued a statement in connection with the decision of the Asian Human Rights Commission to honour Somchai Neelaphajit with its second Asian Human Rights Defender Award.

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

422. Of the 39 reported cases, 33 occurred in 1992; 31 of those cases concerned persons who allegedly disappeared during a crackdown by security forces on demonstrations in Bangkok in the aftermath of the appointment of a new Prime Minister.

423. One case occurred in 1991 and concerned the President of the Labour Congress of Thailand, who reportedly disappeared from his union's office in Bangkok three days after organizing a protest rally. Another case occurred in 2005 and concerned a prominent human rights lawyer who was allegedly taken from his car near Bangkok by five policemen and never seen again.

### Total cases transmitted, clarified and outstanding

424. In the past and during the period under review, the Working Group has transmitted 39 cases to the Government; of those, 1 case was clarified on the basis of information provided by the Government and 2 cases were discontinued. There are 36 cases which remain outstanding before the Working Group.

### Observations

425. The Working Group reminds the Government of its obligations under article 13, paragraph 3, of the Declaration to take steps to ensure that all persons involved in the investigation of an enforced disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal. The Working Group invites the Government of Thailand to reply to the three prompt intervention letters it sent to the Government in 2005 and 2006.

### 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	425

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	Yes	Government response	N/A

### Information from the Government

426. No communication has ever been received by the Working Group from the Government of Timor-Leste regarding outstanding cases.

**Information from sources**

427. No information was received from sources regarding outstanding cases.

**Request for a visit**

428. Following a decision made at its eightieth session, the Working Group decided to request a mission to Timor-Leste in order to facilitate the clarification of outstanding cases.

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

429. In 2002, in accordance with its methods of work, the Working Group decided to address cases of disappearances that occurred in the past in East Timor and were listed under Indonesia to the United Nations Transitional Administration in East Timor. These cases have subsequently been sent to the authorities of Timor-Leste.

430. The majority of the cases of disappearance reported to the Working Group occurred in 1992 and between 1998 and 2000 in East Timor, when it was under Indonesian control. A large number concerned students involved in anti-Government demonstrations.

**Total cases transmitted, clarified and outstanding**

431. In the past and during the year under review, the Working Group has transmitted 501 cases to the Government of the day; of those, 18 cases have been clarified on the basis of information provided by the source, 58 cases have been clarified on the basis of information provided by the Government of Indonesia and 425 cases remain outstanding. The Working Group has copied these cases to the Government of Indonesia.

**Observations**

432. 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 425 outstanding cases.

433. The Working Group urges the Government of Timor-Leste to respond positively to its request for a country visit.

**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	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

434. There was no activity during the period under review. A summary of the situation in the country is in the last report (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	
88	0	0	5	0	83

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)
38	Yes	16

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

435. The Working Group reviewed four communications received during the period under review from the Government of Turkey.

436. Based on previous information received, the Working Group decided to apply the six-month rule (see paragraph 12) in 16 cases.

437. The Government also replied in 38 other cases, concerning people having disappeared between 1991 and 2001. Most of the replies indicated that investigations by local authorities were ongoing. The Working Group decided that the responses were considered insufficient to clarify the cases.

### Information from sources

438. No information was received from sources regarding outstanding cases.

## Clarifications

439. Based on information from the Government, the Working Group decided to clarify five cases following the expiration of the six-month rule (see paragraph 11). In four cases, death certificates were provided. In one case, the subject, together with his attorney, made a declaration to the General Directorate of Security stating that he was not a disappeared person.

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

440. The majority of the 181 reported cases were alleged to have occurred in south-eastern Turkey, in areas where a state of emergency was in force, and concerned members of the Kurdish minority. Three cases reportedly occurred in 2001 and concerned members of the People's Democratic Party. A 2002 case concerned a welder who was allegedly detained by members of the gendarmerie, despite a judicial order that he be remanded to prison.

## Total cases transmitted, clarified and outstanding

441. In the past and during the period under review, the Working Group has transmitted 181 cases to the Government; of those, 49 cases have been clarified on the basis of information provided by the source, 49 cases have been clarified on the basis of information provided by the Government and 83 cases remain outstanding.

### 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	
54	0	0	0	0	15 (See paragraph 447)

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 from the Government

442. No information was received from the Government regarding outstanding cases.

## Information from sources

443. No information was received from sources regarding outstanding cases.

444. The Working Group received information regarding cases previously accepted by the Working Group which it learned had in fact been abductions by a non-State actor. The Working Group considered the matter and decided that those cases were not within the proper ambit of its mandate since the actions were not directly or indirectly attributable to the Government of Uganda. As a result, the Working Group deleted 39 outstanding cases. The Working Group also learned that the United Nations in Uganda is actively working on these and similar cases of children abducted by rebel forces.

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

445. Of the 61 reported cases of disappearance, 20 occurred between 1981 and 1985. These reported disappearances occurred throughout the country and in one case the person was allegedly abducted while in exile in Kenya and taken to Kampala. One case concerned the 18-year-old daughter of an opposition member of the Ugandan Parliament. The disappearances are said to have been committed by policemen, soldiers or officials of the National Security Agency.

446. In 1998, three cases occurred, one of which concerned a former magistrate who was a refugee. He was reportedly arrested in Kampala by Ugandan police officers. Another case concerned a lawyer providing defence counsel to persons accused of genocide. He is said to have been previously arrested and tortured because of his activities.

### Total cases transmitted, clarified and outstanding

447. In the past and during the period under review, the Working Group transmitted 61 cases to the Government; of those, 5 cases have been clarified on the basis of information provided by the source, 2 cases have been clarified on the basis of information provided by the Government, 39 cases have been deleted, and 15 cases remain outstanding.

### 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	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 from the Government

448. On 16 December 2005, the Government of Ukraine transmitted one communication to the Working Group concerning the three persons who reportedly disappeared together in 1995. The Government stated that on 6 April 2005, the criminal investigation that was instituted pursuant to the disappearance of the three persons had been suspended. At present government authorities are reportedly taking steps to determine the whereabouts of the subjects and to establish the identity of the perpetrators. In addition, disciplinary proceedings have been instituted against militia officers for improper performance of their duties.

### Information from sources

449. No information was received from sources regarding outstanding cases.

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

450. The three outstanding cases concern two brothers and a friend who were allegedly abducted by security forces in 1995.

### Total cases transmitted, clarified and outstanding

451. In the past and during the period under review, the Working Group has transmitted four cases to the Government; of those, one case has been clarified on the basis of information provided by the Government and three cases remain outstanding.

### Observations

452. The Working Group continues to be concerned about the suspension of investigations in disappearance cases and wishes to remind 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, paragraph 6, of the Declaration.

### 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	N/A	N/A

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

## General allegation

453. Information was submitted by NGOs to the Working Group concerning alleged obstacles encountered in the implementation of the Declaration by the Government of the United States of America (see paragraph 14). This information was transmitted to the Government.

454. According to the reports, since 11 September 2001, the Government of the United States has relied increasingly in its counter-terrorism operations on a practice that is known as “rendition”, or “extraordinary rendition”. The practice generally involves the detention of persons either outside or inside the United States and their extrajudicial transfer either to United States-run detention facilities overseas or to the custody of foreign intelligence agencies. Allegedly, even when suspects are transferred to the custody of foreign agents under the rendition programme, the United States Government often maintains a degree of control over their custody as well as the interrogation process itself. Because the persons subjected to this practice are generally held incommunicado in secret facilities, it is believed that the practice amounts to enforced disappearance. It is alleged that by authorizing United States agents to detain suspects and transfer them to incommunicado detention in overseas prisons, the United States violates express provisions of international law regarding the right to freedom from arbitrary arrest and detention, and the right to judicial review for the basis of the detention.

455. To date, victims of the rendition programme have not prevailed in their attempts to seek redress in United States courts. While United States courts have reportedly recognized the prohibitions against arbitrary detention, torture, other cruel, inhuman or degrading treatment and enforced disappearance as discrete violations of international law cognizable under the Alien Tort Statute and the Torture Victim Protection Act, so far lower courts have found that only foreign officials can be held civilly liable for violation of these norms.

456. In a communication dated 25 October 2006, the Government of the United States responded to the Working Group’s general allegation described above, which also contained a request made by NGOs for the United States Government to provide information relating to the policy and practice of rendition. The Government stated:

“Inasmuch as this request concerns matters governed by the law of armed conflict, the United States respectfully notes that it does not believe that it falls within the mandate of the Working Group. As recently confirmed by the U.S. Supreme Court in *Hamdan v. Rumsfeld*, the law of armed conflict governs the armed conflict with al Qaeda. Specifically, the Supreme Court held that Common Article 3 of the Geneva Conventions applies to the armed conflict with al Qaeda. Nevertheless, as a matter of courtesy, the Government of the United States is pleased to provide the following materials relevant to its request, which can be found at the respective sites:

- Speech of President George W. Bush dated September 6, 2006 ([www.whitehouse.gov/news/releases/2006/09/20060906-3.html](http://www.whitehouse.gov/news/releases/2006/09/20060906-3.html));

- Materials associated with the United States meeting with the Committee against Torture in May 2006 ([www.usmission.ch](http://www.usmission.ch)); and
- Remarks of Secretary of State Condoleezza Rice dated 5 December 2005 ([www.state.gov/secretary/rm/2005/57602.htm](http://www.state.gov/secretary/rm/2005/57602.htm)).”

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

457. In the past and during the period under review, the Working Group transmitted one case to the Government and that case was clarified on the basis of information provided by the Government. No cases remain outstanding.

### **Observations**

458. The Working Group would like to thank the United States Government for its reply to its general allegation letter. Regarding the Government’s reference to common article 3 of the Geneva Conventions of 12 August 1949, the Working Group would like to recall that this article is in reference to “armed conflict not of an international character”. The Working Group respectfully draws the Government’s attention to the fact that as defined in the Working Group’s methods of work, while the Working Group does not work on cases arising from international armed conflicts, cases from armed conflict not of an international character do fall within the mandate of the Working Group, contrary to the Government’s reply. The Working Group remains concerned about the policy and practice of rendition by the United States, particular in respect of articles 1.2 (right to life, liberty, recognition before the law and the right not to be subject to torture), 2 (right not to be disappeared), 7 (no circumstances, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances), 8 (right to non-refoulement), 9 (right to a prompt and effective judicial remedy) and 10 (right to be held in an officially recognized place of detention and to be brought before a judicial authority promptly after detention) of the Declaration.

### **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	
23	0	0	1	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	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 from the Government

459. No information was received from the Government regarding outstanding cases.

### Information from sources

460. No information was received from sources regarding outstanding cases.

### Clarification

461. Based on previous information previously received from the Government, the Working Group decided to clarify one case following the expiration of the six-month rule (see paragraph 11).

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

462. The majority of the reported cases of disappearance occurred between 1975 and 1978 under the military Government, in the context of its war against alleged subversion.

### Total cases transmitted, clarified and outstanding

463. In the past and during the period under review, the Working Group has transmitted 31 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 8 cases have been clarified on the basis of information provided by the Government and 22 cases remain outstanding.

### 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	
17	0	0	4	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)
13	N/A	6

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

464. The Government of Uzbekistan sent a communication dated 2 September 2005 regarding 13 outstanding cases.

465. In six cases, the Government reported that the subjects were being held in different penal institutions in Uzbekistan. The Working Group considered that these replies could constitute clarifications, provided that the sources do not raise objections within six months (see paragraph 12).

466. In seven cases, the Working Group decided that the information provided by the Government was insufficient to constitute clarifications. In all of those cases the Government stated that the whereabouts of the persons were unknown but that searches were continuing. In five of the cases criminal proceedings had been instituted but later suspended under article 364, paragraph 1.1, of the Code of Criminal Procedure (failure to identify a person against whom charges can be brought). In three of the cases the subject himself was charged in absentia, but the case was suspended because the whereabouts of the accused were unknown.

#### **Information from sources**

467. No new information was received from sources concerning outstanding cases.

#### **Clarifications**

468. The Working Group also decided to clarify four cases where the six-month rule had been previously applied (see paragraph 11).

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

469. Of the 19 cases transmitted in the past, 2 concerned an Islamic religious leader and his assistant who were reportedly detained in 1995 by the National Security Service in Tashkent as they were waiting to board an international flight, and another concerned the leader of the Islamic Renaissance Party, reportedly an unregistered political party, who was allegedly arrested in 1992. Four cases concerned persons who had reportedly fled to Kyrgyzstan after violent events in May 2005 in Andijan, Uzbekistan, and were later returned to Uzbekistan.

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

470. In the past and during the period under review, the Working Group has transmitted 19 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 5 cases have been clarified on the basis of information provided by the Government and 13 cases remain outstanding.

#### **Observations**

471. The Working Group continues to be concerned about the suspension of investigations in disappearance cases and wishes to remind 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, paragraph 6, of the Declaration.



### Venezuela

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:		Discontinued cases	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	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)
2	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 from the Government

472. The Government replied on 16 December 2005 to two cases. One case concerned a Venezuelan man believed to have been arrested by army parachutists. His case was decided by the Inter-American Court of Human Rights in 2005, which attributed responsibility to the Venezuelan State for the enforced disappearance and the arbitrary detention of the subject and ordered the payment of reparation. The other case concerned a man who allegedly disappeared in 1999. The Government reported that a hearing of the two accused perpetrators (both officers) began on 14 October 2005. The Working Group decided that the information was not sufficient to clarify the cases.

### Information from sources

473. No information was received from sources regarding outstanding cases.

### Meetings

474. During the seventy-ninth session, the Working Group met with government representatives to discuss outstanding cases.

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

475. Of the 14 cases reported to the Working Group, 3 concerned student leaders who had reportedly been intercepted by security forces in 1991, 1 concerned a businessman arrested by the police in 1991, another concerned a 14-year-old girl who allegedly disappeared in 1993 following a military raid on her residence, and 1 case concerned a person who was allegedly detained in the State of Amazona by members of the Navy infantry.

**Total cases transmitted, clarified and outstanding**

476. In the past and during the period under review, the Working Group has transmitted 14 cases to the Government. Of those, 4 cases were clarified on the basis of information provided by the Government and 10 cases remain 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:		Discontinued cases	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		
90	0	0	3	0	14	73

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)
90	Yes	73

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**

477. In communications dated 3 March and 13 October 2006, the Government sent information concerning all 90 outstanding cases. In three cases, the Working Group found that the responses did not contain sufficient information to clarify the fate or whereabouts of the disappeared persons. For 73 cases, the Working Group decided to apply the six-month rule. Over half of these cases involved subjects who reportedly disappeared in 1986. The vast majority of the responses stated that the subject was deceased.

**Information from sources**

478. No information was received from sources regarding outstanding cases.

**Meetings**

479. During the seventy-ninth session, the Working Group met with government representatives to discuss outstanding cases and efforts carried out by the Government to clarify them.

**Clarifications**

480. Based on information previously received from the Government, the Working Group decided to clarify three cases concerning military officers who allegedly disappeared in 1994, following the expiration of the six-month rule (see paragraph 11).

### Discontinued cases

481. The Working Group decided, in accordance with paragraph 21 of its methods of work, exceptionally to discontinue consideration of 14 cases. The original source for these cases was no longer able to follow up and steps taken by the Working Group to establish communication with other sources were unsuccessful. The Working Group believes that it no longer has a useful role to play in trying to elucidate the whereabouts of the persons involved, as no follow-up can be given to the cases. The cases can be reopened at any time if they are presented again to the Working Group.

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

482. The majority of the reported cases occurred in 1986 in the context of the fighting that took place in the former People's Democratic Republic of Yemen. Other cases occurred during the 1994 civil war.

483. Following its field mission to Yemen in 1998, the Working Group recommended that the Government consider establishing a special task force of the Supreme National Committee on Human Rights. The Working Group also recommended that the task force further develop procedures in order to take the necessary legal steps for the clarification of all cases (see E/CN.4/1999/62/Add.1 and Corr.1).

### Total cases transmitted, clarified and outstanding

484. In the past and during the period under review, the Working Group has transmitted 150 cases to the Government; of those, 1 case has been clarified on the basis of information provided by the source, 62 cases have been clarified on the basis of information provided by the Government, 14 cases have been discontinued, and 73 cases remain outstanding and under the sixth-month rule.

### Observations

485. The Working Group thanks the Government of Yemen for its efforts to clarify the outstanding cases, which could be an example for other countries.

### 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	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	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 from the Government**

486. The Working Group examined a communication sent by the Government on 12 October 2006 concerning the three outstanding cases.

487. Regarding one case, the Government reported that on 19 June 2000, the subject was taken by people driving a pick-up truck. Four people were charged with his murder, but they were acquitted by the Bulawayo High Court on 5 June 2002.

488. In the case of a 20-year-old woman alleged to have disappeared with her infant son on 1 April 1986, the Government reported that the authorities were still searching for records pertaining to the investigation of the case and that there had not been any change in circumstances since the last report of 18 August 2003.

489. The Working Group decided that the Government information was insufficient to clarify these cases.

### **Information from sources**

490. No information was received from sources regarding outstanding cases.

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

491. Of the reported cases of disappearance, one allegedly occurred in 2000 and concerned a polling officer for the opposition Movement for Democratic Change who allegedly disappeared in Bulawayo.

492. Two other reported cases occurred in 1986 and concerned a mother and her 2-month-old son who allegedly disappeared at the hands of persons believed to belong to the Zimbabwe African National Patriotic Front (ZANU-PF) and were last seen a week later at the home of the Chairman of ZANU-PF. Relatives and witnesses have allegedly been subjected to threats, intimidation and reprisals. One other case occurred in 1985 and concerned a member of the ZAPU political party who was allegedly arrested by four men, two of whom were wearing police uniforms, and taken away in a police vehicle.

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

493. In the past and during the year under review, the Working Group has transmitted a total of four cases to the Government. Of those, one case was clarified by the Government and three cases remain outstanding.

### 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	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

494. There was no activity during the period under review. A summary of the situation in the country is in the last report (E/CN.4/2006/56 and Corr.1).

### IV. CONCLUSIONS AND RECOMMENDATIONS

495. In 2006, the Working Group transmitted 248 newly reported cases of disappearance to 16 Governments, 79 of which allegedly occurred during 2006. The Working Group used the urgent action procedure for 87 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 152 cases of disappearance. The Working Group discontinued 18 cases. 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 and Seychelles, as well as the Palestinian Authority), have never replied to the Working Group's requests for information or its reminders. Some Governments provide responses that do not contain relevant information. The Working Group urges those Governments to fulfil their obligations under the Declaration, the resolutions of the General Assembly and the Commission on Human Rights. The cooperation of Governments is indispensable to discovering the fate or whereabouts of disappeared persons around the globe.

496. The Working Group is concerned about underreporting of disappearances in certain regions and countries. This is due, among other reasons, to government restrictions on civil society work on this sensitive issue. The Working Group is concerned that in a number of States, legal restrictions are placed upon NGOs working on cases of disappearance. NGO workers and witnesses to disappearances are also subject to threats and harassment. The Working Group strongly urges States to allow NGOs to undertake their work freely and without impediment, to allow families of victims of disappearances to organize freely without bureaucratic restriction or legislative obstacles and to protect witnesses.

497. The Working Group calls upon Governments to comply with their obligations under articles 7, 8 and 9 of the Declaration: no circumstances whatsoever may be invoked to justify enforced disappearances; no State shall expel, return (refouler) or extradite a person to another State where there are substantial grounds to believe that he would be in danger of enforced disappearance; and the right of all persons deprived of their liberty to a prompt and effective judicial remedy.

498. The Working Group calls upon Governments to comply with their obligations under article 10 of the Declaration. Any person deprived of liberty shall be held in an officially recognized place of detention, accurate information on the detention and transfer of such persons should be made promptly available to their families and counsel, and an official up-to-date register of detainees must be available in every place of detention.

499. The Working Group also calls upon Governments to comply with their obligations under article 16, paragraph 2, of the Declaration, which states that perpetrators shall be tried only by the competent civilian courts in each State and not by any special tribunals, in particular military courts.

500. The Working Group reminds Governments that in combating disappearances effective preventive measures are crucial. Among them, the Working Group highlights the following: harmonization of domestic law with the obligations of States under the Declaration and other international human rights law; accessible and updated registries of detainees; guaranteed access to appropriate information and to places of detention for relatives and lawyers of persons deprived of their liberty; ensuring that persons are brought before a judicial authority promptly following detention; bringing to justice all persons accused of having committed acts of enforced disappearance, ensuring that perpetrators do not benefit from any special amnesty law or other similar measures likely to provide exemption from criminal proceedings or sanctions; and providing redress and adequate compensation to victims and their families.

501. In many cases where disappearances arise from conditions of armed conflict not of an international character, the way to an enduring and sustainable solution is for the international community to take concerted action aimed at tackling the root causes that give rise to such internal situations. It is crucial that early warning indicators pointing to the occurrence of or potential for disappearances be monitored with a view to preventing this phenomenon. The Working Group is convinced that well-thought-out policies and actions directed at breaking the vicious cycle of increasing poverty that gives rise to conflict are among the essential preventive measures to consider in this regard.

502. The preventive measures noted above are particularly aimed at democratizing the structures of governance and making human rights the cornerstone of public policy. When Governments take steps to create and support specific bodies and institutions charged with addressing disappearances, experience has demonstrated that they have highly positive results. For instance, the establishment of investigating bodies, truth commissions and war crimes tribunals are concrete actions that may lead to the clarification of cases and to the implementation of compensation policies for victims. These are strongly encouraged and supported by the Working Group, subject to the following paragraph.

503. A further goal of public policy must be the eradication of the culture of impunity for the perpetrators of disappearances that is found to exist in many States. The Working Group therefore wishes to stress again the importance of ending impunity for the perpetrators of enforced disappearances. This must be understood as a crucial step, not only in the pursuit of justice but also in effective prevention. The Working Group encourages the Office of the High Commissioner for Human Rights to promote the Declaration and to include in its programme of technical cooperation the strengthening of national capacities for the prevention and eradication of disappearance.

504. The Working Group recommends that the international community and international NGOs support the development and strengthening of regional and national civil society institutions that could deter serious human rights violations, such as in sub-Saharan Africa and other parts of the world.

## V. ADOPTION OF THE REPORT

505. At the eightieth session, on 29 November 2006, the present report was adopted by the members of the Working Group on Enforced or Involuntary Disappearances. Expert member Stephen J. Toope (Canada) was unable to attend this session.

Santiago Corcuera (Chairperson-Rapporteur)	(Mexico)
J. 'Bayo Adekanye	(Nigeria)
Saied Rajaie Khorasani	(Islamic Republic of Iran)
Darko Göttlicher	(Croatia)

# Annex I

## DECISIONS ON INDIVIDUAL CASES TAKEN BY THE WORKING GROUP DURING 2006

Countries	Cases which allegedly occurred in 2006	Cases transmitted to the Government during 2006		Clarification by:		Discontinued cases
		Urgent actions	Normal actions	Government	Non-governmental sources	
Algeria	1	1	31	-	2	-
Bangladesh	-	1	-	-	-	-
Brazil	-	-	-	1	-	-
Chad	-	-	-	2	-	-
Chile	-	-	-	24	-	-
China	1	1	-	3	1	-
Colombia	14	15	44	-	-	-
Guatemala	-	-	3	-	-	-
Honduras	1	1	-	5	-	-
India	-	-	1	-	-	-
Lao People's Democratic Republic	-	-	-	-	1	1
Libyan Arab Jamahiriya	1	1	-	-	-	-
Morocco	-	-	-	3	-	-
Mexico	-	-	-	1	-	-
Nepal	7	12	160	75	18	-
Paraguay	-	-	-	-	-	3
Pakistan	2	2	-	-	-	-
Philippines	4	4	3	-	-	-
Russian Federation	5	5	3	-	1	-
Sri Lanka	41	41	-	-	-	-
Sudan	-	1	-	-	-	-
Syrian Arab Republic	1	1	-	-	-	-
Thailand	1	1	3	-	-	-
Turkey	-	-	-	5	-	-
Uruguay	-	-	-	1	-	-
Uzbekistan	-	-	-	4	-	-
Yemen	-	-	-	3	-	14



**Annex II**

**STATISTICAL SUMMARY: CASES OF ENFORCED OR INVOLUNTARY DISAPPEARANCE  
REPORTED TO THE WORKING GROUP BETWEEN 1980 AND 2006**

Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding							
	No. of cases	Female	No. of cases	Female	Government	Non-governmental sources	At liberty	In detention	Dead	
Afghanistan	3	-	3	-	-	-	-	-	-	-
Algeria	1 640	17	1 622	15	9	9	8	3	7	-
Angola	10	1	3	-	7	-	-	-	7	-
Argentina	3 462	772	3 358	746	44	43	58	-	29	-
Bahrain	1	-	-	-	-	1	-	1	-	-
Bangladesh	2	2	2	2	-	-	-	-	-	-
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	18	-	14	-	4	-	4	-	-	-
Chad	13	-	10	-	3	-	2	-	1	-
Chile	908	65	816	64	69	23	2	-	90	-
China	112	13	29	6	72	11	48	33	2	-
Colombia	1 224	122	956	92	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							
	No. of cases	Female	No. of cases	Female	Government	Non-governmental sources	At liberty	In detention	Dead	
Dominican Republic	4	-	2	-	2	-	2	-	-	-
Ecuador	26	2	11	-	11	4	6	4	5	-
Egypt	23	-	15	-	7	1	1	7	-	-
El Salvador	2 661	332	2 270	295	318	73	196	175	20	-
Equatorial Guinea	7	-	7	-	-	-	-	-	-	-
Eritrea	54	4	54	4	-	-	-	-	-	-
Ethiopia	118	2	111	1	3	4	1	4	-	-
France	1	-	1	-	-	-	-	-	-	-
Gambia	1	-	-	-	-	1	-	-	-	-
Greece	3	-	3	-	-	-	-	-	-	-
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	203	34	125	21	35	43	54	8	16	-
India	383	12	325	10	48	10	30	7	21	-
Indonesia	157	2	154	2	3	-	3	-	-	-
Iran (Islamic Republic of)	529	99	512	99	13	4	6	2	9	-
Iraq	16 517	2 311	16 387	2 294	107	23	115	6	9	-
Israel	3	-	2	-	-	1	-	-	-	-
Japan	1	1	1	1	-	-	-	-	-	-
Jordan	3	-	3	-	-	-	-	-	-	-
Kazakhstan	2	-	-	-	-	2	-	-	-	-
Kuwait	1	-	1	-	-	-	-	-	-	-
Lao People's Democratic Republic	6	-	0	-	-	5	-	4	1	1
Lebanon	319	19	311	19	2	6	7	1	-	-
Libyan Arab Jamahiriya	7	-	5	-	-	2	2	-	-	-
Malaysia	2	-	-	-	-	1	-	1	-	1
Mauritania	1	-	1	-	-	-	-	-	-	-
Mexico	377	27	206	17	133	22	76	18	61	16

**Annex II (continued)**

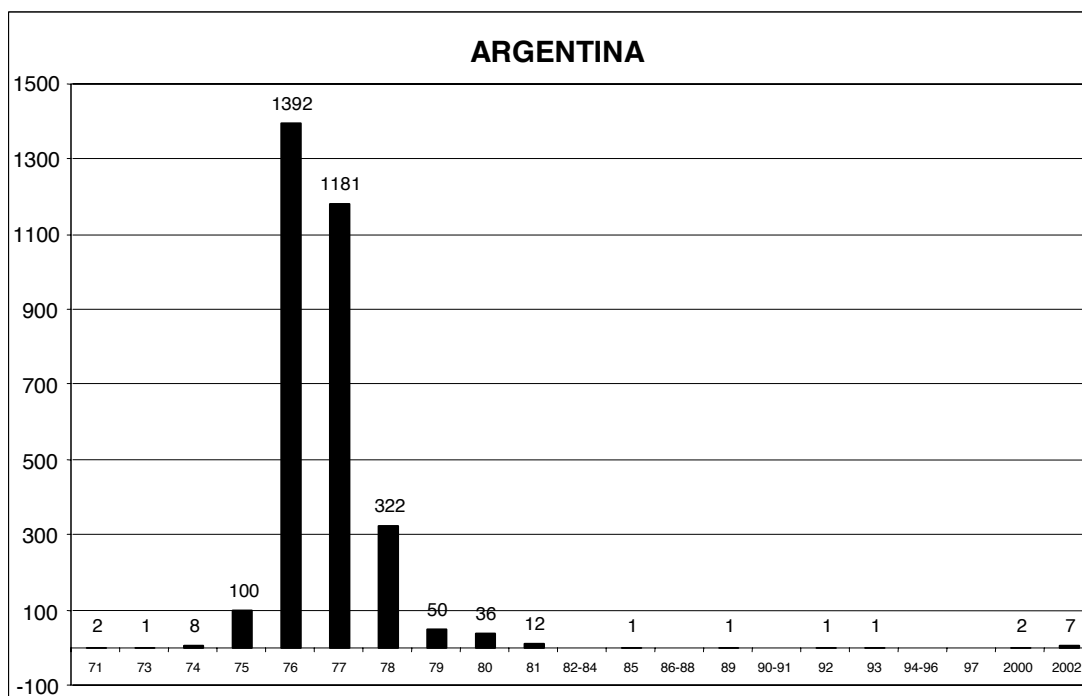
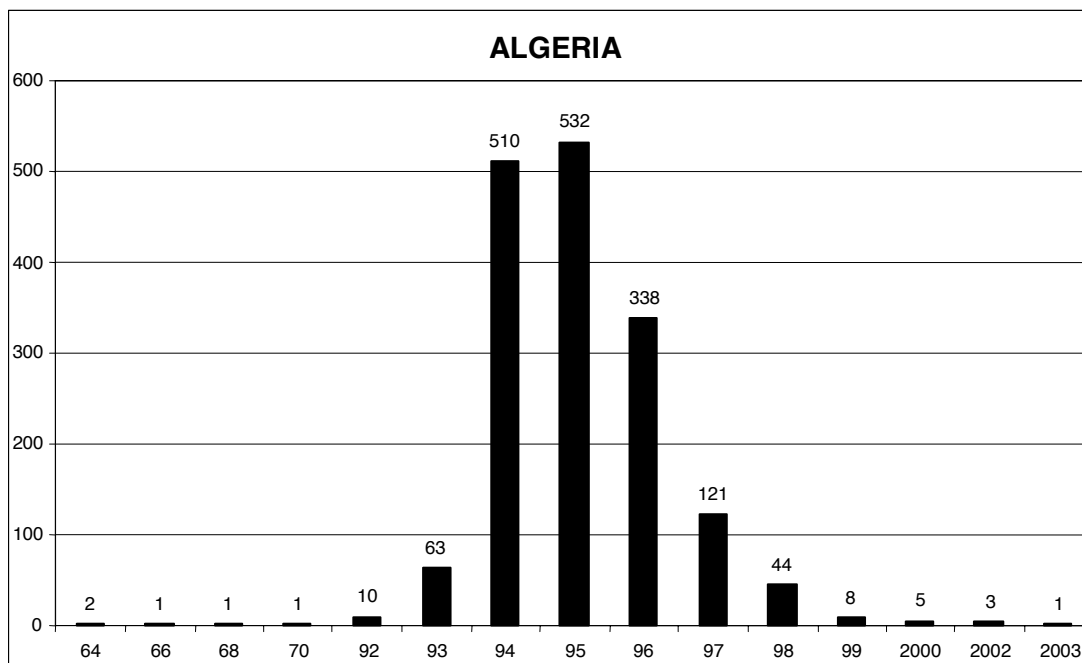
Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding							
	No. of cases	Female	No. of cases	Female	Government	Non-governmental sources	At liberty	In detention	Dead	
Montenegro	16	1	15	-	1	-	-	1	-	-
Morocco	248	28	97	9	105	46	128	1	22	-
Mozambique	2	-	2	-	-	-	-	-	-	-
Myanmar	3	1	1	-	2	-	1	1	-	-
Namibia	1	-	1	-	-	-	-	-	-	-
Nepal	510	60	304	46	129	77	146	59	1	-
Nicaragua	234	4	103	2	112	19	45	11	75	-
Nigeria	6	-	1	1	5	-	5	-	-	-
Pakistan	85	2	77	2	4	4	6	2	-	-
Palestinian Authority	3	-	3	-	-	-	-	-	-	-
Paraguay	23	-	-	-	20	-	19	-	1	3
Peru	3 006	311	2 368	236	253	385	450	85	103	-
Philippines	758	90	601	70	124	33	103	19	29	-
Romania	1	-	-	-	1	-	1	-	-	-
Russian Federation	465	26	454	24	1	10	11	-	-	-
Rwanda	24	2	22	2	-	2	1	1	-	-
Saudi Arabia	4	-	1	-	1	-	1	-	-	2
Serbia	1	-	1	-	1	-	1	-	-	-
Seychelles	3	-	3	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6
Spain	3	-	3	-	-	-	-	-	-	-
Sri Lanka	12 319	148	5 749	82	6 530	40	101	24	6 444	-
Sudan	367	35	163	5	200	4	204	-	-	-
Syrian Arab Republic	40	3	16	3	11	13	16	4	4	-
Tajikistan	8	-	6	-	-	2	1	-	1	-
Thailand	39	5	36	5	1	-	1	-	-	2
Timor-Leste	503	36	428	28	58	17	50	23	2	-
Togo	11	2	10	2	-	1	1	-	-	-
Tunisia	17	1	-	-	12	5	1	16	-	-
Turkey	181	11	83	4	49	49	57	22	19	-

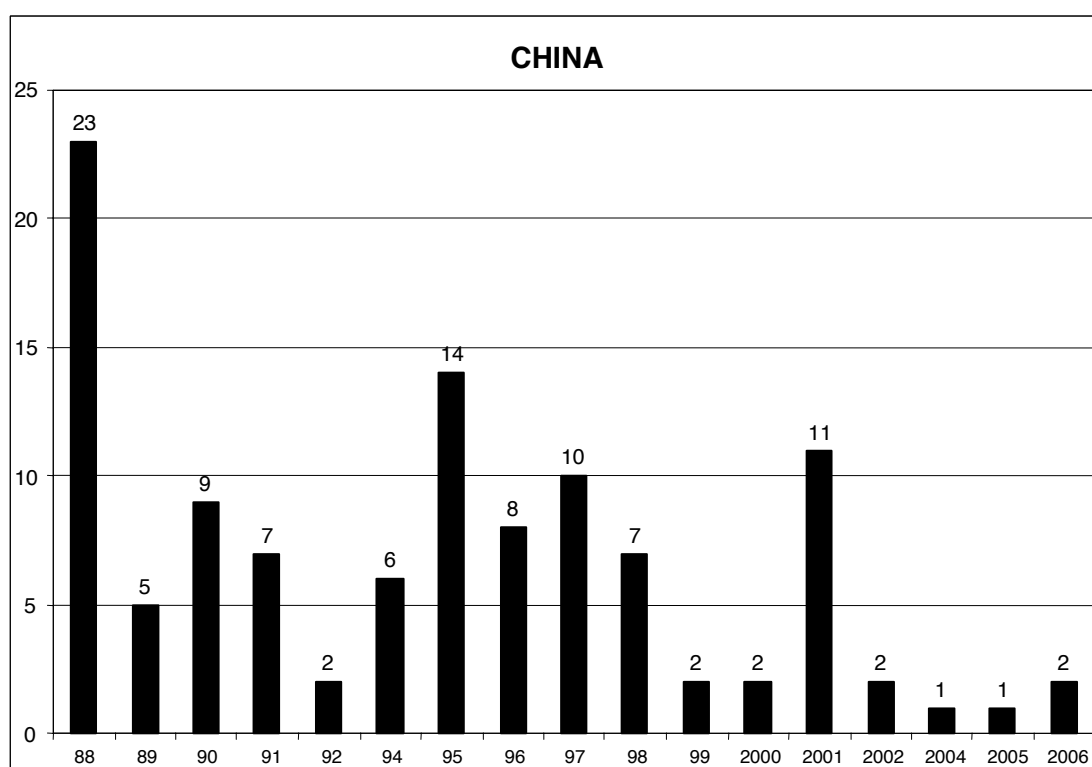
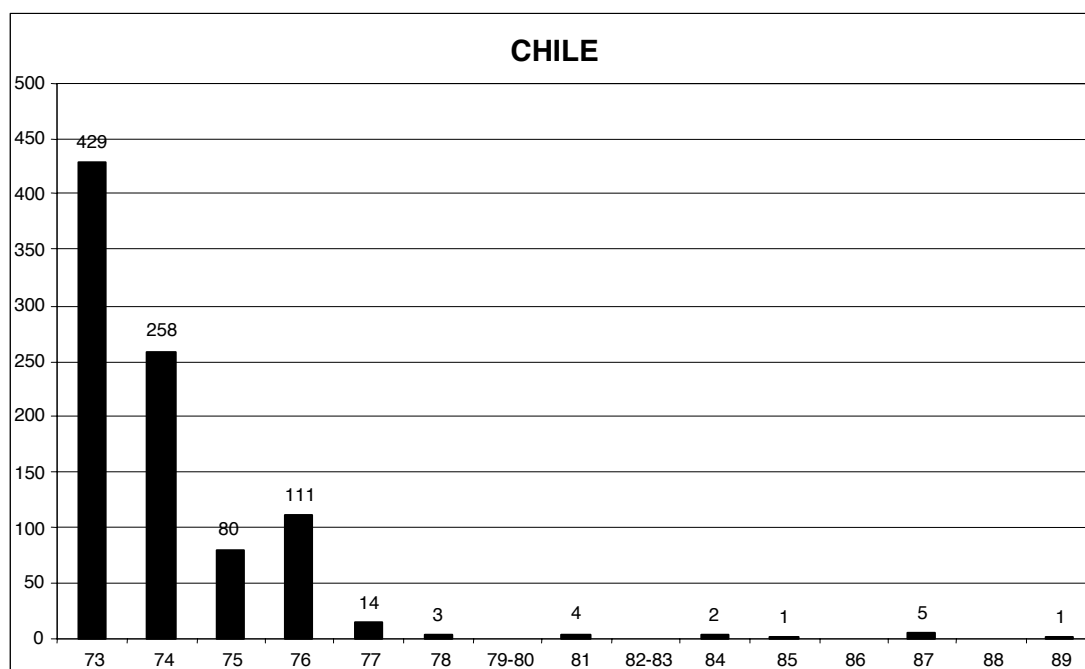
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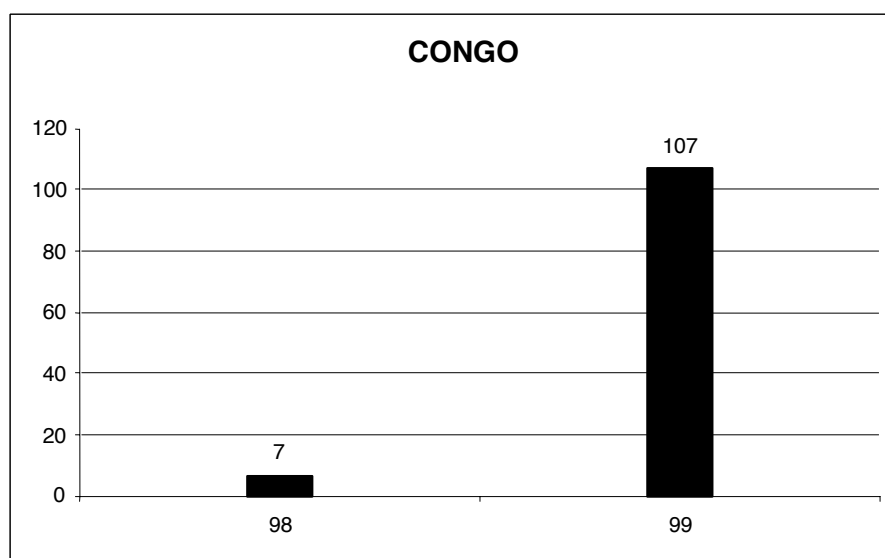
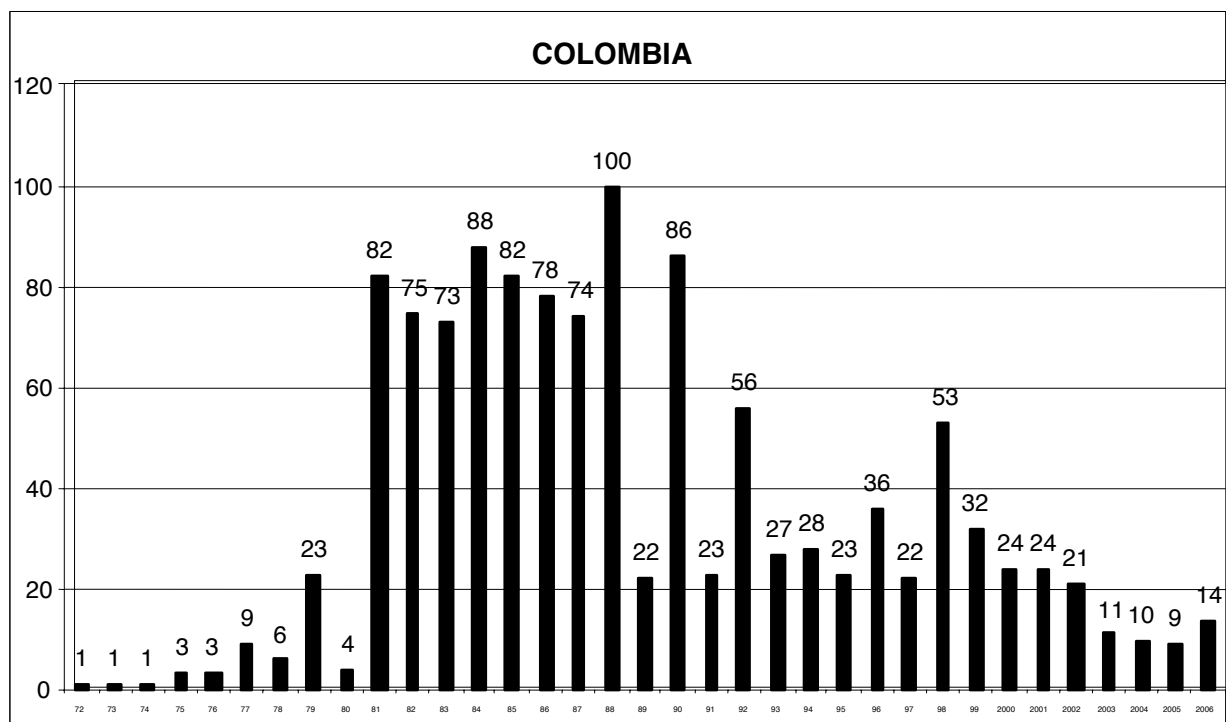
Countries/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification			Discontinued cases
	Total		Outstanding							
	No. of cases	Female	No. of cases	Female	Government	Non-governmental sources	At liberty	In detention	Dead	
Turkmenistan	2	-	-	-	2	-	-	2	-	-
Uganda	22	4	15	2	2	5	2	5	-	-
Ukraine	4	2	3	2	1	-	-	-	1	-
United Arab Emirates	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	7	1	4	4	-	-
Uzbekistan	19	-	13	-	5	1	2	4	-	-
Venezuela	14	2	10	1	4	-	1	-	3	-
Yemen	150	-	73	-	62	1	63	-	-	14
Zambia	1	1	-	-	-	1	-	1	-	-
Zimbabwe	4	1	3	1	1	-	-	-	1	-

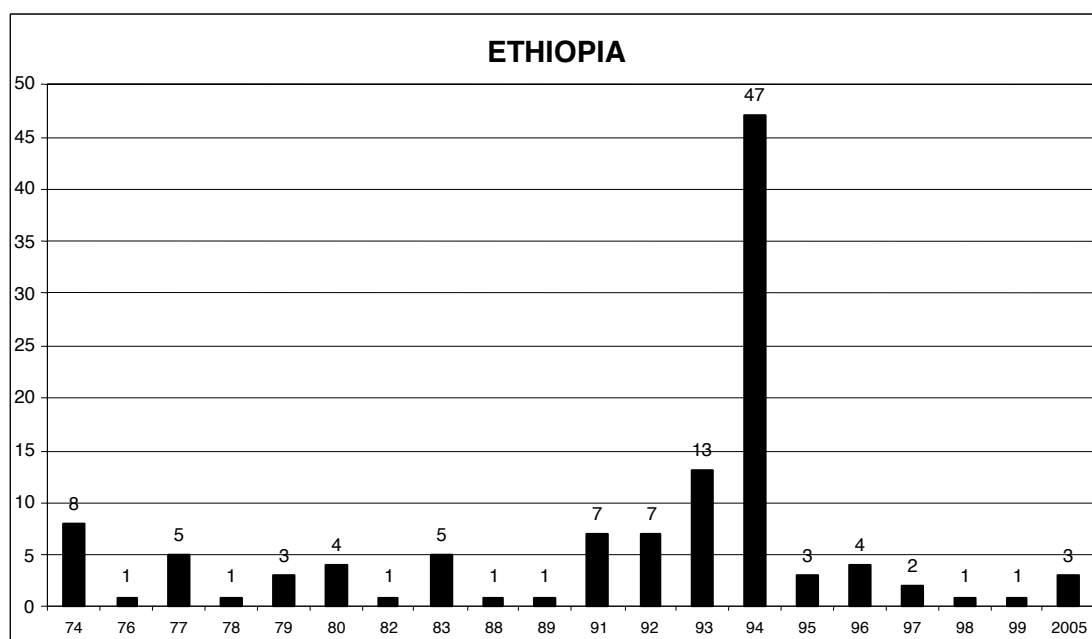
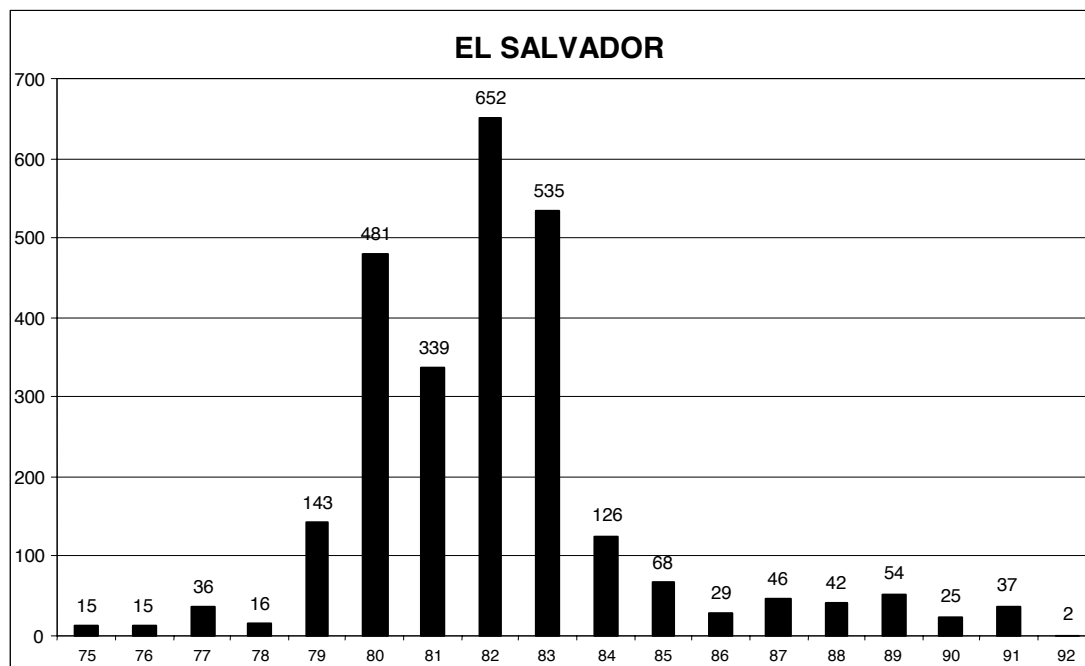
### Annex III

#### GRAPHS SHOWING THE DEVELOPMENT OF DISAPPEARANCES IN COUNTRIES WITH MORE THAN 100 TRANSMITTED CASES DURING THE PERIOD 1964-2006

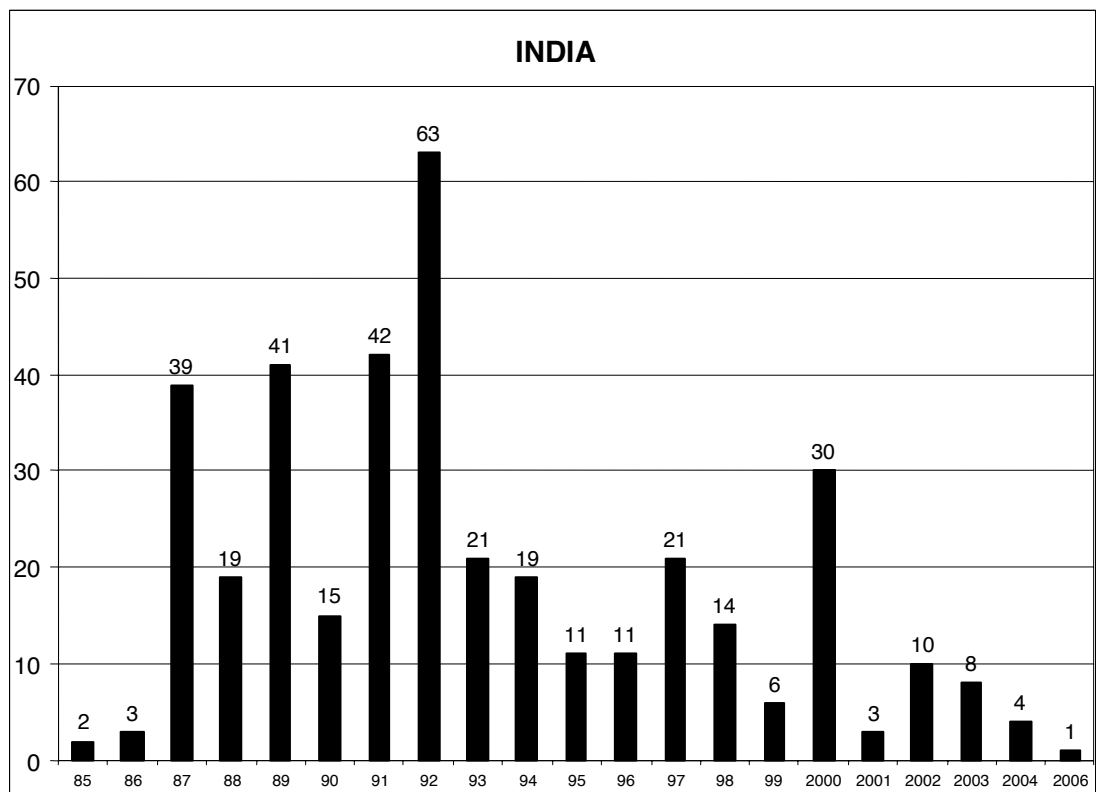
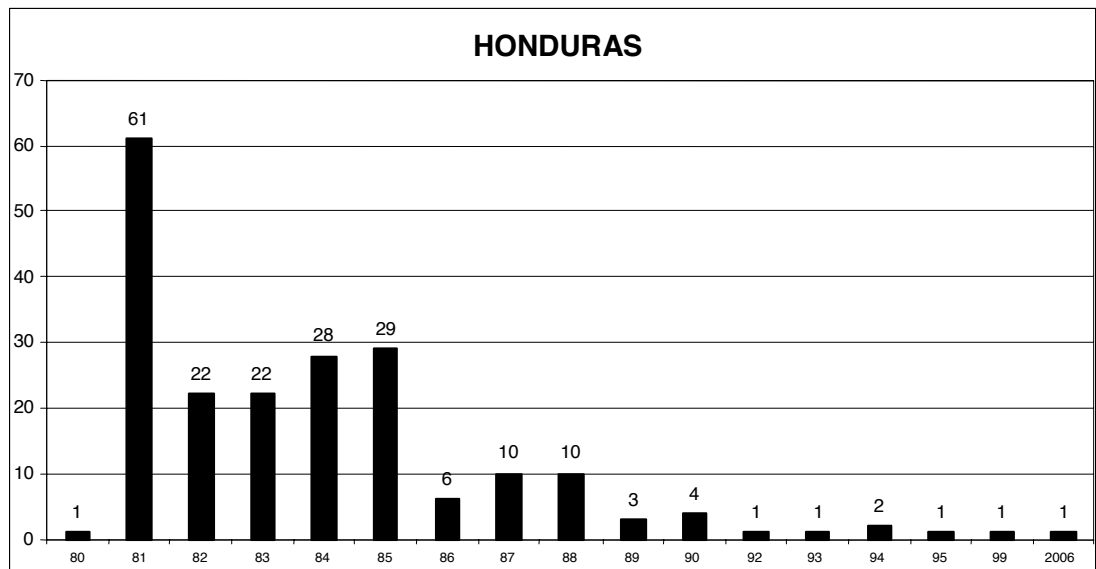


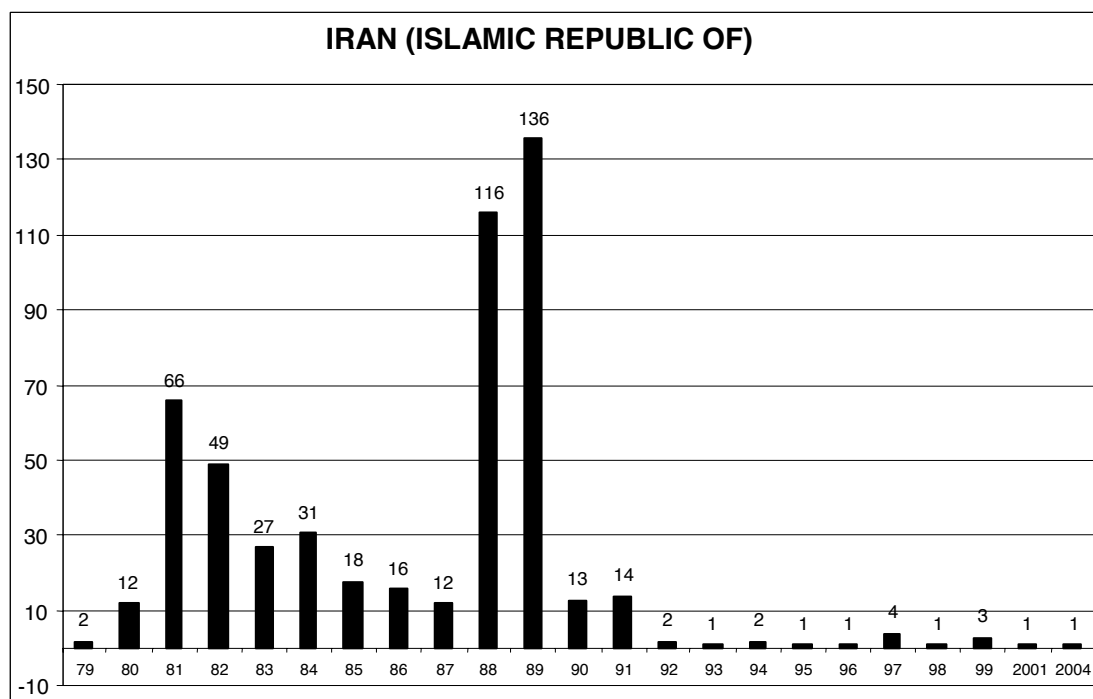
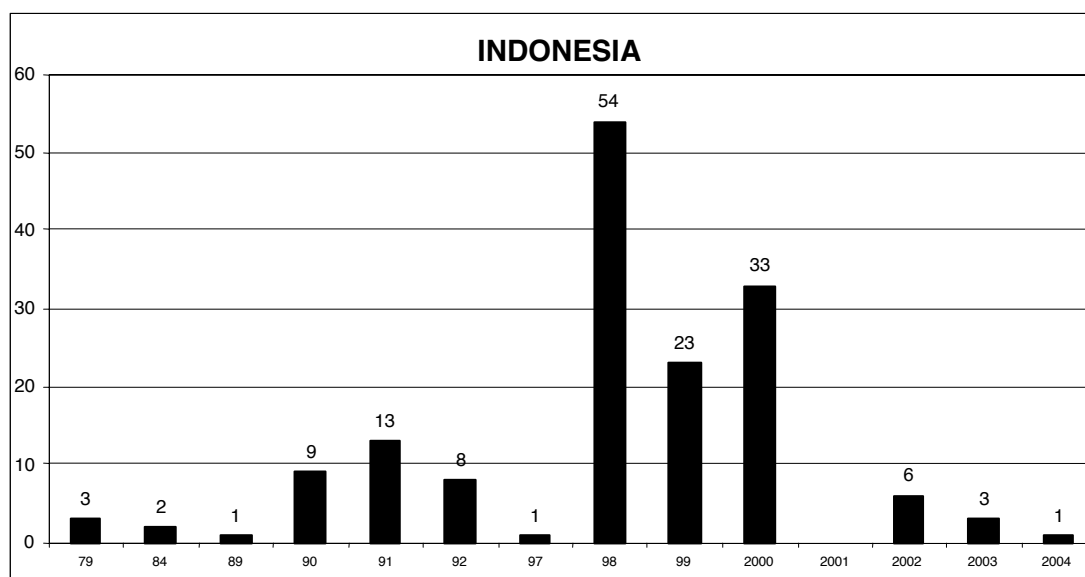


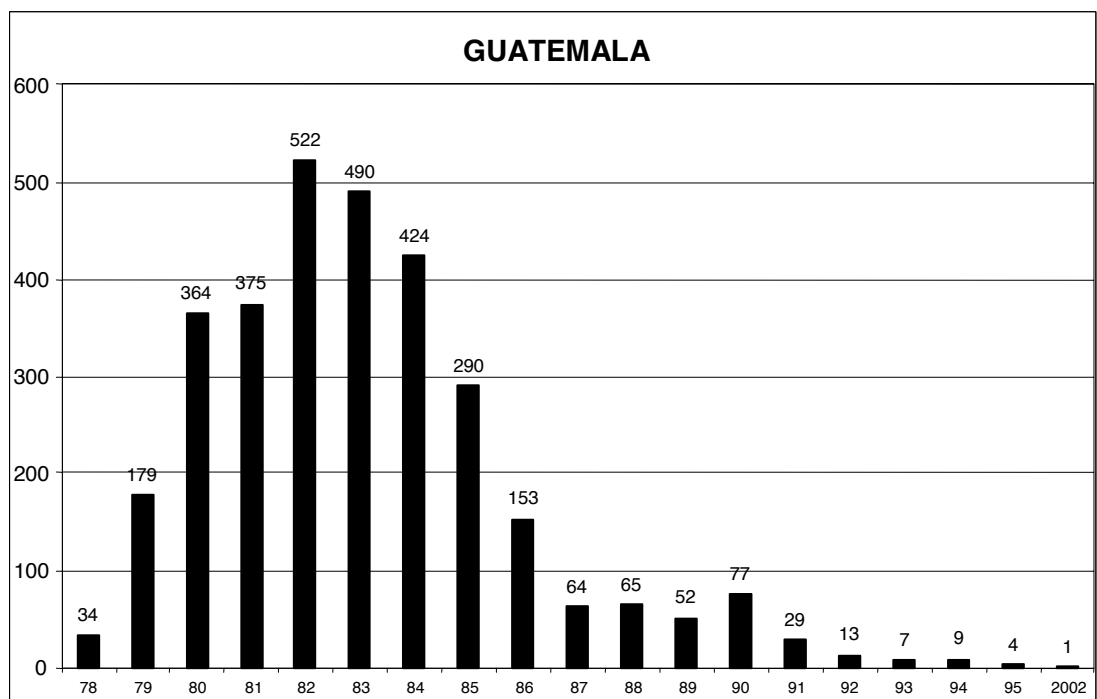
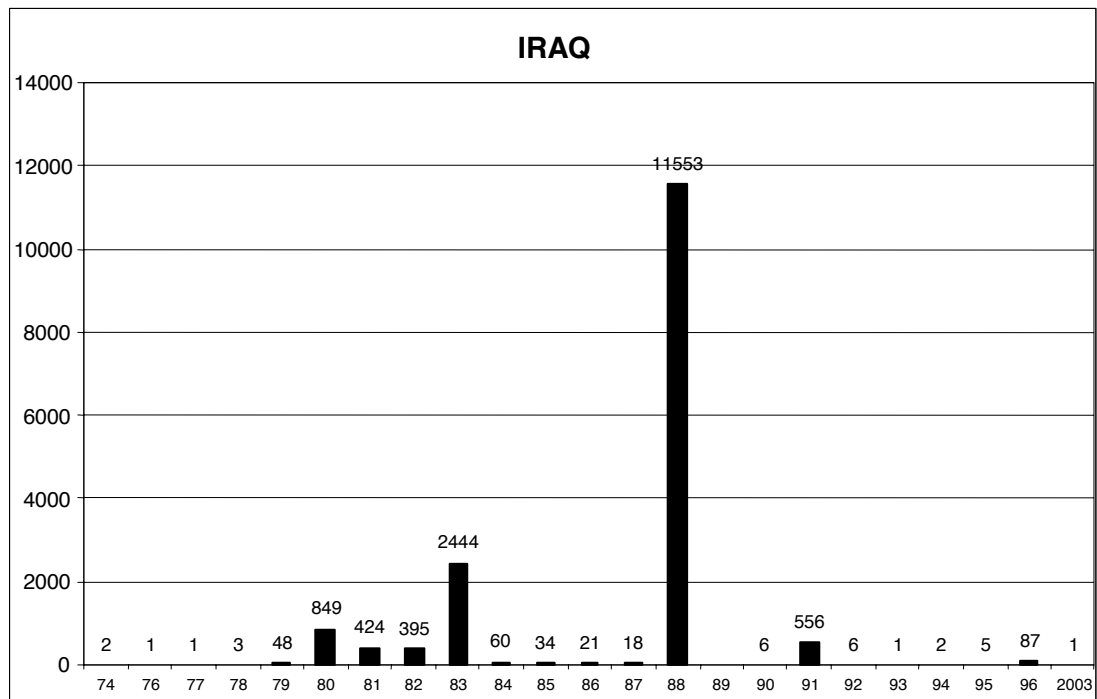


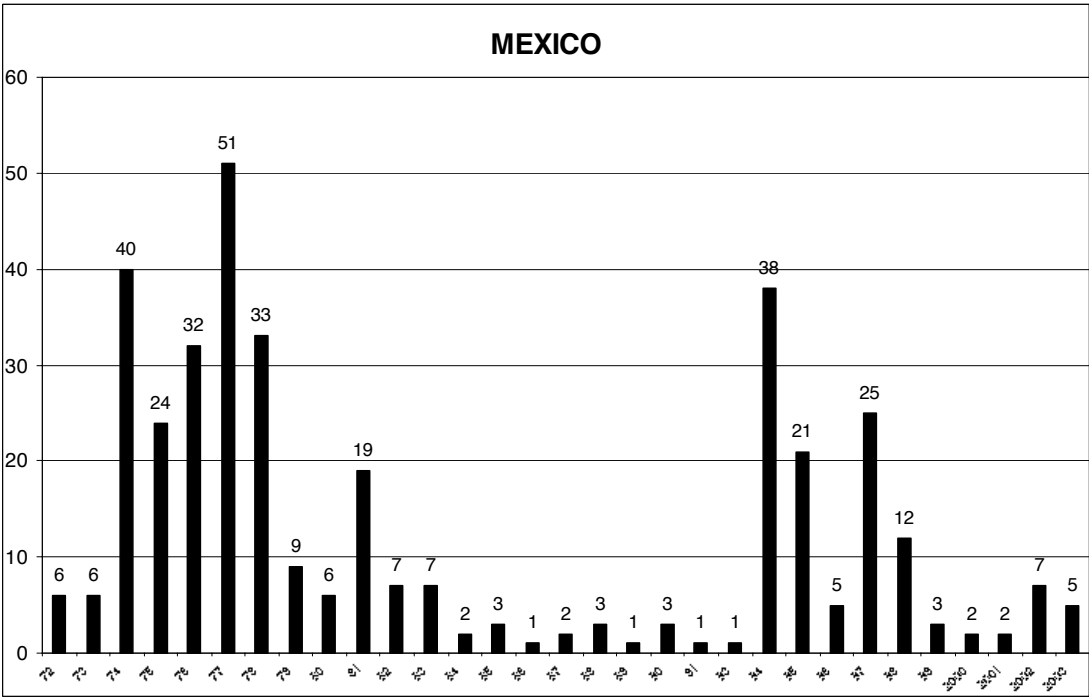
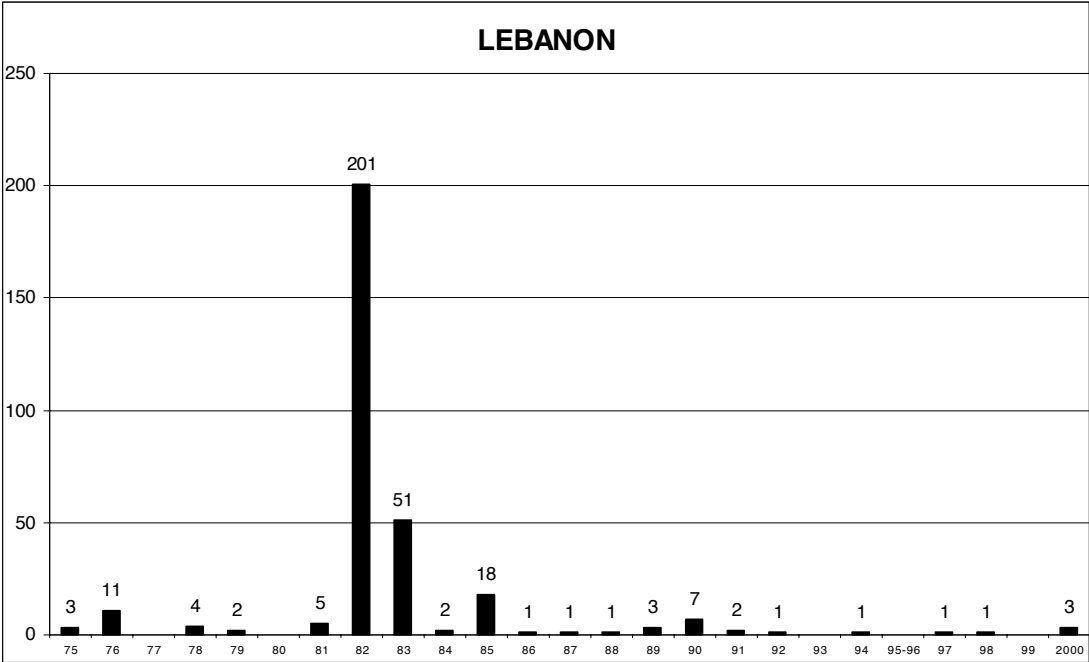


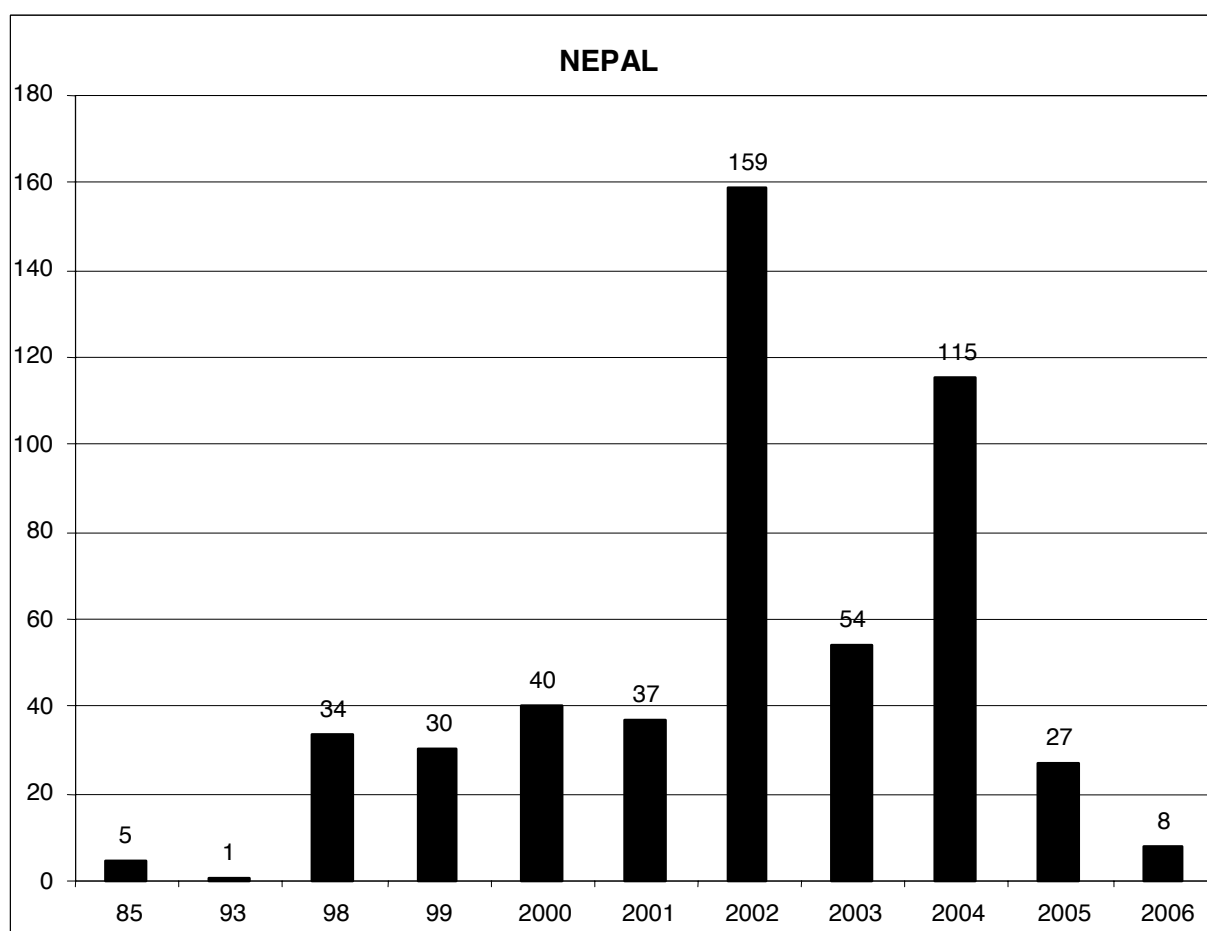
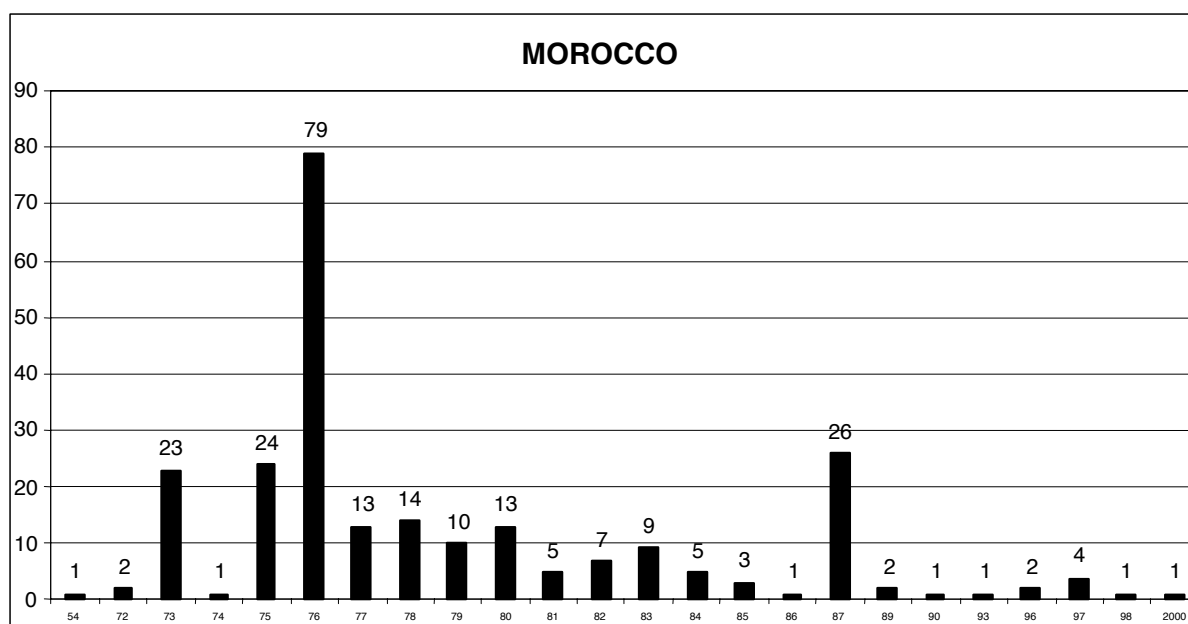


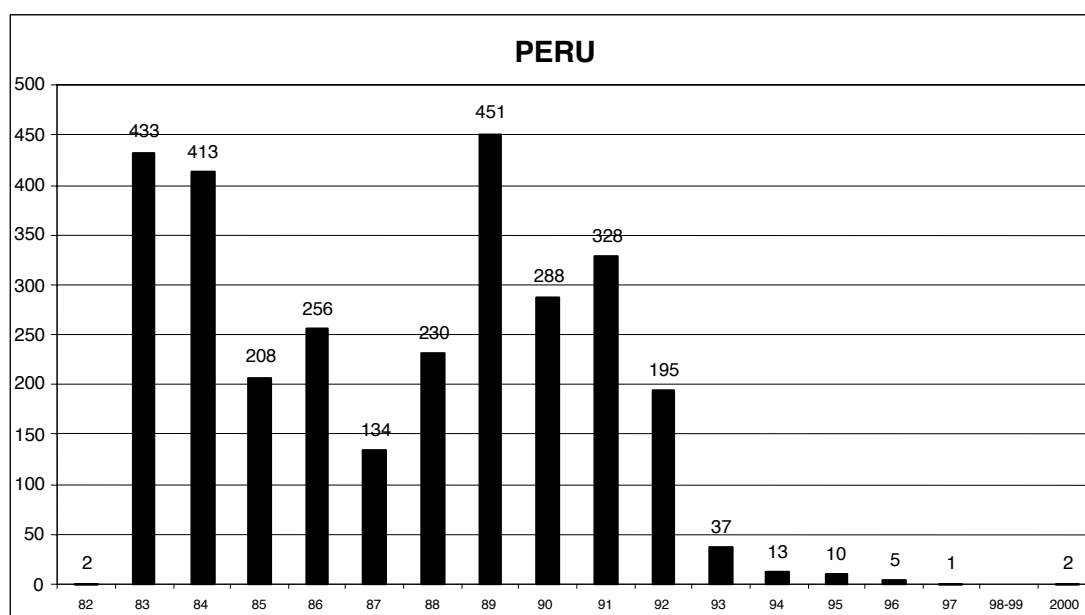
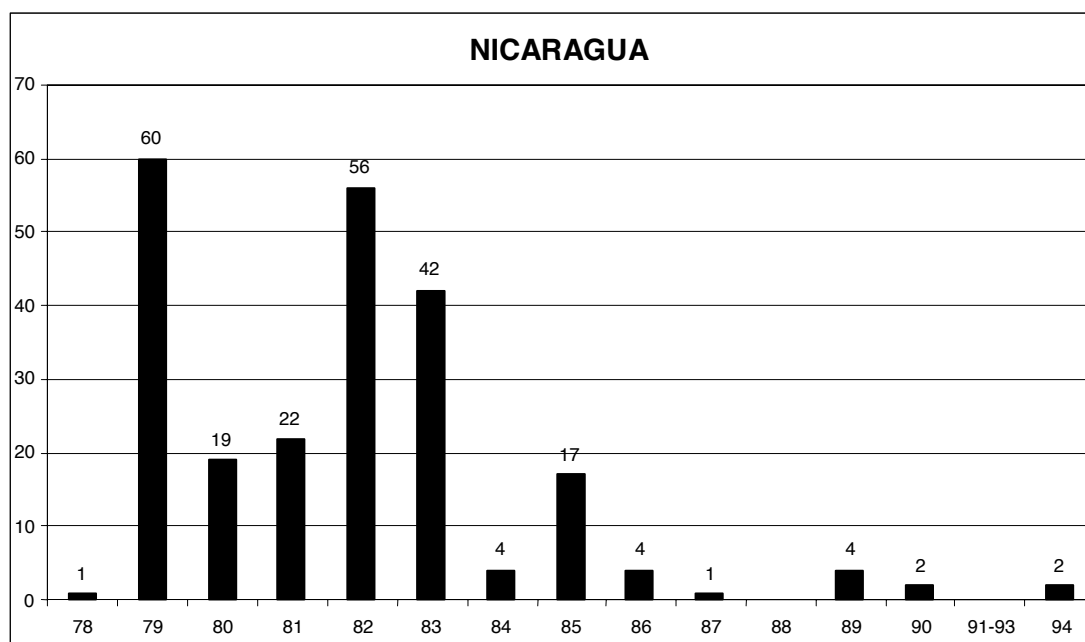


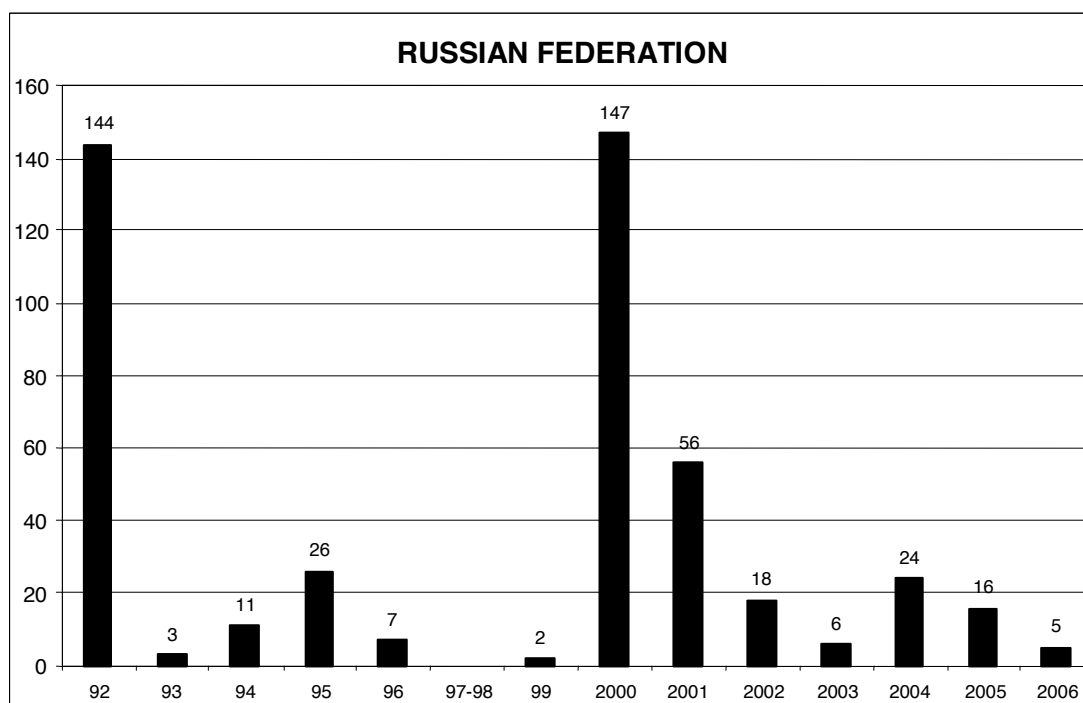
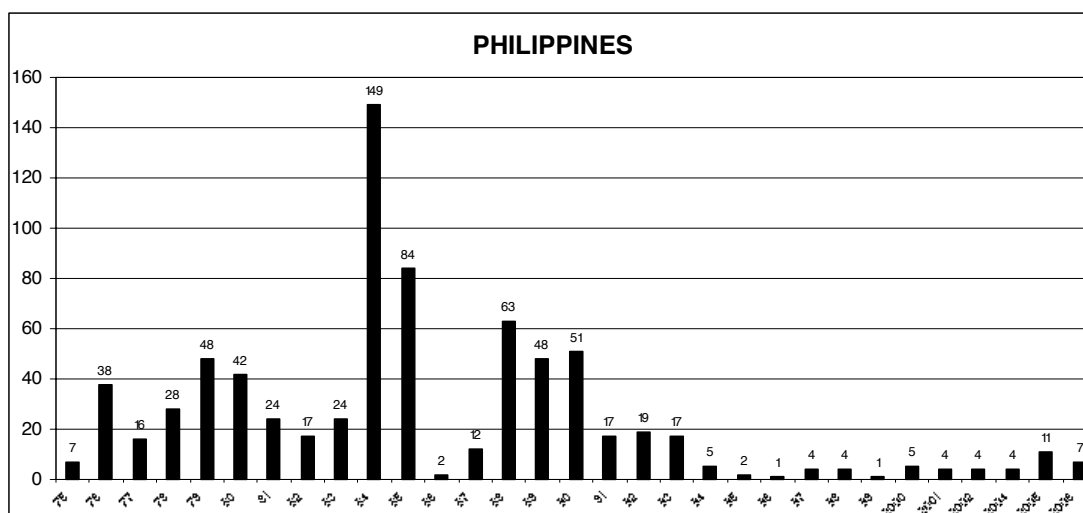


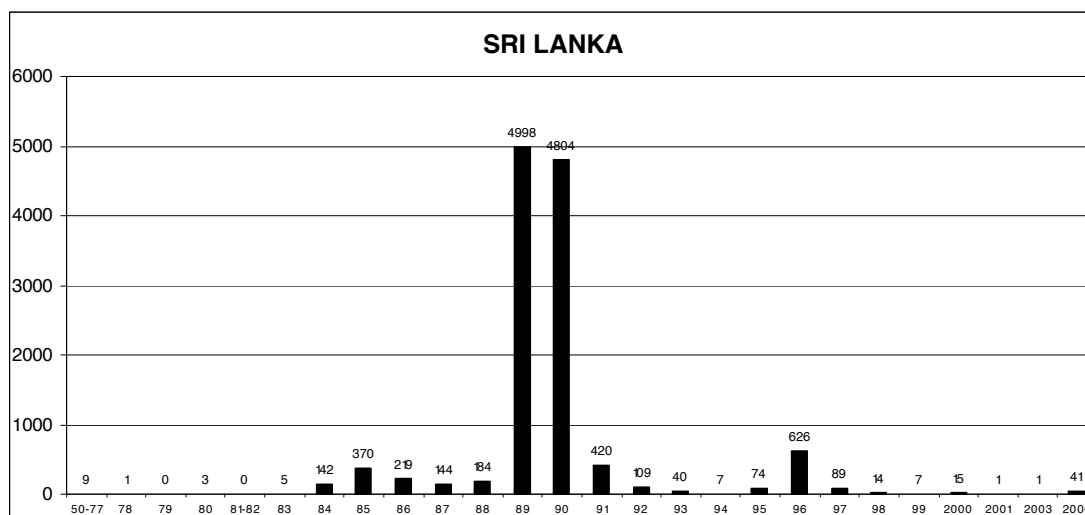
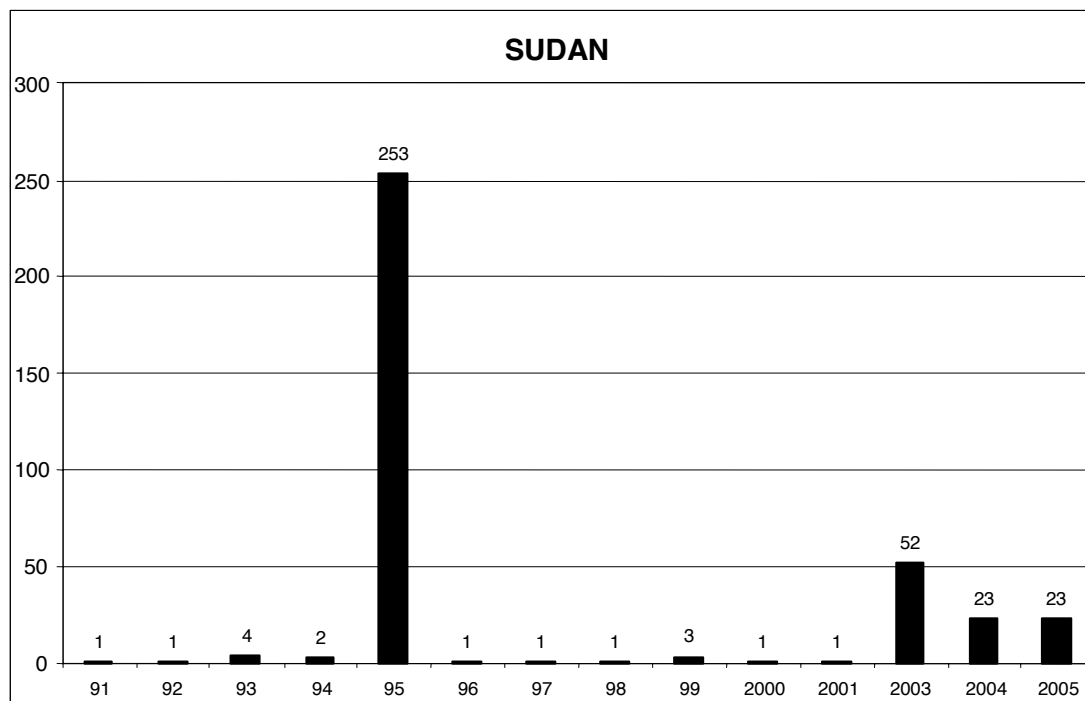




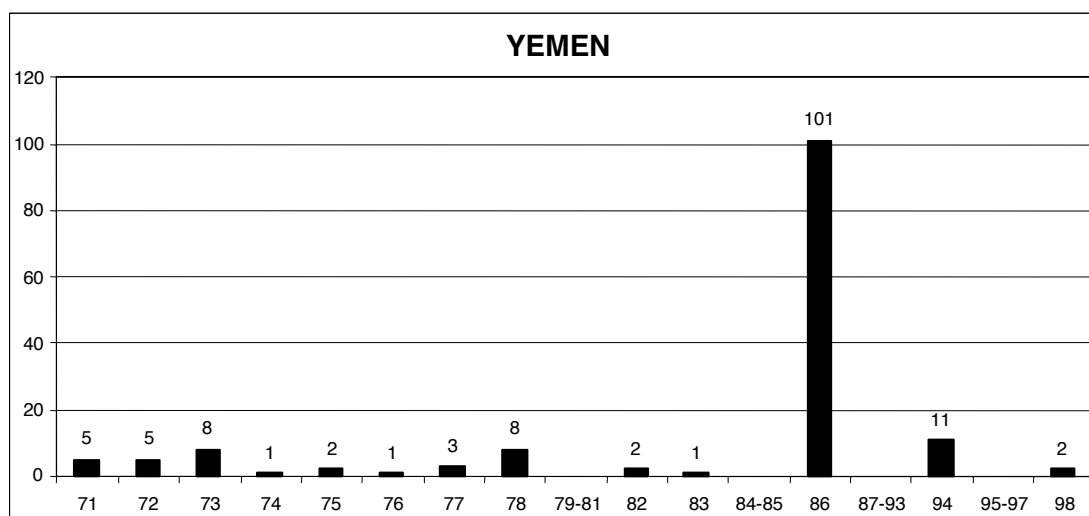
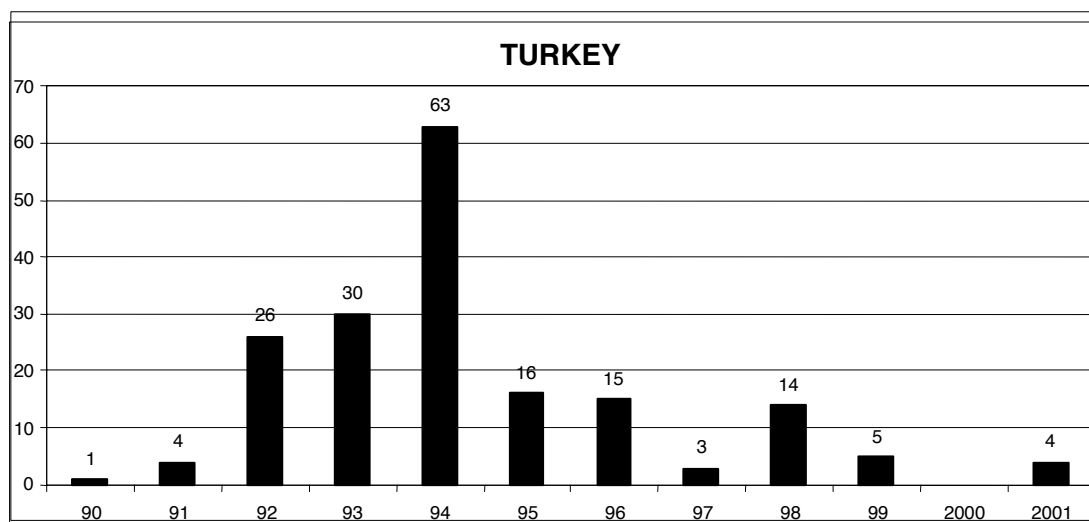
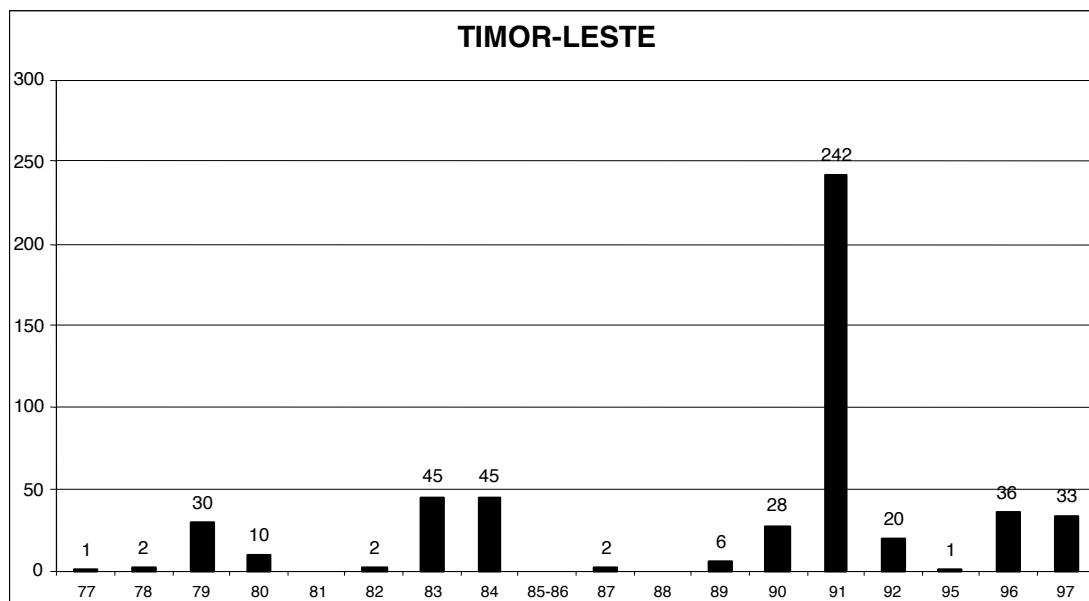












#### Annex IV

### LISTS OF NAMES OF NEWLY REPORTED CASES, FROM COUNTRIES WHERE THERE WERE MORE THAN 10 NEWLY TRANSMITTED CASES DURING THE LAST YEAR

#### Algeria

##### Standard cases

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
1. Abada	Fouad	10000136
2. Abada	Mohamed Larbi	10000137
3. Abaidi	Mohamed	10000138
4. Abbes	Achour	10000139
5. Abbes	Nourreddine	10000140
6. Abdelli	Mustapha	10000143
7. Abdenour	Habib	10000145
8. Abed	Ramdane	10000146
9. Abed	Raid	10000147
10. Abed	Samil	10000148
11. Abid Charef	Ali	10000151
12. Abidi	Kamel	10000152
13. Addedaim	Ali	10000141
14. Adjel	Ahmed	10000155
15. Afri	Mustafa	10000156
16. Aimeur	Sedik	10000157
17. Aknouche	Youcef	10000158
18. Ali Khalil	Nacer	10000159
19. Alleche	Lakhdar	10000161
20. Allouche	Mouloud	10000162
21. Alouane	Miloud	10000164
22. Aluache	Sid Lofti	10000163
23. Amira	Ali	10000165
24. Amireche	Mohamed Tahar	10000167
25. Amiri	Amar	10000168
26. Amrani	Nour Eddine	10000169
27. Annab	Ahmed	10000170
28. Aouamri	Lemnouer	10000171
29. Aoufi	Boudjemaa	10000172
30. Arab	Hichem	10000173
31. Arabchaba	Kamel	10000174

## Colombia

### Urgent actions

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
1. Ballesteros	Álvaro	10000051
2. Cubides	Henry	10000052
3. Hernández	Carlos	10000053
4. Luján	Nolberto	10000040
5. Martínez	Marilyn	10000054
6. Noreña	Fredy Manuel	10000055
7. Pereira	José Juan	10000056
8. Pineda	Ecelino	10000041
9. Rincón	Rosabel	10000061
10. Rodríguez	Rafael	10000058
11. Rodríguez	Yurley (17 years old)	10000059
12. Rodríguez	Amir	10000060
13. Salinas	Gildardo	10000062
14. Tálaga	Hersaín	10000063
15. Velasco	Saúl	10000057

### Standard cases

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
1. Agudelo Henao	Carlos Andrés	10000101
2. Anzola	Guillermo	10000114
3. Arias	Wilmen	10000081
4. Castillo	Carlos Augusto	10000102
5. Castillo	Luis Alfredo	10000103
6. Castro Giraldo	Avelino	10000096
7. Chacon	Paulino	10000125
8. Cobo	Maria Cristina	10000082
9. Cortes	Amparo	10000092
10. Escobar Gil	Miguel Ángel	10000131
11. Figueroa	Luis Ever	10000111
12. García Abril	Hermes	10000115
13. Gil Montoya	José Epidio	10000121
14. Gil Caro	José Libardo	10000123
15. Gil Caro	Bertufo	10000099
16. Guisao	Ruben Mauricio	10000089
17. Guisao Guisao	Orlando	10000091
18. Herrera Beltrán	Benjamín	10000098

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
19. Herrera	Diego Alexander	10000110
20. Holguin	James	10000116
21. Lopera Gómez	William de Jesús	10000134
22. López Carvajal	Víctor Hugo	10000133
23. Manchola	Carlos José	10000107
24. Medina Borja	José Nictor	10000124
25. Molina Arias	Julio Eduardo	10000126
26. Munive	Geiner Antonio	10000113
27. Muñoz	Bladamir	10000100
28. Ocampo	Hernando de Jesús	10000080
29. Pacheco	Ciro Alfonso	10000109
30. Palacio	Aiber Antonio	10000088
31. Panesso	José Aldemar	10000120
32. Pérez Quintero	Maria Elvira	10000130
33. Piedrahita Martínez	Beatriz Amparo	10000097
34. Posso Higueta	Arvey	10000093
35. Ramírez Machado	Ángela Bibiana	10000106
36. Saavedra Marroquín	José Gregorio	10000122
37. Toro	Maria Doli	10000090
38. Torres Macias	Luis Fernando	10000128
39. Trujillo Patino	José Alcibíades	10000119
40. Trujillo Muñoz	Yuri Andrea	10000135
41. Usura Higueta	Ruben	10000094
42. Usura Higueta	Wilson	10000095
43. Usura Rivera	Luis Fernando	10000127
44. Vera Vera	Gabriel	10000112

### **Nepal**

#### **Urgent actions**

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
1. Acharya	Laxmi Prasad	10000039
2. Aryal	Jaganath	10000034
3. B.K.	Bhim Bahadur	10000035
4. B.K.	Gauri	10000037
5. Bogati	Lil Bahadur	10000038
6. Chauhan	Des Raj	10000378
7. Ghimire	Binata	10000031
8. Ghimire	Krishna Gopal	10000033
9. Khatiwada	Yeshodha	10000044
10. Khatri	Manrup	10000036
11. Pravat	Genesh Karki	10000032
12. Rai	Shanta	10000043

**Standard cases**

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
1. B.K.	Dhan Bahadur	10000293
2. B.K.	Dhan Bahadur	10000302
3. B.K.	Gopal	10000301
4. B.K.	Yegya Bahadur	10000303
5. Balmiki	Ram Milan	10000300
6. Ban	Dilaram	10000265
7. Bista	Hikmat	10000299
8. Buda	Nara Bahadur	10000325
9. Buda	Yagya Bahadur	10000326
10. Buda Magar	Jun Kumari	10000179
11. Budha	Bir Bahadur	10000188
12. Budha	Gagan	10000324
13. Chand	Deep Bahadur	10000296
14. Chaudhari	Ram Pyare	10000225
15. Chaudhari	Baburam	10000190
16. Chaudhari	Basanta Prasad	10000359
17. Chaudhari	Basanti	10000247
18. Chaudhari	Budhani	10000257
19. Chaudhari	Chaite Lal	10000195
20. Chaudhari	Ganesh	10000244
21. Chaudhari	Gibalal	10000240
22. Chaudhari	Gopal	10000323
23. Chaudhari	Hikmat	10000328
24. Chaudhari	Janak Bahadur	10000242
25. Chaudhari	Janakaiya	10000243
26. Chaudhari	Janaki	10000294
27. Chaudhari	Kalpati	10000319
28. Chaudhari	Kamala	10000273
29. Chaudhari	Karna Bahadur	10000353
30. Chaudhari	Keshav Kumar	10000276
31. Chaudhari	Krishna Prasad	10000295
32. Chaudhari	Lauti	10000274
33. Chaudhari	Pati Ram	10000275
34. Chaudhari	Prem Bahadur	10000271
35. Chaudhari	Rajani	10000284
36. Chaudhari	Ram Rati	10000329
37. Chaudhari	Ruplal	10000241
38. Chaudhari	Sankhu Ram	10000178
39. Chaudhari	Shree Ram	10000310
40. Chaudhari	Sita	10000352
41. Chaudhari	Sita Janaki	10000196
42. Chaudhari	Siya Ram	10000311
43. Chaudhari	Tengni	10000333
44. Chaudhari	Top Bahadur	10000283

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
45. Chaudhari	Usha	10000260
46. Chaudhari	Buddhilal	10000231
47. Chaudhari	Jagat Prasad	10000235
48. Chaudhari	Jiulal	10000237
49. Chaudhari	Manju	10000251
50. Chaudhari	Sita	10000201
51. Chaudhary	Bhem Bahadur	10000286
52. Chaudhary	Shagun Lal	10000199
53. Chaudhary	Som Prasad	10000200
54. Chaudhary	Dhani Ram	10000258
55. Chettri	Deepak Rokka	10000312
56. Dodlare	Laxmi	10000254
57. Henry	Celine	10000374
58. K.C.	Bhupendra	10000264
59. Kami	Bhim Lal	10000246
60. Khana	Hari Prasad	10000339
61. Magar	Hirasingh Batha	10000309
62. Magar	Padam Bahadur Darlame	10000318
63. Oli	Durga	10000347
64. Oli	Ganga Ram	10000345
65. Oli	Mahendra Bikram	10000245
66. Oli	Parsa Ram	10000249
67. Pariyar	Dalbir	10000346
68. Paudel	Purna Prasad	10000261
69. Prajapati	Satya Narayan	10000304
70. Rabahat	Dambar	10000234
71. Rai	Nabin Kumar	10000262
72. Rawal	Yangya Bahadur	10000282
73. Sapkota	Buddhi Maya	10000187
74. Sapkota	Durga Bahadur	10000288
75. Sapkota	Khadga Bahadur	10000290
76. Sapkota	Surya Bahadur	10000292
77. Shahi	Bam Bahadur	10000308
78. Shahi	Janak Bahadur	10000317
79. Shai	Hukum Bahadur	10000263
80. Sharma	Kamala	10000180
81. Shes	Mohammed Jakir	10000281
82. Shrestha	Ganga Ram	10000256
83. Thakuri	Sumitra	10000189
84. Thapa	Kamal	10000340
85. Thapa	Tirthat Bahadur	10000307
86. Tharu	Badhu	10000193
87. Tharu	Bahadure	10000320
88. Tharu	Bal Krishna	10000233
89. Tharu	Bali Ram	10000330
90. Tharu	Bali Ram	10000336

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
91. Tharu	Baluwa	10000313
92. Tharu	Bandhu	10000185
93. Tharu	Bhagauti	10000277
94. Tharu	Bhangi	10000181
95. Tharu	Buddhi	10000342
96. Tharu	Chamani	10000305
97. Tharu	Chamari	10000252
98. Tharu	Chillu	10000267
99. Tharu	Chuluhuwa	10000356
100. Tharu	Darbari	10000226
101. Tharu	Dhamu	10000314
102. Tharu	Dhaniram	10000266
103. Tharu	Dhaniram	10000272
104. Tharu	Firu	10000306
105. Tharu	Hari Prasad	10000289
106. Tharu	Hiramani	10000238
107. Tharu	Jagan	10000348
108. Tharu	Jagat Ram	10000351
109. Tharu	Jagghu	10000349
110. Tharu	Jagna	10000285
111. Tharu	Jilla Sandesh	10000355
112. Tharu	Kallu Dharkatuwa	10000315
113. Tharu	Kalram	10000191
114. Tharu	Khusiram	10000227
115. Tharu	Khusiram	10000248
116. Tharu	Lachiram	10000228
117. Tharu	Lalbihari	10000229
118. Tharu	Lallu	10000202
119. Tharu	Likharam	10000338
120. Tharu	Mohan	10000268
121. Tharu	Mohani	10000259
122. Tharu	Nirmal	10000236
123. Tharu	Patiram	10000341
124. Tharu	Pawan	10000186
125. Tharu	Pawan Kumar	10000334
126. Tharu	Prem	10000253
127. Tharu	Prem Lal	10000298
128. Tharu	Rabindra	10000331
129. Tharu	Raghulal	10000270
130. Tharu	Raj Bahadur	10000255
131. Tharu	Raj Kumar	10000354
132. Tharu	Raja Ram	10000337
133. Tharu	Raju	10000358
134. Tharu	Ram Bharose	10000350
135. Tharu	Ram Das	10000183
136. Tharu	Ram Narayan	10000197

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
137. Tharu	Ram Pandit	10000232
138. Tharu	Ramdin	10000316
139. Tharu	Ratan	10000182
140. Tharu	Ruplal	10000291
141. Tharu	Sancha	10000321
142. Tharu	Saraswati	10000198
143. Tharu	Sher Singh	10000335
144. Tharu	Shiv Prasad	10000297
145. Tharu	Shree Ram	10000357
146. Tharu	Sita Ram	10000194
147. Tharu	Sita Ram	10000343
148. Tharu	Soni Ram	10000269
149. Tharu	Sushila	10000322
150. Tharu	Tateram	10000344
151. Tharu	Tengguni	10000250
152. Tharu	Tetaram	10000332
153. Tharu	Thagga	10000192
154. Tharu	Tulshiram	10000230
155. Tharu	Uttar Bhariya	10000239
156. Twayana	B.N.	10000184
157. Upadhyia	Janak Prasad	10000327
158. Yogi	Bed Prasad	10000176
159. Yogi	Durga Nath	10000287
160. Yogi	Tek Nath	10000177

### **Sri Lanka**

#### **Urgent actions**

<u>Last name</u>	<u>First name</u>	<u>Case number</u>
1. Ananthamoorthy	Sathiyaseelan	10000220
2. Anthonipillai	Danipalan	10000364
3. Brown	Fr. Jim	10000204
4. Christopher	Antony Francis	10000280
5. Edward Vincent	Natpirathapan	10000209
6. Edward Vincent	Maxi	10000210
7. Edward Vincent	Jeya Pirthap	10000211
8. Jebichandran	Thivarthan Murukesu	10000207
9. Johnpillai	Arulthas	10000379
10. Kanapathipillai	Thavaruban Kasithamby	10000222
11. Kandeepan	N.	10000045
12. Kidinan	Nahuleswaran	10000214
13. Kishnapillai	Thambithurai	10000218
14. Krishnapillai	Chandramohan	10000360
15. Mruthanayagam		10000047
16. Nagendram	Mayurathan Eliyathambi	10000367



<u>Last name</u>	<u>First name</u>	<u>Case number</u>
17. Palaniappan	Santhakumar	10000219
18. Parimelalakan	Kandasamy	10000073
19. Partheepan	Ponnambalam	10000076
20. Pushpakanthan	Markandu	10000072
21. Rajeevmohan	Balakrishnan	10000042
22. Rajkumar	Alistan	10000366
23. Ramasamy	Selvarajah	10000221
24. Rasakumar	Ramachandran	10000078
25. Rasamany	Suresh Selvar	10000279
26. Samy Ganesh	Prasanna Periya	10000365
27. Santhiraseharam	Shangar	10000223
28. Sathiyavagaswaran	Irajeevan	10000363
29. Selvanatham	Kanthi Valipuram	10000213
30. Selvarajah	Surenthiraraj Thaveetha	10000278
31. Sivanantham	Selvaratnam	10000077
32. Sivananthamoorthy	Rasanyagampillai	10000071
33. Suresh	Vijayakumar	10000208
34. Tharmasri	T.	10000046
35. Thavarajah	Rajeevan Kandaiah	10000362
36. Thavavinayaham	Anantharasa	10000212
37. Thayaruban	Ratnam	10000075
38. Thewamani	Arul	10000361
39. Vikunthakumar	Vaikundavasan	10000074
40. Vimalathas	W.V.	10000205
41. Wicramasinghe	Koswattage Nihal Donald	10000206

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