

***International Convention for the Protection of All  
Persons from Enforced Disappearance***

**Joint Statement on behalf of Belgium and the  
Netherlands**

Thank you Mr/Madam Chair,

Belgium and the Netherlands welcome the holding of this Conference of State Parties and wish to thank the co-chairs for their efforts. We also thank the members of the Committee for the information provided earlier.

Let me start by underlining the importance that both our countries attach to the protection and promotion of human rights, and to the fight against impunity and enforced disappearances in particular, for which the Convention is a crucial tool.

It fosters an international legal framework that regulates states' obligations, in particular to prosecute and sanction the perpetrators, while also containing rules on how to provide compensation to the victims and their families.

Turning to the work of the Committee, Belgium and the Netherlands have both submitted their report and have thus had the pleasure to work closely with the members of the Committee.

What is **unique about this convention**, is that the monitoring system contains two particularities that do not exist in any other human rights convention of the United Nations.

**The first** is enshrined in Article 27, which provides for the States Parties' obligation to decide, at the present conference, whether it is appropriate to transfer the monitoring of the Convention from the Committee on Enforced Disappearances to another body, without excluding any possibility.

As you might remember this provision was the fruit of a compromise, given that there were diverging views on what would be the most effective construction of the UN human rights system as a whole.

In this regard both Belgium and the Netherlands are strong proponents of the work of the treaty bodies. They are at the heart of the global human rights framework and play a fundamental role in promoting and protecting human rights at the national level.

For those reasons we actively advocate to enhance the efficiency, effectiveness and impact of the UN Treaty Body system. It is our firm belief that the system would benefit from a higher degree of rationalisation and streamlining, and a strengthening of the working methods in general.

The good news is that the Treaty Body review, which is based on General Assembly resolution 68/268 and set to come to a conclusion by 2020, has provided us with a timely opportunity to tackle these issues and optimize the current human rights architecture.

Against this background, postponing the decision on the Committee's future would have been the logical step.

However, we understand and respect the fact that the Convention obliges us to take a decision today and we will not oppose a consensus in this regard.

That being said, we would welcome an explicit reference to the Treaty Body review in the summary of this meeting as to clarify that what we decide today is not meant to preempt the outcome of the Treaty Body review.

**The second particularity** in the Convention is set out in Article 29, which provides for a single reporting obligation, instead of a periodic reporting procedure. Additionally, paragraph 4 grants the Committee the power to request

States Parties to provide additional information on the implementation of the Convention, if need arises.

Belgium and the Netherlands have always been in favor of this single reporting obligation. It acknowledges that the subject matter of the Convention is much narrower in nature than that of the other treaties and that the prevalence of enforced disappearance, gruesome as it is in itself, is very much dependent on the specific country situation.

In applying paragraph 4 of Article 29, we consider it crucial that the Committee carefully applies the tools it was given in the Convention and guards itself from moving towards the gradual introduction of a periodic reporting procedure, given that this is a major point in order to convince more countries to ratify the Convention. We all know that many countries suffer from what is sometimes called a "reporting fatigue". The single reporting is precisely what renders this Convention attractive. We would also welcome this concern being reflected in the summary of this meeting.

Mr/Madam Chair,

The Netherlands and Belgium have joined the Convention because we believe that combatting enforced disappearances – as a manifestation of the protection of human rights – is a responsibility of the international community at large, to which we wish to contribute.

We look forward to continuing this engagement.

Thank you.

