



Asamblea General

Distr. general
28 de enero de 2013
Español
Original: inglés

Consejo de Derechos Humanos

22º período de sesiones

Tema 3 de la agenda

Promoción y protección de todos los derechos humanos, civiles, políticos, económicos, sociales y culturales, incluido el derecho al desarrollo

Informe del Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias*

Resumen

El Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias fue el primer mecanismo temático de derechos humanos de las Naciones Unidas que recibió un mandato universal. El mandato original se deriva de la resolución 20 (XXXVI) de la Comisión de Derechos Humanos, de 29 de febrero de 1980. El mandato fue prorrogado recientemente por el Consejo de Derechos Humanos en su resolución 16/16, de 24 de marzo de 2011.

El número total de casos transmitidos por el Grupo de Trabajo a los gobiernos desde su creación asciende a 53.986. El número de casos que siguen en estudio por no haberse esclarecido, cerrado o discontinuado se eleva a 42.889, y estos atañen a 84 Estados. En los cinco últimos años, el Grupo de Trabajo ha logrado esclarecer 298 casos.

El presente informe refleja las comunicaciones y casos examinados por el Grupo de Trabajo durante sus tres períodos de sesiones de 2012 y abarca el período comprendido entre el 12 de noviembre de 2011 y el 9 de noviembre de 2012. Se incluyen, en el anexo I, secciones sobre 96 Estados y territorios. El informe también contiene una sección temática sobre la reparación de las desapariciones forzadas e incluye información sobre otras actividades realizadas por el Grupo de Trabajo.

* Los anexos del presente informe se distribuyen tal como se recibieron, en el idioma en que se presentaron únicamente.

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I. Introducción

1. El Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias fue el primer mecanismo temático de derechos humanos de las Naciones Unidas que recibió un mandato universal. El mandato original se deriva de la resolución 20 (XXXVI) de la Comisión de Derechos Humanos, de 29 de febrero de 1980, que a su vez tuvo su origen en la resolución 33/173 de la Asamblea General, de 20 de diciembre de 1978, en la que la Asamblea expresó su preocupación por los informes procedentes de diversas partes del mundo en relación con la desaparición forzada de personas y pidió a la Comisión de Derechos Humanos que examinara la cuestión de las personas desaparecidas. El mandato fue prorrogado recientemente por el Consejo de Derechos Humanos en su resolución 16/16, de 24 de marzo de 2011.
2. La labor primordial del Grupo de Trabajo consiste en ayudar a las familias a determinar la suerte o el paradero de los familiares cuya desaparición ha sido denunciada. En esa función humanitaria, el Grupo de Trabajo es una vía de comunicación entre los familiares de las víctimas de desapariciones y otras personas relacionadas con estas, y los gobiernos.
3. A raíz de la aprobación por la Asamblea General de su resolución 47/133 y de la Declaración sobre la protección de todas las personas contra las desapariciones forzadas, se encomendó al Grupo de Trabajo la tarea de observar el cumplimiento por los Estados de sus obligaciones dimanantes de la Declaración. El Consejo de Derechos Humanos, en su resolución 7/12, alentó al Grupo de Trabajo a que prestase asistencia a los Estados para la aplicación de la Declaración y de las normas internacionales vigentes. El año 2012 marcó el 20º aniversario de la Declaración. El Grupo de Trabajo celebró un acto conmemorativo los días 30 y 31 de octubre de 2012 con el apoyo de la Organización Internacional de la Francofonía y la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos (véase también el párrafo 14).
4. El presente informe refleja las comunicaciones y casos examinados por el Grupo de Trabajo durante sus tres períodos de sesiones de 2012 y abarca el período comprendido entre el 12 de noviembre de 2011 y el 9 de noviembre de 2012.
5. Para cada país se presenta un cuadro que incluye un resumen de las actividades realizadas durante el período que se examina, con una descripción detallada de las esferas de actividad (véase el anexo I). El Grupo de Trabajo lamenta que no se vaya a traducir esa sección, en la que figura información importante sobre las desapariciones forzadas en todo el mundo. En ese sentido, el Grupo de Trabajo está estudiando distintas modalidades para informar sobre sus actividades que permitan traducirlas en el futuro. Cuando no ha habido información del gobierno o de las fuentes, no obstante el recordatorio anual enviado por el Grupo de Trabajo con respecto a los casos sin resolver, se incluye un cuadro y se hace referencia al informe anterior que se ocupó de esos casos.
6. El número total de casos transmitidos por el Grupo de Trabajo a los gobiernos desde su creación asciende a 53.986. El número de casos que siguen en estudio por no haberse esclarecido, cerrado o discontinuado se eleva a 42.889, y estos atañen a 84 Estados. En los cinco últimos años, el Grupo de Trabajo ha logrado esclarecer 298 casos.
7. El Grupo de Trabajo considera preocupante que muchas comunicaciones sigan sin ser traducidas oportunamente, lo cual retrasa su examen por el Grupo de Trabajo y limita la función humanitaria de este. El Grupo de Trabajo lamenta también que, al aprobarse el presente informe (noviembre de 2012), su informe anterior solo se hubiera traducido al árabe.

8. El sitio web del Grupo de Trabajo sigue siendo deficiente. La mayor parte del contenido está únicamente en inglés. El Grupo de Trabajo vuelve a pedir a las Naciones Unidas que proporcionen los recursos suficientes para ponerlo al día y hacerlo más accesible.

9. El Grupo de Trabajo expresa su agradecimiento por los recursos humanos adicionales que se le han facilitado durante el período del informe. Sin embargo, señala que, a pesar de los esfuerzos realizados, sigue teniendo más de 900 casos acumulados. El Grupo de Trabajo considera que la reducción de la acumulación de casos es una de sus prioridades. Por lo tanto, es fundamental que se le mantenga el apoyo adicional en el futuro.

II. Actividades del Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias: 12 de noviembre de 2011 a 9 de noviembre de 2012

A. Períodos de sesiones, actividades entre períodos de sesiones de los miembros y otros eventos

10. Durante el período que se examina, el Grupo de Trabajo celebró tres períodos de sesiones: el 96º, del 12 al 16 de marzo de 2012; el 97º, del 9 al 13 de julio de 2012; y el 98º, del 31 de octubre al 9 de noviembre de 2012. Todos los períodos de sesiones se celebraron en Ginebra.

11. El cargo de Presidente-Relator del Grupo de Trabajo fue ocupado por Jeremy Sarkin hasta el 11 de marzo de 2012. Desde el 12 de marzo de 2012, el Presidente-Relator del Grupo de Trabajo es Olivier de Frouville. Los demás miembros son Ariel Dulitzky, Jasminka Dzumhur, Osman El-Hajjé y Jeremy Sarkin.

12. El 5 de marzo de 2012, el Presidente-Relator presentó el informe anual del Grupo de Trabajo para el año 2011 al Consejo de Derechos Humanos en su 19º período de sesiones, y participó en el diálogo interactivo con los Estados miembros.

13. El 25 de octubre de 2012, el Presidente-Relator del Grupo de Trabajo intervino ante la Asamblea General en su sexagésimo séptimo período de sesiones y participó en el diálogo interactivo con los Estados Miembros.

14. Los días 30 y 31 de octubre de 2012, el Grupo de Trabajo celebró un evento en Ginebra para conmemorar el 20º aniversario de la Declaración sobre la protección de todas las personas contra las desapariciones forzadas. El 30 de octubre se dedicó un debate temático de un día al tema "Exploración de las mejores prácticas y los desafíos para proteger a las mujeres contra las desapariciones forzadas y sus efectos", seguido por media jornada, el 31 de octubre, de diálogo abierto entre el Grupo de Trabajo y los representantes de los Estados. El primer día del evento se centró en los efectos de las desapariciones forzadas en las mujeres, así como en el papel que desempeñan como agentes de cambio. Los participantes destacaron las consecuencias socioeconómicas y de otra índole de las desapariciones forzadas para las mujeres, así como las vulnerabilidades específicas de las mujeres durante las desapariciones forzadas. Varias mujeres familiares de víctimas ofrecieron su testimonio y hablaron de su función en la vanguardia de la lucha contra las desapariciones forzadas, además de destacar las dificultades encontradas en sus actividades encaminadas a hacer efectivo el derecho a la verdad y a la justicia. El segundo día del evento se dedicó a un diálogo abierto entre el Grupo de Trabajo y los Estados en relación con los desafíos y las mejores prácticas de aplicación de la Declaración en las esferas de la prevención, la justicia, la verdad y la reparación para las víctimas de desapariciones forzadas. Los miembros del Grupo de Trabajo presentaron cada uno de los temas de debate,

que seguidamente fueron objeto de un diálogo interactivo con los Estados miembros. Se destacaron diversas cuestiones, como la necesidad de elaborar una estrategia integral para proteger a los testigos y los familiares de los desaparecidos; la obligación de los Estados de tipificar como delito independiente la desaparición forzada en sus códigos penales; la importancia de elaborar medidas de reparación que tengan en cuenta las cuestiones de género; y la necesidad de concebir el derecho a la verdad como un derecho absoluto.

15. Durante el período que abarca el informe, todos los miembros del Grupo de Trabajo realizaron una serie de actividades relacionadas con las desapariciones forzadas, que incluyeron su participación en seminarios, cursos de formación, talleres y conferencias.

B. Reuniones

16. Durante el período que se examina, los representantes de los Gobiernos de Argelia, España, Gambia, Guatemala, el Japón, Marruecos, Namibia, el Pakistán, la República de Corea, la República Islámica del Irán, Serbia, Sri Lanka, Tayikistán y el Togo asistieron a los períodos de sesiones del Grupo de Trabajo. A lo largo del año se celebraron otras reuniones oficiosas con diversos Estados. El Grupo de Trabajo también se reunió con el Comité contra la Desaparición Forzada, representantes de organizaciones gubernamentales internacionales, organizaciones no gubernamentales de derechos humanos y asociaciones de familiares de desaparecidos y familiares de víctimas o testigos de desapariciones forzadas.

C. Comunicaciones

17. Durante el período que abarca el informe, el Grupo de Trabajo transmitió 208 nuevos casos de desaparición forzada a 21 Estados.

18. El Grupo de Trabajo transmitió 59 de esos casos con arreglo al procedimiento de urgencia a Argelia, Bangladesh, Mauritania, México, el Pakistán, la República Árabe Siria, la República Centroafricana, Sri Lanka, Tailandia, Tayikistán, Ucrania y Uzbekistán.

19. Durante el mismo período, el Grupo de Trabajo esclareció 74 casos en Argelia, la Argentina, Chile, Colombia, Egipto, España, el Iraq, Libia, Marruecos, Myanmar, el Pakistán, la República Árabe Siria, Tayikistán y el Uruguay. De los 74 casos, 61 fueron esclarecidos gracias a la información proporcionada por los gobiernos, y los otros 13, gracias a la información proporcionada por las fuentes.

20. Durante el período que se examina, el Grupo de Trabajo transmitió diez comunicaciones para pedir una intervención inmediata en relación con el acoso o las amenazas a defensores de los derechos humanos y familiares de personas desaparecidas en Argelia, la Federación de Rusia, la India, México, Sri Lanka y Turquía. Todas ellas fueron enviadas como comunicaciones conjuntas con otros mandatos de procedimientos especiales.

21. El Grupo de Trabajo transmitió 16 llamamientos urgentes en relación con personas que habían sido arrestadas, detenidas, secuestradas, privadas de su libertad de otra manera o que habían sido víctimas de desaparición forzada o estaban en peligro de serlo en Colombia, los Emiratos Árabes Unidos, la India, Jordania, Malí, México, la República Árabe Siria, la República Democrática del Congo, la República Islámica del Irán y Zimbabwe. Todas las comunicaciones se enviaron conjuntamente con otros mecanismos de procedimientos especiales.

22. Durante el período que se examina, el Grupo de Trabajo transmitió tres denuncias generales a los Gobiernos de Eritrea, Filipinas y Lituania¹, y aprobó una denuncia general sobre Tailandia. El Grupo de Trabajo también transmitió, junto con otros mecanismos de procedimientos especiales, dos denuncias generales a la República Popular Democrática de Corea y Colombia (véase también el anexo I).

D. Visitas a los países

23. Por invitación de sus Gobiernos, el Grupo de Trabajo visitó Chile y el Pakistán.

24. El Grupo de Trabajo, representado por Ariel Dulitzky y Jasminka Dzumhur, visitó Chile los días 13 a 21 de agosto de 2012. El propósito de la visita era examinar las principales iniciativas y políticas emprendidas por Chile en relación con las desapariciones forzadas o involuntarias en el contexto de las violaciones de los derechos humanos cometidas en el pasado. Los expertos analizaron también la evolución de las investigaciones y actuaciones judiciales relativas a casos de desaparición forzada, así como las cuestiones relativas a la verdad, la justicia y la reparación para las víctimas de desapariciones forzadas. El informe sobre la visita a Chile figura en una adición al presente informe (A/HRC/22/45/Add.1).

25. El Grupo de Trabajo, representado por Olivier de Frouville y Osman El-Hajjé, visitó el Pakistán los días 10 a 20 de septiembre de 2012. El propósito de la visita era recabar información sobre los casos de desapariciones forzadas, así como estudiar las medidas adoptadas por el Estado para prevenir y erradicar las desapariciones forzadas, incluidas las cuestiones relativas a la verdad, la justicia y la reparación para las víctimas de desapariciones forzadas. El informe sobre la visita al Pakistán figura en una adición al presente informe (A/HRC/22/45/Add.2).

26. Durante el período de que se informa, el Grupo de Trabajo reiteró su solicitud de visita a Argelia, Egipto, la Federación de Rusia, la India, Indonesia, la República Islámica del Irán, Sri Lanka, Tailandia y Uzbekistán.

27. Durante el período que se examina, el Grupo de Trabajo también solicitó sendas visitas a Libia y España. El Gobierno de Libia aceptó la solicitud del Grupo de Trabajo de visitar el país en el primer semestre de 2013. El Gobierno de España aceptó la solicitud del Grupo de Trabajo de visitar el país en el segundo semestre de 2013.

28. Durante el período que se examina, el Gobierno de Kirguistán invitó al Grupo de Trabajo a realizar una visita en 2013. El Grupo de Trabajo agradece a los Estados que le han cursado una invitación a visitar sus países.

29. El Grupo de Trabajo ha solicitado visitar los siguientes países, pero no ha recibido aún una respuesta positiva: Belarús, Burundi, Croacia, Egipto, Federación de Rusia, Filipinas, India, Indonesia, Montenegro, Nepal, Nicaragua, República Árabe Siria, Sri Lanka, Sudán, Sudán del Sur, Tailandia, Uzbekistán y Zimbabwe. El Grupo de Trabajo invita a todos los Estados que hayan recibido una solicitud de visita del Grupo de Trabajo a que respondan favorablemente, de acuerdo con la resolución 21/4 del Consejo de Derechos Humanos.

30. En ese sentido, el Grupo de Trabajo desea recordar que la República Islámica del Irán aceptó recibir una visita del Grupo de Trabajo en 2004, pero que dicha visita fue

¹ Como se indicó en el anterior informe anual (véase A/HRC/19/58/Rev.1, párr. 22), en el anexo I se incluyen resúmenes de las tres denuncias generales que fueron estudiadas por el Grupo de Trabajo en su 95º período de sesiones.

aplazada a petición del Gobierno. El Grupo de Trabajo insta al Gobierno a fijar una fecha para la visita.

E. Informes de seguimiento

31. Durante el período que se examina, el Grupo de Trabajo preparó sendos informes de seguimiento sobre la aplicación de las recomendaciones formuladas a raíz de sus visitas a El Salvador y Marruecos. Esos informes de seguimiento figuran en una adición al presente informe (A/HRC/22/45/Add.3).

F. Comunicados de prensa y declaraciones

32. El 11 de noviembre de 2011, el Grupo de Trabajo emitió un comunicado de prensa conjunto con el Comité contra la Desaparición Forzada con motivo de la primera reunión entre ambos órganos celebrada el miércoles 8 de noviembre de 2011².

33. El 30 de agosto de 2012, el Grupo de Trabajo y el Comité contra la Desaparición Forzada emitieron una declaración conjunta con motivo del segundo Día Internacional de las Víctimas de Desapariciones Forzadas. El Grupo de Trabajo observó que, aunque habían transcurrido 20 años desde la aprobación de la Declaración, la práctica de la desaparición forzada seguía utilizándose en algunos países para reprimir a individuos e intimidar a las personas que reivindicaban sus derechos. Los expertos observaron también que, en otros países, no se habían abordado adecuadamente los hechos del pasado, e hicieron hincapié en que todas las familias de los desaparecidos, aunque las desapariciones hubieran ocurrido décadas antes, debían disfrutar del derecho a la verdad, la justicia y la reparación³.

34. El 25 de octubre de 2012, con motivo del discurso pronunciado por el Presidente-Relator del Grupo de Trabajo ante la Asamblea General, se emitió un comunicado de prensa conjunto con el Presidente del Comité contra la Desaparición Forzada⁴.

35. El 8 de noviembre de 2012, el Grupo de Trabajo emitió una declaración conjunta con el Comité contra la Desaparición Forzada sobre su reunión celebrada el 1 de noviembre de 2012. En esa reunión, los miembros de los dos órganos de las Naciones Unidas que se ocupan de la desaparición forzada intercambiaron información sobre sus respectivas actividades y analizaron la coordinación de sus iniciativas comunes. El Grupo de Trabajo y el Comité reafirmaron su plena disposición a cooperar y coordinarse en el desempeño de sus respectivos mandatos. Coincidieron en el principio de intercambiar información de manera permanente. Hablaron sobre la complementariedad de sus procedimientos, la interpretación del derecho internacional en la esfera de las desapariciones forzadas y las visitas a los países. Ambos órganos recordaron que la coordinación y la coherencia eran esenciales para garantizar la protección efectiva de las víctimas de desapariciones forzadas, y que el Grupo de Trabajo y el Comité actuaban de manera complementaria y reforzándose mutuamente para prevenir y combatir el atroz crimen de la desaparición forzada⁵.

36. Durante el período que se examina, el Grupo de Trabajo también emitió comunicados de prensa relativos a China, Colombia, España y México.

² Puede consultarse en www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11595&LangID=E.

³ Véase www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12472&LangID=E.

⁴ Véase www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12701&LangID=E.

⁵ Véase www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12754&LangID=E.

37. El 23 de diciembre de 2011, el Grupo de Trabajo, conjuntamente con otros tres mecanismos de procedimientos especiales, emitió un comunicado de prensa sobre la supuesta continuación de la privación de libertad en régimen de aislamiento de Gao Zhisheng, destacado abogado especializado en los derechos humanos que había sido supuestamente detenido en 2006 en relación con su labor de lucha contra las violaciones de derechos humanos en China. El Sr. Gao había sido presuntamente acusado de subvertir el poder del Estado, aunque nunca se había demostrado ante un tribunal de justicia. Cuando se emitió el comunicado de prensa, el Sr. Gao llevaba 20 meses en paradero desconocido⁶.

38. El 8 de febrero de 2012, el Grupo de Trabajo, junto con otro titular de mandato, emitió un comunicado de prensa sobre el juicio al Juez Baltasar Garzón en España y sobre sus efectos en la investigación y el enjuiciamiento de los más de 100.000 casos de desapariciones forzadas que presuntamente ocurrieron durante la guerra civil española y el régimen franquista. El Grupo de Trabajo destacó que debía realizarse una investigación mientras no se esclareciera la suerte de las víctimas de desapariciones forzadas, y que ninguna ley de amnistía ponía fin a la obligación del Estado de investigar, enjuiciar y sancionar a los responsables de las desapariciones⁷.

39. El 14 de marzo de 2012, el Grupo de Trabajo emitió un comunicado de prensa con motivo de la presentación del informe sobre su visita a México (A/HRC/19/58/Add.2). Los expertos, si bien reconocieron los retos que planteaba la compleja situación de seguridad pública en el contexto de la lucha contra la delincuencia, hicieron hincapié en que se observaba un patrón crónico de impunidad que quedaba demostrado por la falta de investigaciones efectivas sobre los casos de desapariciones forzadas⁸.

40. El 21 de agosto de 2012, el Grupo de Trabajo emitió un comunicado de prensa al término de su visita oficial a Chile⁹.

41. El 20 de septiembre de 2012, el Grupo de Trabajo emitió un comunicado de prensa al término de su visita oficial al Pakistán¹⁰.

42. El 22 de octubre de 2012, el Grupo de Trabajo, junto con otros diez mecanismos de procedimientos especiales, emitió un comunicado de prensa conjunto sobre la propuesta de reforma de la Constitución Política de Colombia en materia de derecho penal militar, en el que expresó su preocupación por las graves consecuencias que podría tener dicha propuesta para el estado de derecho y el goce de los derechos humanos en Colombia. Si bien la reforma propuesta excluiría supuestamente los crímenes de genocidio, lesa humanidad y desaparición forzada de la jurisdicción de los tribunales militares o policiales, también podría ampliar la jurisdicción de dichos tribunales, otorgándoles la facultad de investigar y enjuiciar otras violaciones graves de los derechos humanos, así como los delitos cometidos por las fuerzas de seguridad privadas, cuya competencia debía corresponder al sistema de justicia y los tribunales penales ordinarios¹¹.

43. En las secciones del presente informe relativas a cada uno de esos países figura también información sobre los comunicados de prensa mencionados (véase el anexo I).

44. El Grupo de Trabajo publicó boletines destinados a los medios de difusión y comunicados de prensa al inicio y al final de cada uno de los tres períodos de sesiones celebrados durante el período del informe.

⁶ Véase www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11741&LangID=E.

⁷ Véase <http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=11805&LangID=S>.

⁸ Véase <http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=11963&LangID=S>.

⁹ Véase www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12451&LangID=E.

¹⁰ Véase www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12552&LangID=E.

¹¹ Véase www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12684&LangID=E.

G. Observaciones generales

45. En 2012, el Grupo de Trabajo ultimó dos observaciones generales sobre los niños y la desaparición forzada; y las mujeres afectadas por las desapariciones forzadas, que fueron aprobadas por el Grupo de Trabajo en su 98º período de sesiones.

III. Reparaciones y desapariciones forzadas

46. A partir del año en curso, el Grupo de Trabajo ha decidido incluir una sección temática en sus informes anuales. Teniendo en cuenta el tiempo transcurrido desde su observación general sobre el artículo 19 de la Declaración (1997) y las novedades en el derecho internacional, el Grupo de Trabajo ha decidido dedicar la sección temática del presente informe a la cuestión de la reparación a las víctimas de desaparición forzada.

47. El artículo 19 de la Declaración sobre la protección de todas las personas contra las desapariciones forzadas establece que "las víctimas de actos de desaparición forzada y sus familiares deberán obtener reparación y tendrán derecho a ser indemnizadas de una manera adecuada y a disponer de los medios que les aseguren una readaptación tan completa como sea posible. En caso de fallecimiento de la víctima a consecuencia de su desaparición forzada, su familia tendrá igualmente derecho a indemnización".

A. Definición de reparación

48. El Grupo de Trabajo considera que el término "reparación" que se emplea en el artículo 19 de la Declaración abarca también el concepto de "recurso efectivo"¹². El derecho a la reparación es un arraigado derecho humano básico, consagrado en los tratados universales y regionales de derechos humanos, así como en otros instrumentos internacionales¹³. El Grupo de Trabajo considera que el ámbito de aplicación del derecho a la reparación en el derecho consuetudinario ha evolucionado en las últimas décadas.

49. Por primera vez en el derecho internacional, el derecho a la reparación por los actos de desaparición forzada ha sido consagrado en un instrumento internacional jurídicamente vinculante, a saber, la Convención Internacional para la protección de todas las personas contra las desapariciones forzadas¹⁴. El párrafo 5 del artículo 24 de la Convención establece que el derecho a la reparación comprende todos los daños materiales y morales y, en su caso, otras modalidades de reparación, como la restitución, la readaptación, la satisfacción (incluido el restablecimiento de la dignidad y la reputación) y las garantías de no repetición¹⁵.

¹² Véase también la Observación general Nº 3 del Comité contra la Tortura sobre el artículo 14 de la Convención (CAT/C/GC/3).

¹³ Como reafirmó recientemente la Corte Penal Internacional, Sala de Primera Instancia I, en *Situation in the Democratic Republic of Congo in the case of the Prosecutor v. Thomas Lubanga Dyilo, Decision establishing the principles and procedures to be applied to reparations*, 7 de agosto de 2012, párr. 185.

¹⁴ Artículo 24, párr. 4: "Los Estados partes velarán por que su sistema legal garantice a la víctima de una desaparición forzada el derecho a la reparación y a una indemnización rápida, justa y adecuada".

¹⁵ La jurisprudencia de los tribunales regionales de derechos humanos, y en particular de la Corte Interamericana de Derechos Humanos, ha sido fundamental para la interpretación y el desarrollo del derecho a la reparación. La Corte tiene, con diferencia, la jurisprudencia más desarrollada y creativa con respecto al derecho de las víctimas a la reparación.

1. La reparación como consecuencia de la violación de los derechos de la víctima

50. El Grupo de Trabajo observa que, en la práctica, las medidas destinadas a ayudar a los familiares a hacer frente a las consecuencias de la ausencia de la persona desaparecida se asimilan a las medidas de reparación. Toda persona tiene derecho a la seguridad social y el Estado tiene el deber de proporcionar a la familia la protección más amplia posible. Sin embargo, las medidas relativas a la asistencia social no afectan la obligación del Estado de proporcionar reparación a las víctimas como consecuencia de la violación de sus derechos¹⁶. Además, los subsidios sociales y/o las medidas de reparación no deben estar condicionados a la exigencia de que los familiares de la persona desaparecida faciliten un certificado de defunción¹⁷. En su observación general sobre el artículo 19 de la Declaración, el Grupo de Trabajo aclaró que, "en tanto que principio general, no se presumirá, con oposición de la familia, que la víctima de una desaparición forzada ha fallecido"¹⁸.

2. Definición de las personas que tienen derecho a obtener reparación

51. El Grupo de Trabajo no distingue entre víctimas directas e indirectas, sino que considera que tanto la persona desaparecida como las que han sufrido un perjuicio como consecuencia de la desaparición han de ser consideradas víctimas de la desaparición forzada y, en consecuencia, tienen derecho a obtener reparación¹⁹. A los efectos de la reparación, debe adoptarse una definición amplia de la víctima, independiente del establecimiento de la responsabilidad penal y la condena del o los acusados²⁰.

52. Los Principios y directrices básicos sobre el derecho de las víctimas de violaciones manifiestas de las normas internacionales de derechos humanos y de violaciones graves del derecho internacional humanitario a interponer recursos y obtener reparaciones²¹ definen a la víctima como toda persona que haya sufrido daños, individual o colectivamente, incluidas lesiones físicas o mentales, sufrimiento emocional, pérdidas económicas o menoscabo sustancial de sus derechos fundamentales, como consecuencia de acciones u omisiones que constituyan una violación manifiesta de las normas internacionales de derechos humanos o una violación grave del derecho internacional humanitario. Cuando corresponda, y en conformidad con el derecho interno, el término "víctima" también comprenderá a la familia inmediata o las personas a cargo de la víctima directa y a las personas que hayan sufrido daños al intervenir para prestar asistencia a víctimas en peligro o para impedir la victimización.

B. Formas de reparación en los casos de desaparición forzada

53. El Grupo de Trabajo ha observado que, en distintos países, la reparación se interpreta exclusivamente en forma de indemnización, es decir, como una suma de dinero destinada a compensar todos los daños y perjuicios causados a las víctimas. Sin embargo, el Grupo de Trabajo ya ha explicado, en su observación general sobre el artículo 19 de la Declaración,

¹⁶ El Grupo de Trabajo, en el párrafo 9 de su observación general sobre el derecho al reconocimiento como persona ante la ley en el contexto de las desapariciones forzadas, afirmó que la aceptación de ayuda financiera para los familiares no debe considerarse como una renuncia al derecho a la reparación integral del perjuicio causado por el delito de desaparición forzada, de conformidad con el artículo 19 de la Declaración.

¹⁷ A/HRC/16/48/Add.1, párr. 46.

¹⁸ E/CN.4/1998/43, párr. 74.

¹⁹ Véase A/HRC/19/58/Rev.1, párr. 58. El artículo 24, párrafo 1, de la Convención estipula que, por el término "víctima", se entenderá "la persona desaparecida y toda persona física que haya sufrido un perjuicio directo como consecuencia de una desaparición forzada".

²⁰ Véase A/HRC/19/58/Add.2, párr. 109.

²¹ Resolución 60/147 de la Asamblea General, anexo.

que la obligación de proporcionar reparación a las víctimas de desapariciones forzadas no se limita al derecho a una indemnización monetaria, sino que comprende, entre otras cosas, la atención y la rehabilitación médica y psicológica por cualquier daño físico o mental, así como la rehabilitación legal y social, las garantías de que no se repetirán los actos, la restauración de la libertad personal y otras formas semejantes de restitución, satisfacción y reparación que permitan suprimir las consecuencias de la desaparición forzada²².

54. En general, el Grupo de Trabajo recomienda el establecimiento de un programa nacional de reparaciones que incluya la indemnización, la restitución, la rehabilitación, la satisfacción y las garantías de no repetición para todas las víctimas de violaciones de los derechos humanos, incluidas las desapariciones forzadas²³. El Grupo de Trabajo destaca también que, en el ámbito de aplicación del derecho a la reparación en el caso de desapariciones forzadas, la familia de la persona desaparecida tiene el derecho imprescriptible a ser informada de la suerte y/o el paradero de la persona desaparecida y, en caso de fallecimiento, se le debe restituir el cuerpo en cuanto se identifique, independientemente de que se haya establecido la identidad de los autores o se los haya encausado²⁴.

1. Restitución

55. La restitución es el acto de devolver a la víctima, en la medida de lo posible, a la situación en que se encontraba antes de que se cometiera la violación. En el caso de la desaparición forzada, la restitución incluye la recuperación de la identidad de la víctima²⁵, la restauración de su libertad o el regreso a su lugar de residencia. El Grupo de Trabajo subraya que, como la plena restitución no suele ser posible en el caso de las desapariciones forzadas, a causa de la naturaleza irreversible de los daños sufridos, otras formas de reparación, como la indemnización y la rehabilitación, deben complementar la restitución. Por otra parte, es importante destacar que, aun cuando la restitución sea posible, las medidas de reparación para devolver a la víctima a la situación anterior pueden consistir también en corregir situaciones anteriores de discriminación y/o vulnerabilidad.

2. Indemnización

56. El Grupo de Trabajo subraya que la indemnización financiera no es suficiente en sí misma y normalmente debe acompañarse de otras formas de reparación²⁶. Los Principios y directrices básicos sobre el derecho de las víctimas de violaciones manifiestas de las normas internacionales de derechos humanos y de violaciones graves del derecho internacional humanitario a interponer recursos y obtener reparaciones establecen que la indemnización ha de concederse, de forma apropiada y proporcional a la gravedad de la violación y a las circunstancias de cada caso, por todos los perjuicios económicamente evaluables que sean consecuencia de violaciones manifiestas de las normas internacionales

²² E/CN.4/1998/43, párr. 75.

²³ Véase A/HRC/19/58/Add.1, párr. 79 b), y A/HRC/16/48/Add.1, párr. 84 d). Véase también el principio 18 de los Principios y directrices básicos sobre el derecho de las víctimas de violaciones manifiestas de las normas internacionales de derechos humanos y de violaciones graves del derecho internacional humanitario a interponer recursos y obtener reparaciones.

²⁴ Véase E/CN.4/2005/102/Add.1, principio 34.

²⁵ Véase Corte Interamericana de Derechos Humanos, *Caso Contreras y otros c. El Salvador*, sentencia de 31 de agosto de 2011 (puede consultarse en www.corteidh.or.cr/docs/casos/articulos/seriec_232_esp.pdf), párr. 193.

²⁶ Véase A/HRC/19/58/Add.3, párr. 54. El Grupo de Trabajo examinó anteriormente la cuestión de la indemnización a las víctimas de desapariciones forzadas en su informe anual de 1997 (E/CN.4/1998/43). Al preparar ese informe, el Grupo de Trabajo escribió a los países que tenían más de 20 casos sin resolver para recabar información sobre las prácticas de cada país en ese sentido.

de derechos humanos o de violaciones graves del derecho internacional humanitario. El principio 20 proporciona también una lista de lo que pueden considerarse perjuicios económicamente evaluables, a saber: a) el daño físico o mental; b) la pérdida de oportunidades, en particular las de empleo, educación y prestaciones sociales; c) los daños materiales y la pérdida de ingresos, incluido el lucro cesante; d) los perjuicios morales; y e) los gastos de asistencia jurídica o de expertos, medicamentos y servicios médicos y servicios psicológicos y sociales.

57. La indemnización es un elemento importante del derecho a un recurso efectivo, en particular cuando no es posible devolver a la víctima a la situación anterior, como suele ocurrir en muchos crímenes internacionales, incluida la desaparición forzada. El Grupo de Trabajo hace hincapié en que la indemnización debe ser completa y "adecuada", es decir, proporcional a la gravedad de la violación de los derechos humanos (como el período de desaparición o las condiciones de detención) y al sufrimiento de la víctima y su familia²⁷.

58. El Grupo de Trabajo hace hincapié también en que la indemnización monetaria debe aplicarse en un sentido amplio y se debe otorgar por cualquier daño resultante de una desaparición forzada, como el daño físico o mental²⁸, la pérdida de oportunidades²⁹, los daños materiales y la pérdida de ingresos, el perjuicio a la reputación y los costos de asistencia jurídica o de expertos³⁰. El Grupo de Trabajo hace hincapié además en el hecho de que, como la gravedad del delito de desaparición forzada genera la responsabilidad civil del Estado, el paso del tiempo no debe utilizarse para obstaculizar la presentación de demandas civiles mediante la aplicación de la prescripción del delito³¹.

3. Rehabilitación

59. La rehabilitación es un componente esencial de la reparación. El artículo 19 de la Declaración estipula que las víctimas de actos de desaparición forzada y sus familiares deben obtener una rehabilitación "tan completa como sea posible". Deben establecerse medidas y programas de rehabilitación a los que las víctimas y sus familiares puedan acceder fácilmente.

60. Los Principios y directrices básicos sobre el derecho de las víctimas de violaciones manifiestas de las normas internacionales de derechos humanos y de violaciones graves del derecho internacional humanitario a interponer recursos y obtener reparaciones establecen que "la rehabilitación ha de incluir la atención médica y psicológica, así como servicios jurídicos y sociales"³². Las circunstancias y necesidades particulares de cada víctima deben

²⁷ A/HRC/16/48/Add.1, párr. 45.

²⁸ El concepto de daño inmaterial fue desarrollado por la Corte Interamericana de Derechos Humanos, que estableció que comprende "tanto los sufrimientos y las aflicciones causados a la víctima directa y a sus allegados, el menoscabo de valores muy significativos para las personas, así como las alteraciones, de carácter no pecuniario, en las condiciones de existencia de la víctima o su familia". Véase *Contreras y otros c. El Salvador* (véase nota 25), párr. 227. Véase también *Caso de los "Niños de la Calle" (Villagrán Morales y otros c. Guatemala)*, reparaciones y costas, sentencia de 26 de mayo de 2001, párr. 84.

²⁹ Véase, por ejemplo, Corte Interamericana de Derechos Humanos, *Caso de Gelman c. el Uruguay*, sentencia de 24 de febrero de 2011, párr. 293, en que la Corte reconoció el lucro cesante de la víctima, que en el momento de su desaparición tenía 19 años y era estudiante universitaria.

³⁰ A/HRC/19/58/Add.1, párr. 63.

³¹ A/HRC/22/45/Add.1, párr. 47.

³² Principio 21. En el *Caso Barrios Altos (Chumbipuma Aguirre y otros c. el Perú)*, 2001, párr. 42, la Corte Interamericana de Derechos Humanos aprobó el acuerdo firmado por el Estado y las víctimas por el que el Estado reconocía su obligación de brindar "procedimientos de ayuda diagnóstica, medicamentos, atención especializada, procedimientos diagnósticos, hospitalización, intervenciones quirúrgicas, partos, rehabilitación traumatológica y salud mental".

tenerse en cuenta al proporcionarle tratamiento psicológico o psiquiátrico. El tratamiento podrá ser individual, colectivo o familiar³³.

61. El Grupo de Trabajo hace hincapié también en que se deben tomar medidas para que los familiares de las personas desaparecidas, independientemente de donde vivan, tengan derecho a prestaciones sociales y otras medidas de asistencia social, como atención médica, programas de educación especial y asistencia psicológica³⁴.

4. La satisfacción y las garantías de no repetición

62. De los Principios y directrices básicos mencionados anteriormente, el principio 22, sobre las medidas de satisfacción, se refiere expresamente a una medida relacionada con las desapariciones forzadas, a saber, "la búsqueda de las personas desaparecidas, de las identidades de los niños secuestrados y de los cadáveres de las personas asesinadas, y la ayuda para recuperarlos, identificarlos y volver a inhumarlos según el deseo explícito o presunto de la víctima o las prácticas culturales de su familia y comunidad". El Grupo de Trabajo hace hincapié en que la búsqueda de la verdad, que incluye la obligación de investigar los hechos e identificar, enjuiciar y, en su caso, sancionar a los responsables, es también una forma de satisfacción a las víctimas³⁵. Hace hincapié también en que los derechos procesales a una investigación, a la verdad y a la justicia son igualmente fundamentales para la percepción de reparación de las víctimas. Incluso, en algunos casos, el proceso de verdad y justicia puede constituir en sí mismo una forma de reparación.

63. Otras formas de satisfacción a las víctimas de desapariciones forzadas y a sus familiares incluyen una resolución judicial³⁶ o una declaración oficial que restablezca la dignidad, la reputación y los derechos de la víctima y de las personas cercanas a ella; una disculpa pública que incluya el reconocimiento de los hechos y la aceptación de la responsabilidad, por ejemplo en una ceremonia o acto público; y los actos de conmemoración y homenaje a las víctimas. Las medidas concretas relativas a la desaparición forzada pueden incluir la creación de unidades especializadas de investigación de las denuncias de violaciones graves de los derechos humanos, incluidas las desapariciones forzadas; la elaboración de un protocolo para la recuperación e identificación de los restos mortales; la creación de programas de asistencia psicosocial para las personas que son encontradas y para sus familiares, así como para los familiares de los que permanecen desaparecidos; y el acceso público a los documentos y archivos del Estado que contengan información de interés³⁷.

64. El Grupo de Trabajo considera que la construcción de monumentos conmemorativos contribuye al reconocimiento social colectivo de las violaciones cometidas, así como al rechazo y la condena de esas violaciones, que también podrían servir de medida preventiva³⁸. El Grupo de Trabajo hace hincapié en que los Estados deben adoptar un marco jurídico

³³ Véase *Contreras y otros c. El Salvador* (véase nota 25), párr. 200.

³⁴ A/HRC/16/48/Add.1, párr. 84 c).

³⁵ Véase, por ejemplo, A/HRC/16/48/Add.2, párr. 8. El principio 4 del Conjunto de principios actualizado para la protección y la promoción de los derechos humanos mediante la lucha contra la impunidad (E/CN.4/2005/102/Add.1) establece que, "independientemente de las acciones que puedan entablar ante la justicia, las víctimas y sus familias tienen el derecho imprescriptible a conocer la verdad acerca de las circunstancias en que se cometieron las violaciones y, en caso de fallecimiento o desaparición, acerca de la suerte que corrió la víctima".

³⁶ En el caso de las resoluciones judiciales, la publicación y difusión de la sentencia también se considera una forma de satisfacción.

³⁷ Véase *Contreras y otros c. El Salvador* (véase nota 25), párrs. 211 a 214; y *Caso de Gelman c. el Uruguay* (nota 29), párrs. 272 a 282.

³⁸ Véase A/HRC/19/58/Add.3, párr. 101 c); E/CN.4/2006/56/Add.1, párr. 115; y A/HRC/10/9/Add.1, párr. 65.

global para los programas de reparación en el que se incluya la cuestión de los monumentos conmemorativos, con el fin de evitar la revictimización y nuevas violaciones del derecho a la dignidad. La legislación debe establecer los criterios y los procesos para el establecimiento de esos monumentos, teniendo en cuenta las controversias que podrían surgir de los recuerdos contradictorios de los diferentes grupos de la sociedad³⁹. La construcción y el mantenimiento de los monumentos conmemorativos son responsabilidad del Estado, con la estrecha participación de los familiares de los desaparecidos y otras partes interesadas⁴⁰.

65. En lo que respecta a las garantías de no repetición, existen medidas que deben tomarse para evitar que vuelvan a ocurrir desapariciones forzadas. El principio 23 e) de los Principios y directrices básicos mencionados hace referencia a diversas garantías de no repetición posibles, como la educación, de modo prioritario y permanente, de todos los sectores de la sociedad respecto de los derechos humanos y del derecho internacional humanitario y la capacitación en esta materia de los funcionarios encargados de hacer cumplir la ley, así como de las fuerzas armadas y de seguridad; la promoción de mecanismos destinados a prevenir, vigilar y resolver los conflictos sociales; y la revisión y reforma de las leyes que contribuyan a las violaciones manifiestas de las normas internacionales de derechos humanos y a las violaciones graves del derecho humanitario o las permitan⁴¹. La introducción de protocolos y salvaguardias específicos y la promoción de reformas del sector judicial o del sector de seguridad son otras medidas de no repetición importantes. El Grupo de Trabajo hace hincapié además en que la plena realización del derecho a la verdad y la justicia es un elemento esencial para garantizar la no repetición.

C. Reparaciones individuales y colectivas

66. El Grupo de Trabajo acoge con satisfacción el creciente reconocimiento en el derecho internacional de los derechos humanos de que las reparaciones pueden otorgarse tanto individual como colectivamente⁴². Las reparaciones individuales y colectivas pueden concederse al mismo tiempo y no se excluyen entre sí, dado que tanto su esencia como su finalidad son diferentes⁴³. Las reparaciones colectivas responden a un daño colectivo o a un

³⁹ Véase también A/HRC/16/48/Add.1, párrs. 48 y 84 g).

⁴⁰ En Chile, por ejemplo, si bien el Estado ha apoyado la construcción y el mantenimiento de varios monumentos conmemorativos y la celebración de actos culturales de diversa índole, la construcción y el mantenimiento de monumentos conmemorativos destinados a preservar la memoria histórica ha sido esencialmente producto de iniciativas de la sociedad civil, principalmente de organizaciones de familiares de víctimas, y no de una política iniciada por el Estado. Véase A/HRC/22/45/Add.1, párr. 50.

⁴¹ Otras garantías mencionadas en el principio 23 son: a) el ejercicio de un control efectivo por las autoridades civiles sobre las fuerzas armadas y de seguridad; b) la garantía de que todos los procedimientos civiles y militares se ajustan a las normas internacionales relativas a las garantías procesales, la equidad y la imparcialidad; c) el fortalecimiento de la independencia del poder judicial; d) la protección de los profesionales del derecho, la salud y la asistencia sanitaria, la información y otros sectores conexos, así como de los defensores de los derechos humanos; f) la promoción de la observancia de los códigos de conducta y de las normas éticas, en particular las normas internacionales, por los funcionarios públicos, inclusive el personal de las fuerzas de seguridad, los establecimientos penitenciarios, los medios de información, el personal de servicios médicos, psicológicos, sociales y de las fuerzas armadas, además del personal de empresas comerciales.

⁴² Véase el artículo 97, párrafo 1, del reglamento de la Corte Penal Internacional. Véanse también los artículos 25, párrafo 1, y 50 del Convenio Europeo de Derechos Humanos, así como los artículos 44 y 63 de la Convención Americana sobre Derechos Humanos.

⁴³ Véase A/HRC/13/31/Add.1, párrs. 56 a 66. Esto se ha reconocido también en la jurisprudencia de la Corte Interamericana de Derechos Humanos. Véase, por ejemplo, *Caso de la Comunidad Moiwana c. Suriname*, excepciones preliminares, fondo, reparaciones y costas, sentencia de 15 de junio de 2005, párrs. 194 y 201.

daño a la sociedad en su conjunto. La disculpa o la aceptación pública de la responsabilidad, así como la construcción de monumentos o lugares de homenaje a las víctimas de desapariciones forzadas, son formas posibles de reparación colectiva.

D. Perspectiva de género y cultural de las reparaciones

67. El Grupo de Trabajo hace hincapié en que, al determinarse las formas y modalidades de las reparaciones, deben tenerse en cuenta las cuestiones de género y culturales⁴⁴. La Declaración de Nairobi sobre el derecho de las mujeres y las niñas a interponer recursos y obtener reparaciones⁴⁵ incluye, en particular, consideraciones de género con respecto a la formulación y concesión de las reparaciones, y destaca otros aspectos importantes del proceso de obtención de reparaciones, como eliminar las posibles barreras que enfrentan las mujeres y niñas para reivindicar sus derechos y acceder a la justicia. La Declaración subraya la importancia fundamental de celebrar un proceso de consulta que permita a las propias mujeres determinar qué formas de reparación son las más adecuadas para su situación. Deben adoptarse medidas especiales para empoderar a las mujeres y permitir su participación en todas las etapas del proceso de reparación que las afecten. El Grupo de Trabajo hace hincapié también en que las medidas de reparación deben tener en cuenta muchos factores, en particular el punto de vista de las víctimas y las circunstancias del caso, dado que lo que podría ser una medida de reparación adecuada en un caso podría ser inadecuada o incluso contraproducente en otro.

68. El Grupo de Trabajo destaca además que el acceso a la reparación debe tener en cuenta las cuestiones culturales. De ser necesario, la información sobre los procesos y las medidas de reparación debe facilitarse en los idiomas locales, y los planes o mecanismos de reparación deben concebirse con la participación de las comunidades afectadas y teniendo en cuenta sus necesidades. El Grupo de Trabajo hace hincapié también en que la prestación de servicios sociales a las víctimas no debe confundirse con su derecho a obtener reparación.

IV. Información relativa a desapariciones forzadas o involuntarias en diversos Estados y territorios examinados por el Grupo de Trabajo

69. La información relativa a desapariciones forzadas o involuntarias en diversos Estados y territorios examinados por el Grupo de Trabajo figura en el anexo I del presente informe y se divide en 96 secciones, una por cada país. En cada una de esas secciones se resumen las actividades llevadas a cabo por el Grupo de Trabajo durante el período que se examina con respecto a cada país. La información se presenta en un cuadro para cada país, con una descripción detallada de las esferas de actividad. Cuando no ha habido información del gobierno o de las fuentes, no obstante el recordatorio anual enviado por el Grupo de Trabajo con respecto a los casos sin resolver, se incluye un cuadro y se hace referencia al informe anterior que se ocupó de esos casos.

70. En ese sentido, las secciones que figuran en el anexo I se refieren a los siguientes países: Afganistán, Albania, Arabia Saudita, Argelia, Argentina, Azerbaiyán, Bahrein, Bangladesh, Belarús, Bhután, Bolivia (Estado Plurinacional de), Bosnia y Herzegovina,

⁴⁴ Véase A/HRC/19/58/Add.1, párr. 64. Véase también A/HRC/16/48/Add.1, párr. 44.

⁴⁵ Aprobada en la Reunión internacional sobre el derecho de las mujeres y las niñas a interponer un recurso y a obtener reparación, celebrada en Nairobi del 19 al 21 de marzo de 2007. Véase www.fidh.org/IMG/pdf/NAIROBI_DECLARATIONeng.pdf.

Brasil, Burundi, Camerún, Chad, Chile, China, Colombia, Congo, Dinamarca, Ecuador, Egipto, El Salvador, Emiratos Árabes Unidos, Eritrea, España, Etiopía, ex República Yugoslava de Macedonia, Federación de Rusia, Filipinas, Francia, Gambia, Georgia, Grecia, Guatemala, Guinea, Guinea Ecuatorial, Haití, Honduras, India, Indonesia, Irán (República Islámica del), Iraq, Irlanda, Israel, Japón, Jordania, Kenya, Kirguistán, Kuwait, Líbano, Libia, Lituania, Malí, Marruecos, Mauritania, México, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Pakistán, Perú, República Árabe Siria, República Centroafricana, República Checa, República de Corea, República Democrática del Congo, República Democrática Popular Lao, República Dominicana, República Popular Democrática de Corea, Rwanda, Serbia, Seychelles, Somalia, Sri Lanka, Sudán, Sudán del Sur, Suiza, Tailandia, Tayikistán, Timor-Leste, Togo, Túnez, Turkmenistán, Turquía, Ucrania, Uganda, Uruguay, Uzbekistán, Venezuela (República Bolivariana de), Viet Nam, Yemen, Zimbabwe y Estado de Palestina.

V. Decisiones sobre casos individuales adoptadas por el Grupo de Trabajo durante el período del informe y casos pendientes de resolución, por país

País	<i>Casos supuestamente ocurridos durante el período del informe</i>	<i>Casos transmitidos al gobierno durante el período del informe</i>		<i>Esclarecidos por</i>			<i>Casos cerrados</i>	<i>Casos discontinuados</i>	<i>Casos pendientes de resolución</i>
		<i>Procedimiento de urgencia</i>	<i>Procedimiento ordinario</i>	<i>Gobierno</i>	<i>Fuentes no gubernamentales</i>				
Afganistán	0	0	0	0	0	0	0	0	3
Albania	0	0	0	0	0	0	0	0	1
Arabia Saudita	0	0	0	0	0	0	0	0	4
Argelia	1	1	45	0	1	0	0	0	3 005
Argentina	0	0	0	14	0	0	0	0	3 271
Bahrein	0	0	0	0	0	0	0	0	1
Bangladesh	4	2	3	0	0	0	0	0	11
Belarús	0	0	0	0	0	0	0	0	3
Bhután	0	0	0	0	0	0	0	0	5
Bolivia (Estado Plurinacional de)	0	0	0	0	0	0	0	0	28
Brasil	0	0	0	0	0	0	0	0	13
Burundi	0	0	0	0	0	0	0	0	52
Camerún	0	0	0	0	0	0	0	0	14
Chad	0	0	0	0	0	0	0	0	23
Chile	0	0	0	5	0	0	0	0	801
China	0	0	0	0	0	0	0	0	30
Colombia	0	0	1	2	0	0	0	0	969
Congo	0	0	0	0	0	0	0	0	88
Ecuador	0	0	0	0	0	0	0	0	4
Egipto	0	0	3	1	2	0	0	0	41
El Salvador	0	0	0	0	0	0	0	0	2 271

<i>País</i>	<i>Casos supuestamente ocurridos durante el periodo del informe</i>	<i>Casos transmitidos al gobierno durante el periodo del informe</i>		<i>Esclarecidos por</i>			<i>Casos pendientes de resolución</i>	
		<i>Procedimiento de urgencia</i>	<i>Procedimiento ordinario</i>	<i>Gobierno</i>	<i>Fuentes no gubernamentales</i>	<i>Casos cerrados</i>		<i>Casos discontinuados</i>
Emiratos Árabes Unidos	0	0	0	0	0	0	0	5
Eritrea	0	0	0	0	0	0	0	54
España	0	0	0	1	0	0	0	3
Etiopía	0	0	0	0	0	0	0	112
Federación de Rusia	0	0	4	0	0	0	0	471
Filipinas	0	0	0	0	0	0	0	621
Francia	0	0	0	0	0	0	0	1
Gambia	0	0	0	0	0	0	0	1
Georgia	0	0	0	0	0	0	0	1
Grecia	0	0	0	0	0	0	0	1
Guatemala	0	0	0	0	0	0	0	2 899
Guinea	0	0	0	0	0	0	0	21
Guinea Ecuatorial	0	0	0	0	0	0	0	8
Haití	0	0	0	0	0	0	0	38
Honduras	0	0	0	0	0	0	0	129
India	0	0	0	0	0	0	0	353
Indonesia	0	0	0	0	0	0	0	162
Irán (República Islámica del)	0	0	1	0	0	0	0	518
Iraq	0	0	0	9	0	0	0	16 401
Israel	0	0	0	0	0	0	0	2
Jordania	0	0	0	0	0	0	0	2
Kenya	0	0	40	0	0	0	0	40
Kuwait	0	0	0	0	0	0	0	1
Líbano	0	0	0	0	0	0	0	313
Libia	0	0	1	0	1	0	0	9
Marruecos	0	0	1	9	0	0	0	53
Mauritania	0	2	0	0	0	0	0	3
México	11	11	6	0	0	0	0	327
Mozambique	0	0	0	0	0	0	0	2
Myanmar	0	0	0	1	0	0	0	1
Namibia	0	0	0	0	0	0	0	3
Nepal	0	0	0	0	0	0	0	458
Nicaragua	0	0	0	0	0	0	0	103
Pakistán	3	2	6	14	2	0	0	99
Perú	0	0	0	0	0	0	0	2 371
República Árabe Siria	17	30	9	1	7	0	0	72

<i>País</i>	<i>Casos supuestamente ocurridos durante el periodo del informe</i>	<i>Casos transmitidos al gobierno durante el periodo del informe</i>			<i>Esclarecidos por</i>			<i>Casos pendientes de resolución</i>
		<i>Procedimiento de urgencia</i>	<i>Procedimiento ordinario</i>	<i>Gobierno</i>	<i>Fuentes no gubernamentales</i>	<i>Casos cerrados</i>	<i>Casos discontinuados</i>	
República Centrafricana	3	3	0	0	0	0	0	3
República Democrática Popular Lao	0	0	0	0	0	0	0	1
República Democrática del Congo	0	0	0	0	0	0	0	44
República Dominicana	0	0	0	0	0	0	0	1
República Popular Democrática de Corea	0	0	4	0	0	0	0	20
Rwanda	0	0	0	0	0	0	0	21
Seychelles	0	0	0	0	0	0	0	3
Somalia	0	0	0	0	0	0	0	1
Sri Lanka	4	4	9	0	0	0	0	5 676
Sudán	0	0	0	0	0	0	0	173
Sudán del Sur	0	0	0	0	0	0	0	1
Suiza	0	0	1	0	0	0	0	1
Tailandia	1	1	15	0	0	0	0	71
Tayikistán	1	1	0	3	0	0	0	4
Timor-Leste	0	0	0	0	0	0	0	428
Togo	0	0	0	0	0	0	0	10
Túnez	0	0	0	0	0	0	0	2
Turkmenistán	0	0	0	0	0	0	0	1
Turquía	0	0	0	0	0	0	0	60
Ucrania	1	1	0	0	0	0	0	4
Uganda	0	0	0	0	0	0	0	15
Uruguay	0	0	0	1	0	0	0	19
Uzbekistán	1	1	0	0	0	0	0	8
Venezuela (República Bolivariana de)	0	0	0	0	0	0	0	10
Viet Nam	0	0	0	0	0	0	0	1
Yemen	0	0	0	0	0	0	0	2
Zimbabwe	0	0	0	0	0	0	0	4
Estado de Palestina	0	0	0	0	0	0	0	3

VI. Conclusiones y recomendaciones

A. Cuestiones generales

71. En 2012, el Grupo de Trabajo transmitió 208 nuevos casos denunciados de desapariciones a 21 Estados. Empleó el procedimiento de urgencia en 59 de esas desapariciones, que supuestamente habían tenido lugar en los tres meses anteriores a la recepción de la denuncia por el Grupo de Trabajo. Durante el período que se examina, el Grupo de Trabajo pudo esclarecer 74 casos de desaparición forzada.

72. Más de 40.000 casos siguen pendientes de esclarecimiento por el Grupo de Trabajo, muchos de ellos desde hace varias décadas. A pesar de ese gran número, la escasez de denuncias sigue siendo un problema importante, y se debe a varias razones, entre ellas el temor a las represalias, una mala administración de justicia, canales de información ineficaces, sistemas institucionalizados de impunidad, la pobreza, el analfabetismo, las barreras lingüísticas, una práctica de silencio y restricciones a la labor de la sociedad civil. Se debe proporcionar más ayuda a los familiares y miembros de la sociedad civil para que puedan denunciar los casos al Grupo de Trabajo.

73. El Grupo de Trabajo sigue observando un patrón de amenazas, intimidación y represalias contra las víctimas de desapariciones forzadas y contra los familiares, los testigos y los defensores de derechos humanos que se ocupan de esos casos. El Grupo de Trabajo insta a los Estados a tomar medidas específicas para prevenir esos actos, proteger a quienes se ocupan de casos de desapariciones forzadas y sancionar a los autores, de conformidad con el artículo 13, párrafos 1 y 3, de la Declaración sobre la protección de todas las personas contra las desapariciones forzadas. El Consejo de Derechos Humanos debe adoptar medidas para que se dé una respuesta más sistemática a las represalias contra las personas que cooperan con las Naciones Unidas.

74. El Grupo de Trabajo agradece la cooperación recibida de una serie de Estados, que es indispensable para averiguar la suerte o el paradero de las personas desaparecidas en todo el mundo. Sin embargo, el Grupo de Trabajo sigue preocupado por el hecho de que, de los 84 Estados con casos sin resolver, algunos no han respondido nunca al Grupo de Trabajo y otros ofrecen respuestas que no contienen información pertinente. El Grupo de Trabajo insta a todos los Estados a cumplir sus obligaciones dimanantes de la Declaración y de las resoluciones de la Asamblea General y el Consejo de Derechos Humanos.

75. Las visitas a los países son una parte integral del mandato del Grupo de Trabajo. Le permiten supervisar las prácticas de los países frente a las desapariciones forzadas, ayudar a los Estados a reducir los obstáculos a la aplicación de la Declaración y mantener un contacto directo con los familiares de las víctimas. Sin embargo, hay una serie de Estados a los que el Grupo de Trabajo ha solicitado una visita sin éxito. Hay otros que han invitado oficiosamente y/o han confirmado la invitación al Grupo de Trabajo, pero sin haberse acordado fechas concretas. Por lo tanto, el Grupo de Trabajo exhorta a todos los Estados con solicitudes de visita pendientes a que respondan favorablemente, a la luz de la resolución 21/4 del Consejo de Derechos Humanos, y a aquellos que han aceptado una visita, a que respondan lo antes posible con fechas concretas.

76. El Grupo de Trabajo exhorta una vez más a los gobiernos que no han firmado y/o ratificado la Convención Internacional para la protección de todas las personas contra las desapariciones forzadas a que lo hagan lo antes posible y a que acepten la competencia del Comité contra la Desaparición Forzada para ocuparse de casos

individuales, en virtud del artículo 31, y de las denuncias entre Estados, en virtud del artículo 32 de la Convención.

77. El Grupo de Trabajo expresa su agradecimiento a los Gobiernos de la Argentina y Francia por sus contribuciones financieras y de recursos humanos, que han sido muy valiosas. El Grupo de Trabajo recuerda a las Naciones Unidas el escaso presupuesto ordinario de que dispone y exhorta a todos los Estados a que aumenten su asistencia para que pueda cumplir su mandato.

78. El Grupo de Trabajo considera preocupante que muchas comunicaciones sigan sin ser traducidas oportunamente, lo cual retrasa su examen por el Grupo de Trabajo y limita la función humanitaria de este. El Grupo de Trabajo lamenta también que, al aprobarse el presente informe (noviembre de 2012), su informe de 2011 (A/HRC/19/58/Rev.1) solo se hubiera traducido al árabe.

B. Reparaciones y desapariciones forzadas

79. El Grupo de Trabajo subraya que las víctimas de desapariciones forzadas tienen derecho a la reparación. El concepto de la reparación por las desapariciones forzadas comprende la restitución, la rehabilitación, la indemnización, la satisfacción y las garantías de no repetición. El Grupo de Trabajo recomienda a los Estados miembros que:

- a) Velen por que las víctimas de desapariciones forzadas tengan derecho a obtener una reparación y una indemnización rápida, justa y adecuada;
- b) Prevean en su ordenamiento jurídico que las víctimas de desapariciones forzadas o sus familiares puedan reclamar una reparación justa, rápida y adecuada;
- c) Adopten, a los efectos de la reparación, una definición amplia de víctima que incluya a todos aquellos que hayan sufrido un perjuicio como consecuencia de una desaparición;
- d) Garanticen el derecho a la verdad y la justicia como elementos esenciales para evitar la repetición;
- e) Velen por que puedan otorgarse tanto reparaciones individuales como colectivas, ya que tienen propósitos diferentes y no se excluyen mutuamente;
- f) Adopten una perspectiva de género al formular y ejecutar los programas de reparación, y aseguren la participación y el empoderamiento de las mujeres para que determinen por sí mismas las formas de reparación que se adapten mejor a su situación;
- g) Prevean medidas de reparación concretas en los casos de desapariciones forzadas que incluyan la adopción de un plan nacional de búsqueda de las personas desaparecidas; la creación de unidades especializadas para investigar los casos de desaparición forzada; la elaboración de un protocolo para la recuperación e identificación de restos mortales; la creación de un programa de asistencia psicosocial para las personas encontradas y para sus familiares, así como para los familiares de las personas que permanezcan desaparecidas; el acceso público a los documentos y archivos del Estado que contengan información de interés; y la educación y capacitación en derechos humanos de la policía y las fuerzas armadas y de seguridad;
- h) Estudien la adopción de medidas simbólicas, como monumentos y actos conmemorativos, para reconocer el sufrimiento de las víctimas y restablecer su dignidad y reputación;

i) Refuercen las medidas de prevención como forma de reparación, incluida la adopción de medidas efectivas de tipo legislativo, administrativo, judicial u otro para prevenir, sancionar y erradicar los actos de desaparición forzada.

C. Vigésimo aniversario de la Declaración sobre la protección de todas las personas contra las desapariciones forzadas

80. La Declaración sobre la protección de todas las personas contra las desapariciones forzadas fue el primer instrumento que caracterizó todos los actos de desaparición forzada de personas como "delitos muy graves" y estableció normas para sancionar y prevenir su comisión. La Asamblea General declaró hace 20 años, al aprobar la Declaración, que estaba "profundamente preocupada por el hecho de que en muchos países, con frecuencia de manera persistente, se produzcan desapariciones forzadas". El Grupo de Trabajo lamenta que, 20 años después, la práctica de la desaparición forzada persista en muchos países, especialmente en situaciones de conflicto o de disturbios internos, o como herramienta para luchar contra el terrorismo o la delincuencia organizada. A ese respecto, el Grupo de Trabajo recuerda el artículo 7 de la Declaración, que establece que ninguna circunstancia, cualquiera que sea, ya se trate de amenaza de guerra, estado de guerra, inestabilidad política interna o cualquier otro estado de excepción, puede ser invocada para justificar las desapariciones forzadas.

81. El Grupo de Trabajo recomienda a los Estados que se centren más en las medidas de prevención de las desapariciones forzadas, entre otras cosas manteniendo registros accesibles y actualizados de los detenidos en todos los lugares de privación de libertad; garantizando el acceso de los familiares, así como de los abogados, a la información pertinente y a todos los lugares de ese tipo; y haciendo comparecer ante la justicia sin demora a todas las personas detenidas.

82. En su 20º aniversario, el Grupo de Trabajo exhorta a todos los Estados a que renueven su adhesión a los principios de la Declaración sobre la protección de todas las personas contra las desapariciones forzadas y, en particular, reafirmen con fuerza que "todo acto de desaparición forzada constituye un ultraje a la dignidad humana. Es condenado como una negación de los objetivos de la Carta de las Naciones Unidas y como una violación grave y manifiesta de los derechos humanos y de las libertades fundamentales proclamados en la Declaración Universal de Derechos Humanos". El Grupo de Trabajo alienta a todos los Estados y a la sociedad civil a traducir la Declaración a todos los idiomas y dialectos, sin distinción alguna, puesto que todos ellos sirven al propósito de contribuir a su difusión mundial y al objetivo último de prevenir las desapariciones forzadas.

83. Con los años, las familias de los desaparecidos han señalado a la atención de la comunidad internacional la magnitud de este horripilante crimen. Se debió, en gran parte, a sus esfuerzos que la Convención Internacional para la protección de todas las personas contra las desapariciones forzadas entrara en vigor el 23 de diciembre de 2010. Tras la entrada en vigor de la Convención, el Comité contra la Desaparición Forzada fue establecido. Al igual que para muchas otras cuestiones temáticas de derechos humanos, como la tortura, la discriminación racial, la discriminación contra la mujer, los derechos del niño y una serie de derechos civiles, culturales, económicos, políticos y sociales, el Comité y el Grupo de Trabajo coexisten lado a lado, cooperando en la lucha para prevenir y erradicar las desapariciones forzadas dondequiera que se produzcan en todo el mundo. En el mismo sentido, la Declaración y la Convención se refuerzan entre sí para crear un marco jurídico más eficaz contra la práctica de la desaparición forzada.

84. El Grupo de Trabajo agradece a los Estados que cooperan periódicamente con él y recuerda que está dispuesto a prestar a todos los Estados la asistencia necesaria para poner en práctica la Declaración.

D. Las mujeres afectadas por las desapariciones forzadas

85. En su 98º período de sesiones, el Grupo de Trabajo aprobó una observación general sobre las mujeres afectadas por las desapariciones forzadas.

86. El Grupo de Trabajo subraya que, al ocuparse de los casos de desaparición forzada, los Estados deben adoptar una perspectiva de género en todas las medidas que tomen, ya sean legislativas, administrativas, judiciales o de otra índole. La igualdad entre los géneros en la esfera de las desapariciones forzadas requiere, ante todo, que todas las personas, independientemente de su sexo o género, disfruten sin discriminación de los derechos consagrados en la Declaración.

87. El Grupo de Trabajo considera que las mujeres son fundamentales para garantizar y promover los derechos de las personas desaparecidas. En particular, su experiencia le demuestra que las mujeres suelen estar a la vanguardia de la lucha contra las desapariciones forzadas. Con frecuencia crean organizaciones y asociaciones para tratar de averiguar las circunstancias de las desapariciones forzadas y la suerte corrida por las personas desaparecidas, así como para ayudar a las propias víctimas.

88. Las mujeres y las niñas se ven a menudo afectadas por las desapariciones forzadas en cuanto que desaparecidas, pero también en cuanto que familiares o personas que sufren un perjuicio como consecuencia de una desaparición forzada. Todas ellas sufren los efectos de las desapariciones forzadas de diferentes maneras a causa de roles de género que están profundamente arraigados en la historia, la tradición, la religión y la cultura. La igualdad entre los géneros y el empoderamiento de las mujeres son instrumentos esenciales para hacer frente a la situación que enfrentan las mujeres víctimas de las desapariciones forzadas. Con el fin de prevenir y erradicar efectivamente las desapariciones forzadas de mujeres, el Grupo de Trabajo considera importante que los Estados establezcan una política nacional integral basada en los principios de la integración de una perspectiva de género. El Grupo de Trabajo alienta a los Estados a utilizar la observación general sobre las mujeres afectadas por las desapariciones forzadas como herramienta para lograr la igualdad entre los géneros y el empoderamiento de las mujeres.

E. Los niños y las desapariciones forzadas

89. En 2012, el Grupo de Trabajo aprobó una observación general sobre los niños y las desapariciones forzadas.

90. La desaparición forzada de un niño constituye una exacerbación de la violación de los múltiples derechos protegidos por la Declaración sobre la protección de todas las personas contra las desapariciones forzadas y una forma extrema de violencia contra los niños⁴⁶.

91. Las etapas evolutivas de madurez física y mental de los niños, así como su dependencia de los adultos, los coloca en una situación de especial vulnerabilidad. Por ello, debe comprenderse y subrayarse adecuadamente la naturaleza específica de la

⁴⁶ Véase A/61/299.

violación de los derechos y las obligaciones específicas del Estado en los casos de los niños víctimas de desapariciones forzadas.

92. El Grupo de Trabajo considera que los niños deben recibir una protección especial y reconoce la relevancia de los instrumentos pertinentes que abordan específicamente la violencia contra los niños.

93. Teniendo en cuenta que la desaparición forzada es un delito permanente, sus efectos específicos en un niño pueden continuar incluso después de que haya llegado a la mayoría de edad. Por lo tanto, el Grupo de Trabajo señala que las obligaciones del Estado que surgieron cuando el niño era menor de 18 años siguen existiendo mientras no se cumplan plenamente.

94. El Grupo de Trabajo considera que los Estados deben abordar, al hacer frente a la situación de las desapariciones forzadas, los diferentes desafíos y necesidades que enfrentan las niñas y los niños, los adolescentes y los niños más pequeños, los niños refugiados y desplazados internos, los niños reclutados por fuerzas o grupos armados, los niños de diferentes orígenes religiosos y étnicos y raciales, y los niños con discapacidad. La perspectiva de género debe incluir una atención especial a la protección de los derechos de las niñas y a la satisfacción de sus necesidades particulares.

Anexos

Annex I

[English only]

Information concerning enforced or involuntary disappearances in countries and territories reviewed by the Working Group on Enforced or Involuntary Disappearances

Afghanistan

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 0		Cases clarified during the period under review: 0		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
3	0	0	0	0	3
Number of cases on which the Government has replied	Multiple replies on some cases		Number of cases of possible clarification by Government (6-month rule)		
3	No		0		
Urgent Appeal	N/A		Government response	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		Invitation extended	N/A	

Information from the Government

1. The Government transmitted one communication dated 6 June 2012, concerning all outstanding cases. The information was not considered sufficient to lead to the clarification of these cases. In this communication, the Government also requested for the Working Group to reflect in its report the communications it had transmitted in 2008 and 2009. Through separate correspondence, the Working Group drew to the attention of the Government that these communications had already been processed as reflected in A/HRC/13/31, paragraph 40.

Total cases transmitted, clarified and outstanding

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

Albania

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>1</i>	<i>Yes</i>		<i>0</i>		
<i>Urgent Appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

Information from the Government

3. The Government transmitted two communications dated 13 June and 7 September 2012 concerning the outstanding case.

4. In the first communication, the Government transmitted a copy of a judicial decision issued by the Basic Court of Skopje, transmitted officially to the Government of Albania from the Government of the former Yugoslav Republic of Macedonia, in its original language. The Working Group requested the Government to retransmit this communication in one of the six official UN languages. As a result, in the second communication, the Government transmitted an unofficial translation of the aforementioned judicial decision.

5. The information provided was not considered sufficient to lead to the clarification of the case.

Total cases transmitted, clarified and outstanding

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

Algeria

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review:46		Cases clarified during the period under review:1		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	
2,960	1	45	0	1	3,005
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)		
2,714	N/A		0		
Urgent Appeals			N/A	Government response	N/A
General allegation			N/A	Government response	N/A
Prompt intervention letter			Yes	Government response	Yes
Working Group request for a visit			Yes	Invitation extended	Yes ^a

Urgent action

7. The Working Group transmitted one case under its urgent action procedure to the Government. The case concerned Mr. **Zoubir Kaf**, who was allegedly last seen in late July 2012 in detention in the barracks of the *Direction du Renseignement et de la Sécurité* (DRS – Information and Security Authority) of Ouargla, approximately 800 kilometres south of Algiers.

Standard procedure

8. The Working Group transmitted 45 newly-reported cases to the Government concerning Messrs. **Boualem Bounaira, Ayache Bouroudi, Ferhat Boumaaza, Ali Bouneas, Ammar Zeraoulia, Rachid Bouroudi, Rabi Maouche, Abdenor Maouche, Salah Makhtoute, Salah Mehamdioua, Mohamed Loudini, Abdelouaheb Lehileh, Kaddour Lehileh, Bachir Layeb, Ammar Laouici, Boualem Khellafi, Belkacem Micha, Mouloud Merighed, Karim Mekhalifa, Mahfoud Lahmar, Mebarek Lagoune, Abderrahmane Kelikha, Ferhat Nouri, Amor Mechidi, Salim Zeraoulia, Mohammed El Seghir Haouas, Khalifa Annab, Ali Djerouiti, Djamel Ayad, Mohamed Belhaid, Karim Belabid, Boulenouar Djoulem, Gherfi Ahcene, Ahmed Hezouete, Ferhat Habbache, Mouloud Grine, Larbi Chatal, Ahmed Gherda, Mohamed Fedsi, Yazid Chine, Rachid Basbas, Ferhat Bousdelnou, Ammar Bousloub, Ali Boussaboun, and Laid Himrouche**. The majority of these persons allegedly disappeared between 1994 and 1996, in Jijel. Most disappearances are attributed to the military and the National Gendarmerie.

Prompt intervention letter

9. On 31 July 2012, the Working Group, jointly with four other special procedures mechanisms, transmitted a prompt intervention letter to the Government concerning allegations of excessive use of force during a peaceful rally held on 5 July 2012 by individuals including members of the Collectif des Familles de Disparus en Algérie

^a See paragraph 18.

(Collective of Families of the Disappeared in Algeria), SOS Disparus (SOS Disappeared) to commemorate the 50th Anniversary of the independence of Algeria and denounce a number of alleged human rights violations.

10. On 1 October 2012, the Government replied to the prompt intervention letter during the reporting period. In this communication, the Government reported, *inter alia*, that the CFDA, SOS Disparus and the Comité national pour la défense des droits de chômeurs had no legal status in Algeria and did not respect the established procedure concerning public rallies and peaceful demonstrations. The Government commented on disruptions to traffic caused, and action taken against individuals involved in the rally. The Government also pointed out that any action by public order agents was carried out calmly and without any use of force.

Information from the Government

11. During the reporting period the Government transmitted three communications dated 29 November 2011, 1 July 2012 and 1 October 2012.

12. The first communication concerned the visit request of the Working Group.

13. The second communication was handed to the Working Group during its ninety-seventh session and concerned outstanding cases. This information could only be partially processed for inclusion in the present report.

14. The third communication concerned the prompt intervention letter sent by the Working Group, jointly with four other special procedures mandates, on 31 July 2012.

Information from sources

15. Information was received from sources concerning one outstanding case. As a result, this case was clarified.

Clarification

16. Following the information provided by the source, the Working Group decided to clarify one case.

Meetings

17. Representatives of the Government of Algeria met with the Working Group at its ninety-seventh session.

Request for a visit

18. On 25 August 2000, the Working Group requested an invitation to undertake a visit to Algeria. A reminder was sent on 21 October 2010. On 12 November 2010, the Government proposed that the Working Group travel to Algiers to consult the documents which had been requested concerning outstanding cases and meet with the families of those allegedly disappeared but found alive. On 29 November 2011, the Government reiterated its proposal for the Working Group's visit to take place in the context of a review of the measures taken by the Government to deal with the outstanding cases. On 23 May 2011 and 23 January 2012, the Working Group replied to these communications indicating to the Government that it would prefer to carry out a visit to the country in conformity with its mandate and usual practice.

Total cases transmitted, clarified and outstanding

19. Since its establishment, the Working Group has transmitted 3,033 cases to the Government; of those, 19 cases have been clarified on the basis of information provided by the source, nine cases have been clarified on the basis of information provided by the Government, and 3,005 remain outstanding.

Observations

20. The Working Group wishes to express its appreciation for the reply received from the Government, dated 1 October 2012, concerning the prompt intervention letter transmitted on 31 July 2012. The Working Group notes with concern that the Government stated in its reply that the CFDA, *SOS Disparus* and the *Comité national pour la défense des droits de chômeurs* have no legal status in Algeria and did not respect the established procedure concerning public rallies and peaceful demonstrations.

21. In relation to this prompt intervention letter, the Working Group would like to recall the Declaration, which affirms that States must take steps to ensure that persons involved in investigations of cases of disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal. The Working Group would also like to recall that, in its resolution 21/4, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation, persecution, reprisals or ill-treatment to which they might be subjected, paying special attention to women as relatives of disappeared persons in the context of their struggle to resolve the disappearance of members of their families.

Argentina*

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 0		Cases clarified during the period under review: 14		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	
3,285	0	0	14	0	3,271
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		0		
Urgent appeals			N/A	Government response	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	Invitation extended	N/A

* In accordance with the practice of the Working Group, Ariel Dulitzky did not participate in the decisions relating to this section of the report.

Information from the Government

22. In a communication dated 7 July 2011, the Government transmitted a report on action taken to promote and protect human rights, particularly with regard to the clarification of cases of enforced disappearance, as well as specific information concerning four cases. Based on information provided by the Government, the Working Group decided at its ninety-sixth session to apply the six-month rule to two cases. The information provided concerning the remaining cases was not considered sufficient to lead to their clarification.

23. The Government transmitted another communication, dated 15 May 2012, which could not be processed in time for inclusion in the present report.

Information from sources

24. A source provided information on one outstanding case.

Clarification

25. On the basis of the information provided by the Government, the Working Group decided to clarify 14 cases following the expiration of the period prescribed by the six-month rule.

Total cases transmitted, clarified and outstanding

26. Since its establishment, the Working Group has transmitted 3,449 cases to the Government; of those, 52 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, two cases were found to be duplications and were therefore deleted, and 3,271 remain outstanding.

Bahrain

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>1</i>	<i>No</i>		<i>1</i>		
<i>Urgent Appeals</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

Information from the Government

27. On 15 February 2012, the Government transmitted a communication regarding one outstanding case. Based on this information, at its ninety-eighth session, the Working Group decided to apply the six-month rule to this case.

Total cases transmitted, clarified and outstanding

28. Since its establishment, the Working Group has transmitted five cases to the Government; of those, four cases have been clarified on the basis of information provided by the source and one case remains outstanding.

Bangladesh

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 5</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
6	2	3	0	0	11
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
4	Yes		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2011)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent actions

29. The Working Group transmitted two cases under its urgent action procedure to the Government. The first case concerned Mr. **Tapu Tapan Das**, who was allegedly arrested by members of the Detective Branch of the Police from KB Road, Gendaria, Dhaka, on 3 August 2011. The Government acknowledged this urgent action through a communication dated 5 December 2011, and provided a response dated 7 May 2012. The second case concerned Mr. **Mohamed Nazrul Islam**, who was allegedly arrested by members of the Rapid Action Battalion (RAB) in Karmarkhand, Sirajganj district, on 13 June 2012. The Government acknowledged this urgent action through a communication dated 20 September 2012.

Standard procedure

30. The Working Group transmitted three cases to the Government under its standard procedure. The first concerned Mr. **Habib Habibur Rahman Haoladar**, who was allegedly arrested on 6 July 2011 outside his house, near Katakhal canal, by police officers believed to be from the local police station, the Armed Police Battalion, and the Bagerhat District Detective Branch (DB). The other cases concerned Messrs. **Mohammad Waliullah** and **Al Mukaddas Hussain**, who were allegedly arrested on 5 February 2012 on a Hanif Enterprise bus in Nobinagar, Savar, Dhaka, by members of the Detective Branch (DB) of police in uniform and agents from Rapid Action Battalion (RAB) Unit 4, also in uniform.

Information from the Government

31. The Working Group received four communications from the Government dated 5 December 2011, 7 May 2012, 23 August 2012, and 20 September 2012, regarding four

outstanding cases. The information provided was not considered sufficient to lead to the clarification of the cases.

Total cases transmitted, clarified and outstanding

32. Since its establishment, the Working Group has transmitted 12 cases to the Government; of those, one case has been clarified on the basis of information provided by the Government, and 11 remain outstanding.

Observations

33. The Working Group is concerned at the increase in the number of cases of enforced disappearance reported to have taken place in Bangladesh. The Working Group also regrets that, notwithstanding the reminder sent on 13 August 2012, no information has been received from the Government in connection with the general allegation, transmitted on 4 May 2011, concerning the alleged frequent use of enforced disappearance as a tool by law enforcement agencies, paramilitary and armed forces to detain and even extra-judicially execute individuals.

Belarus

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
3	0	0	0	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
3	Yes		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

Information from the Government

34. The Working Group received three communications from the Government dated 19 January 2012, 8 June 2012, and 3 October 2012 regarding three outstanding cases. The information provided was not considered sufficient to lead to the clarification of the cases.

Request for a visit

35. On 30 June 2011, the Working Group requested an invitation to undertake a visit to the country. No response has been received from the Government.

Total cases transmitted, clarified and outstanding

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

Bhutan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
5	0	0	0	0	5
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
5	No		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

37. The Government transmitted one communication dated 18 June 2012, concerning all outstanding cases. The information provided was not considered sufficient to lead to the clarification of the cases.

Total cases transmitted, clarified and outstanding

38. Since its establishment, the Working Group transmitted five cases to the Government. All cases remain outstanding.

Bolivia (Plurinational State of)

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
28	0	0	0	0	28
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

40. Since its establishment, the Working Group has transmitted 48 cases to the Government; of those, one has been clarified on the basis of information provided by the source, 19 cases have been clarified on the basis of information provided by the Government, and 28 remain outstanding.

Bosnia and Herzegovina*

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
N/A	N/A		N/A		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2009/2011)		<i>Government response</i>	Yes	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

41. In a communication dated 7 November 2012, the Government transmitted information concerning the general allegations transmitted on 15 May 2009, in relation to the Government's alleged involvement in a practice of renditions and secret detention (A/HRC/13/31, paras. 103-106); and 4 May 2011, regarding the Government's alleged failure to clarify the fate and whereabouts of victims of the massacre of "Korićanskostijene", of 21 August 1992, and to exhume, locate, identify and return the remains of victims to their families (A/HRC/19/58/Rev.1, annex I, paras. 67-72). This communication could not be processed in time for inclusion in the present report.

Total cases transmitted, clarified and outstanding

42. The Working Group has transmitted no cases to the Government.

* In accordance with the practice of the Working Group, Jasminka Dzumhur, did not participate in the decisions relating to this section of the report.

Brazil

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
13	0	0	0	0	13
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

44. Since its establishment, the Working Group has transmitted 63 cases to the Government; of those, four 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 remain outstanding.

Burundi

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
52	0	0	0	0	52
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

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

Request for a visit

46. On 27 May 2009, the Working Group requested an invitation to visit the country. A reminder was sent on 18 August 2011. However, no reply has yet been received.

Total cases transmitted, clarified and outstanding

47. Since its establishment, the Working Group has transmitted 53 cases to the Government; of those, one case has been clarified on the basis of information provided by the source and 52 remain outstanding.

Cameroon

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
14	0	0	0	0	14
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

49. Since its establishment, the Working Group has transmitted 19 cases to the Government; of those, five cases have been clarified on the basis of information provided by the Government, and 14 remain outstanding.

Central African Republic

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 3</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	3	0	0	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent actions

50. The Working Group transmitted three cases under its urgent action procedure to the Government.

51. The first case concerned Mr. **Brice-Quentin Gouhoutou** who was allegedly arrested by the Commander of the Commando d'Intervention Rapide de l'Armée Nationale à Bangui (Rapid Intervention Commando of the National Army in Bangui), on 15 March 2012, and taken to an unknown location by several armed men from the Presidential Guard on 23 May 2012.

52. The second case concerned Mr. **Magna Venant-Serge** who, on 14 August 2012 was allegedly arrested between the UNICEF office and the Presidential Palace, approximately 300 metres from the building where the Cabinet of the Minister of Budget and Finance is located, in Bangui, by a Gendarmerie Nationale (GIGN – National Police) lieutenant.

53. The third case concerned Mr. **Jean Bianga** who, on 11 July 2012, was allegedly arrested by members of the Presidential Guard, at approximately 100 metres from the Commercial Bank Centrafricaine (CBCA), Bangui.

Information from sources

54. Information was received from sources concerning all outstanding cases. It was not possible to process this information in time for inclusion in the present report.

Total cases transmitted, clarified and outstanding

55. Since its establishment, the Working Group has transmitted three cases to the Government. All cases remain outstanding.

Observations

56. The Working Group notes with concern that, during the reporting period, it transmitted three cases to the Government under the urgent action procedure and that no response has yet been received.

Chad

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
23	0	0	0	0	23
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

58. Since its establishment, the Working Group has transmitted 34 cases to the Government; of those, eight cases have been clarified on the basis of information provided by the source, three cases have been clarified on the basis of information provided by the Government, and 23 remain outstanding.

Chile

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 5</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
806	0	0	5	0	801
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
140	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

59. The Government transmitted four communications dated 21 June 2011, 15 August 2011, 22 August 2012, and 24 September 2012.

60. The first and second communications concerned 140 outstanding cases and two previously-clarified cases. Based on the information provided by the Government, the Working Group decided, at its ninety-sixth session, to apply the six-month rule to five cases. Regarding the remaining cases, the information provided was not considered sufficient to lead to their clarification.

61. The information in the third communication could not be processed in time for inclusion in the present report.

62. In the fourth communication, the Government provided comments regarding the visit.

Visit

63. The Working Group visited Chile from 13 to 21 August 2012 (see A/HRC/22/45/Add.1).

Clarification

64. On the basis of the information provided by the Government, the Working Group decided, at its ninety-eighth session to clarify five cases following the expiration of the period prescribed by the six-month rule.

Total cases transmitted, clarified and outstanding

65. Since its establishment, the Working Group has transmitted 908 cases to the Government; of those, 23 cases have been clarified on the basis of information provided by the source, 83 cases have been clarified on the basis of information provided by the Government, one case was found to be a duplicate and was therefore deleted, and 801 remain outstanding.

Observations

66. The Working Group thanks the Government for the cooperation extended before and during its visit to the country.

China

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
30	0	0	0	0	30
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	No		0		
<i>Urgent appeals</i>	Yes (2)		<i>Government response</i>	Yes (2)	
<i>General allegation</i>	Yes (2010/2011)		<i>Government response</i>	Yes (1)	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent Appeals

67. The Working Group transmitted two communications to the Government under its urgent appeal procedure.

68. The first communication was transmitted on 15 May 2012, jointly with four other special procedures mechanisms, and concerned alleged threats and harassment against Mr. **Chen Guangcheng** and his family and the alleged arbitrary detention or enforced disappearance of a number of his relatives and supporters. It was reported, inter alia, that on 28 April 2012, Mr. Chen Guangcun and his son Mr. Chen Hua, both cousins of Mr. Chen Guangchen, were arrested and that, at the time of the communication, their fate and whereabouts allegedly remained unclear.

69. The second communication was transmitted on 9 August 2012, jointly with seven other special procedures mechanisms, and concerned allegations of systematic undermining of the autonomous functions and the rights to freedom of religion, culture and expression of the Tibetan Buddhist community. It was reported, inter alia, that between March 2008 and the date of the communication the whereabouts of 37 intellectuals, including artists, remained unknown. Among these intellectuals were Nyendak and Yama Tsering, director and a teacher respectively at a school established 20 years previously to teach and promote Tibetan culture and language in Kadhrok village, Rongpo Tsa Lema Township, Kardze County, Kardze Tibetan Autonomous Prefecture, Sichuan Province; and Mr. Lo Lo, a Tibetan singer who was reportedly placed in detention on 19 April 2012.

Information from the Government

70. On 11 October 2011, the Government transmitted one communication which could not be translated in time for inclusion in the 2011 annual report (A/HRC/19/58/Rev.1). This communication concerned one outstanding case and an urgent appeal, the Government replied "Ershidin Israel is a Chinese citizen. In 2009 Mr. Ershidin was suspected of plotting violent terrorist activities in Xinjiang. He is wanted by the Chinese police as a major suspect, and is the subject of a Red Notice issued by the International Criminal Police Organization (INTERPOL). In September 2009, Mr. Ershidin, fearing punishment, fled across the national border to Kazakhstan.

71. In May 2011, Mr. Ershidin was extradited to China in strict observance by both parties of the extradition treaty between China and Kazakhstan. Mr. Ershidin has now fully confessed to having carried out violent illegal terrorist activities and his case is currently being further adjudicated.

72. The Chinese Government respectfully requests that the foregoing be reproduced in its entirety in the relevant documents of the United Nations.” The information provided was not considered sufficient to lead to the clarification of the outstanding case.

73. During the reporting period, the Government transmitted three communications, dated 18 November 2011, 27 August 2012, and 28 September 2012. These communications concerned the general allegation transmitted to the Government on 21 September 2011, the joint urgent appeal sent on 15 May 2012, and the urgent appeal sent on 9 August 2012, respectively, but could not be translated in time for inclusion in the present report.

Information from sources

Information was received from sources concerning one outstanding case.

Total cases transmitted, clarified and outstanding

74. Since its establishment, the Working Group has transmitted 119 cases to the Government; of those, 12 cases have been clarified on the basis of information provided by the source, 77 cases have been clarified on the basis of information provided by the Government, and 30 remain outstanding.

Press release

75. On 23 December 2011, the Working Group, jointly with three other special procedures mechanisms, issued a press release concerning the alleged continued secret detention of Mr. Gao Zhisheng, a prominent Chinese human rights lawyer who was reportedly arrested in 2006 in relation to his work advocating against human rights violations in China. Mr. Gao was allegedly charged with subversion of State power, although this was never proven in a court of law. At the time when the press release was issued, Mr. Gao’s whereabouts had been unknown for 20 months.

Observations

76. The Working Group welcomes the responses received from the Government, including a response dated 18 November 2011 to a general allegation transmitted to the Government on 21 September 2011. The Working Group regrets that it has not been possible to translate this communication and others from the Government in time for inclusion in the present report.

77. The Working Group also regrets that, notwithstanding the reminder sent on 26 August 2011, no response has been received from the Government in relation to a general allegation transmitted on 6 August 2010 (A/HRC/16/48, paras. 118-21) concerning unrest in Urumqi, Xinjiang, in July 2009, which reportedly led to the detention of hundreds of young Uighur men and the disappearance of some of them.

78. The Working Group recalls article 2.1 of the Declaration: “No State shall practise, permit or tolerate enforced disappearances.”

Colombia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 2</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
970	0	1	2	0	969
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
17	No		1		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	Yes	
<i>General allegation</i>	Yes		<i>Government response</i>	Yes	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Standard procedure

79. The Working Group transmitted one newly-reported case to the Government under its standard procedure, concerning a person below the age of 18, who, on 8 May 2010, was reportedly forcibly recruited by an armed paramilitary group which allegedly acted with the acquiescence of the police and the military.

Urgent appeal

80. On 10 May 2012, the Working Group, jointly with three other special procedures mechanisms, transmitted an urgent appeal to the Government concerning the alleged enforced disappearance of Mr. **Hernán Henry Díaz**, on 18 April 2012, while he was travelling from Puerto de Asís to Puerto Vega, Putumayo.

General allegations

81. On 2 October 2012, the Working Group, jointly with 10 other special procedures mechanisms, transmitted a general allegation to the Government concerning the possible adoption by Congress of draft legislation which would reform articles 116, 152 and 221 of the Political Constitution of Colombia, which could seriously affect the rule of law and the fight against impunity in Colombia. A press release on the same matter was issued on 22 October 2012 (see para. 92).

Information from the Government

82. The Government transmitted a communication, dated 5 May 2011, which could not be translated in time for the 2011 annual report (A/HRC/19/58/Rev.1). It concerned 16 cases. The information provided was not considered sufficient to lead to the clarification of these cases.

83. During the reporting period, the Government transmitted five communications, dated 30 January 2012, 8 March 2012, 22 May 2012, 10 August 2012 and 2 November 2012.

84. The first communication concerned 20 outstanding cases. The information provided was not considered sufficient to lead to the clarification of these cases.

85. The second communication concerned outstanding cases but could not be processed in time for inclusion in the present report.

86. In the third communication, the Government responded to the urgent appeal transmitted on 10 May 2012 (see para. 80). In its response, the Government informed that the Urgent Search Mechanism (*Mecanismo de Búsqueda Urgente*) was launched, as well as the methodological registration process in the National Register of Missing Persons (RND); that Mr. Diaz's case was registered under reference number 865686000528201280327. In addition, the Government provided a list of the steps taken with respect to this case, and information on a technical match with the remains of those deceased in Colombian territory, whose bodies were with the Institute of Legal Medicine. The results were negative. The Government noted that any update on this case would be transmitted to the special procedures branch.

87. The fourth communication concerned one outstanding case. The information received was not considered sufficient to clarify the case.

88. The fifth communication concerned the general allegation transmitted on 2 October 2012. The information received could not be processed in time for inclusion in the present report.

Information from sources

89. Sources provided information on four outstanding cases.

Clarification

90. Following the expiration of the period prescribed by the six-month rule, the Working Group decided to clarify two cases.

Total cases transmitted, clarified and outstanding

91. Since its establishment, the Working Group has transmitted 1,255 cases to the Government; of those, 68 cases have been clarified on the basis of information provided by the source, 218 cases have been clarified on the basis of information provided by the Government, and 969 remain outstanding.

Press release

92. On 22 October 2012, the Working Group, jointly with 10 other special procedures mechanisms, issued a press release regarding the proposed reform of Colombia's Political Constitution with regard to military criminal law, and expressed concerns that the proposal could have serious implications for the rule of law and the enjoyment of human rights in Colombia. Although the proposed reform would reportedly exclude crimes of genocide, crimes against humanity and enforced disappearances from the jurisdiction of military and police tribunals, it could also expand the jurisdiction of these tribunals, giving them the power to investigate, process and decide on cases of other serious human rights violations, as well as crimes committed by private security forces, which should be under the authority of the ordinary criminal justice system and courts. Concern was also expressed that the preliminary investigation phase, which is essential for the clarification of facts and responsibilities, could become the responsibility of institutions of military or police criminal justice. Further concern was expressed that the establishment of a Penal Guarantees Court, as the control court to deal with any accusation against a member of the *Fuerza Pública*, would suggest that the accused was receiving preferential treatment, which could generate a climate of impunity; and that such a court, which would examine cases involving military or police personnel exclusively, would suggest the existence of a parallel

system of administration of justice and violate the principle of equality in relation to access to justice for all individuals and impair due process, thus undermining the rule of law.

Observations

93. The Working Group welcomes the response from the Government, dated 22 May 2012, in relation to the joint urgent appeal transmitted on 10 May 2012, as well as the communications from the Government regarding outstanding cases and the general allegation transmitted on 2 October 2012. The Working Group regrets that it has not been possible to process certain communications in time for inclusion in the present report.

94. The Working Group also wishes to express its concern that, during the reporting period, one urgent appeal and one general allegation were transmitted to the Government, and that one press release was issued. In relation to the press release, dated 22 October 2012, the Working Group wishes to reiterate its concern regarding the potential implications of the proposed reform of Colombia's Political Constitution for the rule of law and the enjoyment of human rights in Colombia.

Congo

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
90	0	0	0	0	88 ^b
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Government response</i>	N/A	

95. All outstanding cases were retransmitted and regrettably, no response was received during the period under review. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

Information from sources

96. Information was received from sources concerning five outstanding cases.

Total cases transmitted, clarified and outstanding

97. Since its establishment, the Working Group has transmitted 114 cases to the Government; 26 were found to be duplicates and were therefore deleted, and 88 remain outstanding.

^b The Working Group determined that two cases were duplicates and subsequently eliminated them from its records.

Czech Republic

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2009)		<i>Government response</i>	Yes	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

98. The Government transmitted two communications dated 6 February and 17 September 2012. In the first communication the Government replied to the general allegation transmitted on 15 May 2009, concerning the alleged involvement of the Government of the Czech Republic in a practice of renditions and secret detention (A/HRC/13/31, paras. 164-166). In the second communication, and following a reminder transmitted by the Working Group due to a technical mistake, the Government replied drawing the attention of the Working Group to the correspondence of 6 February 2012 and including a copy of the said communication.

General allegations

Reply from the Government

99. On 6 February and 17 September 2012, the Government replied to a general allegation stating that, concerning the issue of rendition, the Czech Republic, after investigation conducted by the Council Europe, is in the position to reaffirm that there were no secret flights or detention facilities within its territory. The Czech Republic assured the Human Rights Council of its compliance with the CAT and the ICCPR and reaffirmed its commitment to respect the prohibition of torture and the promotion of the rule of law.

Total cases transmitted, clarified and outstanding

100. The Working Group has never transmitted a case to the Government.

Observations

101. The Working Group would like to thank the Government for its reply to the general allegation transmitted on 15 May 2009.

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: 4		Cases clarified during the period under review: 0		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	4	0	0	20 ^c
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	Yes		0		
Urgent Appeal	N/A		Government response	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		Invitation extended	N/A	

Standard procedure

102. The Working Group transmitted four newly-reported cases to the Government.

103. The first two cases concerned Mr. **Won-mo Choi**, and Mr. **Kyeong-shik Moon** who were allegedly arrested on a fishing boat near Yeonpyeong Island, to the west of the Korean Peninsula, by members of the Coast Guard of the Democratic People's Republic of Korea on 5 June 1967. In accordance with the Working Group's methods of work, the Government of the Republic of Korea received copies of these cases.

104. The third case concerned Mr. **Susumu Fujita**, a Japanese university student at Tokyo Gakugei University, who was allegedly detained in Nishiarai Hospital, 5-7-14 Nishiarai-honcho, Adachi-ku, 123-0845 Tokyo, Japan, on 7 February 1976, and subsequently taken to the Democratic People's Republic of Korea. In accordance with the Working Group's methods of work, the Government of Japan received a copy of this case.

105. The fourth case concerned Mr. **Jang-Geun Choi**, who was allegedly abducted on the South Sea near Samcheonpo, two to three miles from the south coast of the Republic of Korea by state agents from the Democratic People's Republic of Korea on 10 May 1977. In accordance with the Working Group's methods of work, the Government of the Republic of Korea received a copy of this case.

General allegations

106. On 3 October 2012, the Working Group, jointly with three other special procedures mechanisms, transmitted a general allegation to the Government concerning the alleged use of labour camps, also known as *kwan-li-so*, for political prisoners. It was reported, inter alia, that prisoners detained at these labour camps, which have allegedly been in operation since the 1950s, are not given a trial, and are held incommunicado without notice of the charges against them, nor information on the length or place of detention. It was further reported that no information regarding prisoners' whereabouts is provided to friends,

^c In accordance with paragraph 15 of its Methods of Work, the Working Group decided, at its 97th session to transfer four cases from the statistics of Japan to those of the Democratic People's Republic of Korea.

neighbours, co-workers or more distant family relatives not sent to the camps who inquire about them.

Information from the Government

107. The Government transmitted three communications to the Working Group, dated 29 February 2012, 9 May 2012 and 20 September 2012.

108. The first communication concerned nine outstanding cases as well as general information regarding allegations of enforced disappearances in the country. The information provided was not considered sufficient to clarify these cases.

109. The second communication concerned 12 outstanding cases. The information provided was not considered sufficient to clarify these cases.

110. The third communication concerned 12 outstanding cases. The information provided was not considered sufficient to clarify these cases.

Information from sources

111. Sources provided information on eight outstanding cases.

Total cases transmitted, clarified and outstanding

112. Since its establishment, the Working Group has transmitted 20 cases to the Government; all remain outstanding.

Observations

113. The Working Group expresses serious concern regarding the allegations concerning the alleged use of labour camps for political prisoners, transmitted in the general allegation on 3 October 2012. The Working Group hopes to receive information from the Government in relation to these allegations.

Democratic Republic of the Congo

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
44	0	0	0	0	44
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Urgent appeals

115. On 20 September 2012, the Working Group, jointly with five other special procedures mechanisms, transmitted an urgent appeal to the Government concerning the alleged secret detention of Mr. **Diomi Ndongala**, in Kinshasa. Mr. Ndongala was reportedly arrested on 27 June 2012 and placed in secret detention by the information services in Kinshasa. No response has yet been received from the Government.

Total cases transmitted, clarified and outstanding

116. Since its establishment, the Working Group has transmitted 53 cases to the Government; of those three cases have been clarified on the basis of information provided by the source, six cases have been clarified on the basis of information provided by the Government, and 44 remain outstanding.

Observations

117. The Working Group also wishes to express its concern that, during the reporting period, an urgent appeal was transmitted to the Government and that no response has yet been received.

Denmark

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2009)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Total cases transmitted, clarified and outstanding

118. Since its establishment, the Working Group has transmitted one case to the Government. This case was clarified on the basis of information provided by the source. No cases remain outstanding.

Observations

119. The Working Group regrets that no response was received from the Government to its general allegation sent on 15 May 2009, concerning the alleged involvement in a

practice of renditions and secret detention (A/HRC/13/31), notwithstanding a reminder sent on 13 August 2012.

Dominican Republic

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
1	0	0	0	0	1
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

120. The outstanding case was retransmitted and regrettably, no response was received from the Government. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

Total cases transmitted, clarified and outstanding

121. Since its establishment, the Working Group has transmitted four cases to the Government; of those, two cases have been clarified on the basis of information provided by the Government, one was discontinued and one remains outstanding.

Ecuador

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
4	0	0	0	0	4
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeals</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

123. Since its establishment, the Working Group has transmitted 26 cases to the Government; of those, four cases have been clarified on the basis of information provided by the source, 18 cases have been clarified on the basis of information provided by the Government, and four remain outstanding.

Egypt

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 3</i>		<i>Cases clarified during the period under review: 3</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
41	0	3	1	2	41
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>		N/A
<i>General allegation</i>	Yes (2011)		<i>Government response</i>		Yes
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>		N/A
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>		No

Standard procedure

124. The Working Group transmitted three newly-reported cases to the Government. The first case concerned Mr. **Ahmed Ashour Hassan**, who was allegedly last seen at Abu Zaabal Prison, Cairo, on 28 January 2011. The second case concerned Mr. **Reda Fathy Mohamed Ibrahim**, who was allegedly arrested on Talaat Harb Street, close to Tahrir Square, by State police on 1 June 2011. The third case concerned Mr. **Samy Bakry Orani Morsi**, who was allegedly arrested near his home in Helwan, Cairo, by military forces on 8 February 2011.

Information from the Government

125. The Government transmitted two communications to the Working Group, dated 1 December 2011 and 14 August 2012.

126. In its first communication, the Government responded to an urgent appeal dated 28 January 2011. The communication could not be translated in time for the present report.

127. In its second communication, the Government responded to a reminder from the Working Group concerning a general allegation dated 4 May 2011. The Government pointed out that it had in fact responded to the general allegation in a communication dated 16 August 2011, and attached said communication.

128. In its response, the Government reported, inter alia, that an investigation of allegations of enforced disappearances in relation to a Hizbollah cell and a robbery at a jewellery shop in Cairo demonstrated that arrest and detention procedures had been fully consistent with the law. The Government further informed that allegations such as those regarding the practice of enforced disappearances by the State Security Investigations Service (SSI) could be submitted to the Department of Public Prosecutions and that the investigating authorities afforded the necessary attention to such reports in order to bring to account anyone responsible for violations of the law. The Government gave details of the Egyptian Penal Code concerning arrest and detention. Finally, the Government explained that the SSI was abolished following a decision made in March 2011 and that the functions of the new national security division would be discharged in full conformity with the provisions of the Constitution, the law and the principles of human rights and freedoms.

Information from sources

129. Sources provided information on two outstanding cases. Both cases were clarified as a result.

Clarification

130. Following the expiration of the six-month rule, the Working Group decided to clarify one case.

Request for a visit

131. On 30 June 2011, the Working Group requested an invitation to undertake a visit to the country. A reminder was sent on 8 November 2012. No reply has been received.

Total cases transmitted, clarified and outstanding

132. Since its establishment, the Working Group has transmitted 69 cases to the Government; of those, 20 cases have been clarified on the basis of information provided by the source, eight cases have been clarified on the basis of information provided by the Government, and 41 remain outstanding.

Observations

133. The Working Group would like to thank the Government for its reply to the general allegation transmitted on 4 May 2011 and wishes to inform that it was not included in the 2011 annual report because of a clerical error.

El Salvador

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2,271	0	0	0	0	2,271
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeals</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

135. Since its establishment, the Working Group has transmitted 2,662 cases to the Government; of those, 73 were clarified on the basis of information provided by the sources, 318 were clarified on the basis of information provided by the Government, and 2,271 remain outstanding.

Observations

136. The follow-up report on the implementation of the recommendations made by the Working Group after its visit to El Salvador in 2007 (A/HRC/7/2/Add.2, paras. 88-95) can be found in addendum 3 (A/HRC/22/45/Add.3).

Equatorial Guinea

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
8	0	0	0	0	8
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

138. Since its establishment, the Working Group has transmitted eight cases to the Government; all remain outstanding.

Eritrea

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
54	0	0	0	0	54
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

General allegations

Summary of the general allegation

140. The Working Group received information from sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Eritrea. This information was transmitted to the Government on 16 April 2012.^d

141. Allegations were reported of arrests, incommunicado and secret detention, inhuman and degrading conditions of detention, deaths in custody, denial of trials, and enforced disappearances perpetrated by Government security officers in Eritrea. It was alleged that 11 high-level political and military critics of the Government and 10 journalists working for a small group of private newspapers in Eritrea became victims of such practices in September 2001. Of these individuals, 20 men and one woman have reportedly never been seen again. Ten of them are allegedly dead.

142. It was further alleged that many other Government officials, leaders of Government-controlled labour unions, businessmen, Government journalists, employees of foreign embassies and international non-governmental organisations, followers of “unrecognised religions”, and national service evaders or escapees have been jailed incommunicado, under inhumane conditions, in secret prisons since 2001.

143. Sources alleged that the arrests occurred without explanation or recourse, and result from various activities such as questioning Government policies or practicing certain religions. It was also alleged that prisoners were often held indefinitely, without access to family members, prison monitors, lawyers, or appeal procedures.

Total cases transmitted, clarified and outstanding

144. Since its establishment, the Working Group has transmitted 54 cases to the Government; all remain outstanding.

Observations

145. The Working Group regrets that no response has yet been received from the Government to the general allegation, transmitted on 16 April 2012, and is concerned about the allegations of reported arrests, incommunicado and secret detention, inhuman and degrading conditions of detention, deaths in custody, denial of trials, and enforced disappearances perpetrated by Government security officers in Eritrea.

^d A/HRC/19/58/Rev.1, para. 22.

Ethiopia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
112	0	0	0	0	112
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

147. Since its establishment, the Working Group has transmitted 119 cases to the Government; of those, four cases have been clarified on the basis of information provided by the sources, three cases have been clarified on the basis of information provided by the Government, and 112 cases remain outstanding.

France^e

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>0</i>	<i>N/A</i>		<i>0</i>		
<i>Urgent Appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

148. The outstanding case was retransmitted and regrettably no response was received from the Government. A summary of the situation in the country appears in documents E/CN.4/2006/56 and Corr.1 and A/HRC/7/2.

Total cases transmitted, clarified and outstanding

149. Since its establishment, the Working Group has transmitted one case to the Government. The case remains outstanding.

Gambia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>0</i>	<i>N/A</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

^e In accordance with the practice of the Working Group, Olivier de Frouville did not participate in the decisions relating to this section of the report.

150. The outstanding case was retransmitted and regrettably no response was received from the Government. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

Meetings

151. Representative of the Government of the Gambia met with the Working Group at its ninety-sixth session to discuss developments related to the outstanding case.

Total cases transmitted, clarified and outstanding

152. Since its establishment, the Working Group has transmitted two cases to the Government; of those, one case has been clarified on the basis of information provided by the source and the other case remains outstanding.

Georgia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>1</i>	<i>yes</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

Information from the Government

153. The Government transmitted two communications, dated 11 June 2012 and 5 October 2012, concerning one outstanding case. The information provided was not considered sufficient to lead to the clarification of the case. In accordance with the Working Group's methods of work, the Government of the Russian Federation received a copy of the case.

Total cases transmitted, clarified and outstanding

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

Greece

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review by: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
1	0	0	0	0	1
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

155. The outstanding case was retransmitted and regrettably no response was received from the Government. A summary of the situation in the country appears in document E/CN.4/1997/34.

Total cases transmitted, clarified and outstanding

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

Guatemala

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2,899	0	0	0	0	2,899
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes		<i>Government response</i>	Yes	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

157. All outstanding cases were retransmitted and, regrettably, no response was received from the Government. A summary appears in document A/HRC/13/31.

Information from the Government

158. The Government transmitted two communications to the Working Group, on 21 November 2011 and 25 September 2012, in response to a general allegation, transmitted in September 2011, concerning reported obstacles in the advancement in criminal courts of cases of enforced disappearance and the lack of a national search commission resulting in the fate and whereabouts of victims remaining unknown in the great majority of the 45,000 cases of reported enforced disappearances in Guatemala (see A/HRC/19/58/Rev.1, paras. 194-200). Both responses from the Government contained a report on the implementation of the Declaration on the Protection of all Persons from Enforced Disappearance in Guatemala.

159. The Government provided information on four trials concerning cases of enforced disappearances, in which a total of five members of the military forces and two members of the National Police (PN) were condemned. In these trials a wide range of resources were used, such as files from the “Archivo Histórico de la Policía Nacional (AHPN – Historic Archive of the National Police)” for the first time included as evidence in a trial in Guatemala; and a broader concept of enforced disappearance as a permanent and imprescriptible crime was applied.

160. A meeting between governmental human rights bodies, the Criminal Police and the Public Ministry reportedly took place on 7 July 2010, with the aim of adjusting the methodology that should be used to deal more efficiently with the cases presented by the Working Group in 2007. It was reported that to provide better conditions for moving investigations forward, the Public Ministry budget for 2011 was increased by approximately 15 per cent. Furthermore, the overuse of the *amparo* resource, an option of making a legal appeal to protect individuals from violations of human rights which is now reportedly often used in courts to delay or avoid sentences, was recognized by the Government as a barrier to justice. The *amparo* resource was subjected to preventive measures and a project that modifies the text of the law, which is being processed by the legislative body in order to avoid the misuse of this judicial procedure.

161. Regarding the trial concerning the enforced disappearance of Mr. Efraín Ciriaco Bámaca Velásquez, procedures were taken by the authorities to re-open the case but several times appeals were lodged by the lawyers of the accused precluding its progress. Following decisions of the Inter-American Court of Human Rights, the Government took action to comply with the investigations in the case of Mr. Bámaca Velásquez and to adapt the Guatemalans legal system to International Humanitarian Law standards.

162. It was reported that advances are being made in relation to the potential approval of a draft law to create the “Comisión Nacional de Búsqueda de Personas Víctimas de Desaparición Forzada y otras Formas de Desaparición” (National Commission to Search for Victims of Enforced Disappearances and other Forms of Disappearances). Approval is expected in 2012. The participation of civil society organisms in this process was emphasized.

163. The Government reported, concerning forensic investigations to identify victims of enforced disappearances, that since 2009, several Covenants were signed between Government entities related to this process in order to facilitate and support investigations. A pronounced advancement in relation to the methods employed and the results achieved was reported. Moreover, the work of the “Dirección de los Archivos de la Paz” (Management of Peace Archives), a Government agency which administrates the historical archives related to the Guatemalan civil war, was reportedly very fruitful in terms of the clarification of the context of enforced disappearances committed in this period. It was therefore able to assist a large number of condemnations.

Meetings

164. Representatives of the Government of Guatemala met with the Working Group at its ninety-eighth session.

Total cases transmitted, clarified and outstanding

165. Since its establishment, 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 Government, 177 cases have been clarified on the basis of information provided by the source, and 2,899 remain outstanding.

Observations

166. The Working Group thanks the Government of Guatemala for its response to the general allegation. The Working Group recalls article 9 of the Declaration, which concerns “The right to a prompt and effective judicial remedy as a means of determining the whereabouts or state of health of persons deprived of their liberty and/or identifying the authority ordering or carrying out the deprivation of liberty is required to prevent enforced disappearances under all circumstances”; article 13.6, which states that “An investigation, in accordance the [relevant] procedures..., should be able to be conducted for as long as the fate of the victim of enforced disappearance remains unclarified”; article 18.1, which affirms that “Persons who have or are alleged to have committed [acts of enforced disappearances] shall not benefit from any special amnesty law or similar measures that might have the effect of exempting them from any criminal proceedings or sanction.”; and the General Comment of the Working Group on article 18 of the Declaration (2005).

Guinea

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review</i>		<i>Cases clarified during the period under review</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>0</i>	<i>0</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>21</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>21</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>0</i>	<i>N/A</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

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

Total cases transmitted, clarified and outstanding

168. Since its establishment, the Working Group has transmitted 28 cases to the Government; of those, seven cases have been clarified on the basis of information provided by the source, and 21 remain outstanding.

Haiti

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
38	0	0	0	0	38
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

170. Since its establishment, the Working Group has transmitted 48 cases to the Government; of those, nine cases have been clarified on the basis of information provided by the Government, one case has been clarified on the basis of information provided by the source, and 38 remain outstanding.

Honduras

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
129	0	0	0	0	129
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

171. The Government transmitted one communication to the Working Group, dated 25 November 2011, concerning one outstanding case. The information provided was not considered sufficient to clarify the case.

Total cases transmitted, clarified and outstanding

172. Since its establishment, the Working Group has transmitted 209 cases to the Government; of those, 37 cases have been clarified on the basis of information provided by the Government, 43 cases have been clarified on the basis of information provided by the source, and 129 remain outstanding.

India

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
353	0	0	0	0	353
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	No	
<i>General allegation</i>	Yes (2009/2011)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	Yes		<i>Government response</i>	No	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

Urgent appeals

173. The Working Group transmitted one communication on 28 September 2012, jointly with six other special procedures mechanisms, to the Government, under its urgent appeals procedure. The communication concerned alleged acts of harassment against members of the Peoples Movement Against Nuclear Energy (PMANE) and other human rights defenders. It was reported, inter alia, that three individuals associated with this movement, Mr. **Selson** from Idinthakarai, Mr. **Siluvai John** from Koothenkuli, and Mr. **Jesu** from Idinthakarai were hospitalized in Lourdu Matha Hospital and were subsequently transferred by the police to a different location. At the time of the communication, their whereabouts were reportedly unknown. No response to the urgent appeal has yet been received from the Government.

Prompt intervention

174. The Working Group transmitted one communication on 17 January 2012, jointly with three other special procedures mechanisms, under its prompt intervention procedure. The communication concerned **Mr. Parvez Imroz**, who has allegedly been denied travel documents by the Government since 2004. It was reported that the denial of Mr. Imroz's travel documents may be a direct attempt to inhibit Mr. Imroz human rights work in relation to victims of enforced disappearance. No response to the prompt intervention letter has yet been received from the Government.

Information from the Government

175. The Government transmitted one communication to the Working Group, dated 9 August 2012, concerning one outstanding case. The information provided was not considered sufficient for the clarification of the case.

Request for a visit

176. On 16 August 2010, the Working Group requested an invitation to undertake a visit to the country. On 18 August 2010, the Government acknowledged receipt of the request. A reminder letter was transmitted on 18 August 2011. On 29 August 2011, the Government replied that the request was conveyed to the relevant authorities in India. A further reminder was transmitted on 8 November 2012.

Total cases transmitted, clarified and outstanding

177. Since its establishment, the Working Group has transmitted 433 cases to the Government; of those, 12 cases have been clarified on the basis of information provided by the source, 68 cases have been clarified on the basis of information provided by the Government, and 353 remain outstanding.

Observations

178. The Working Group notes with concern that during the reporting period it transmitted one urgent appeal and one prompt intervention letter to the Government, and that no response has been received to either communication. The Working Group regrets that no response was received from the Government of India to the general allegation sent on 16 January 2009 (A/HRC/13/31, paras. 260-266), concerning legal provisions that may hamper the right to a prompt and effective remedy, notwithstanding the reminder transmitted on 26 August 2011. The Working Group also regrets that no response was received from the Government of India to the general allegation transmitted on 11 February 2011, concerning reports that, between 1989 and 2009, actions of military and paramilitary

forces in Kashmir resulted in more than 8,000 enforced and involuntary disappearances (A/HRC/19/58/Rev.1, paras. 219-225).

179. In relation to the communication transmitted under the prompt intervention procedure, on 17 January 2012, the Working Group would like to recall the Declaration, which affirms that States must take steps to ensure that persons involved in investigations of cases of disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal. The Working Group would also like to recall that, in its resolution 21/4, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation, persecution, reprisals or ill-treatment to which they might be subjected, paying special attention to women as relatives of disappeared persons in the context of their struggle to resolve the disappearance of members of their families.

Indonesia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
162	0	0	0	0	162
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2011)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

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

Request for a visit

181. On 12 December 2006, the Working Group requested an invitation to undertake a visit to Indonesia. The Government responded that it would not be possible to receive the Working Group during 2007 and that greater benefit would be derived from a visit at a later date. Reminder letters were sent on 16 August 2010, 18 August 2011 and 8 November 2012. No reply has been received during the reporting period.

Total cases transmitted, clarified and outstanding

182. Since its establishment, the Working Group has transmitted 165 cases to the Government; of those, three cases have been clarified on the basis of information provided by the Government, and 162 remain outstanding.

Observations

183. The Working Group regrets that no response has been received to the general allegation transmitted on 13 January 2011 (A/HRC/19/58/Rev.1, paras. 238-244), concerning the alleged enforced disappearance, between 1997 and 1998, of a number of students who opposed the former President Suharto's New Order regime, notwithstanding a reminder sent on 14 August 2012.

Iran (Islamic Republic of)

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
517	0	1	0	0	518
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	No	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	Yes - postponed	

Standard procedure

184. The Working Group transmitted one newly-reported case to the Government, concerning Mr. **Saeed Zeinaly**, who was allegedly arrested at home on 14 July 1999 by agents of security forces.

Urgent appeal

185. The Working Group, jointly with three other special procedures mechanisms, transmitted to the Government an urgent appeal on 16 February 2012, concerning various individuals including Mr. **Shahram Manouchehri**, allegedly arrested at his home by security forces on 19 January 2012, before being transferred to an unknown location. At the time of the communication, the fate and whereabouts of Mr. Manouchehri reportedly remained unknown.

Information from the Government

186. The Government transmitted four communications dated 2 March 2012, 4 May 2012, 15 May 2012, and 20 July 2012. All of these communications concerned an urgent appeal transmitted on 19 October 2011.

187. In its first communication, the Government reported that one of the individuals referred to in the urgent appeal was fined for using satellite TV equipment, sentenced to one year's imprisonment for propaganda against the State, and two year's imprisonment for insulting the late Imam and the eminent leader of the Revolution; that 16 months of his original sentence was converted into an additional fine because of his advanced age; that

the individual appealed his verdict; and that part of the verdict was quashed and his sentence was halted due to his advanced age.

188. In its second communication, the Government reported that Mr. **Kouhyar Goudarzi** was charged with disseminating misinformation about the system of the Islamic Republic of Iran by his membership in the Committee of Human Rights Reporters and was brought before branch 26 of Tehran Court of Revolution; that he was found guilty and sentenced to one year's imprisonment; and that the decision was appealed but the appeal was rejected.

189. In its third communication, the Government provided information on several of the individuals referred to in the urgent appeal.

190. In its fourth communication, the Government reported that one of the individuals referred to in the urgent appeal was charged with engaging in propaganda against the system of the Islamic Republic of Iran and in favour with the MEK terrorist group, as well as association and collusion to disturb national security; that he was found guilty on the first charge and given a one-year suspended prison sentence for two years; and that he was cleared of the second charge and freed.

Request for a visit

191. The Government of the Islamic Republic of Iran agreed to a visit by the Working Group in 2004, which was delayed at the request of the Government. Reminder letters were sent on 20 July 2009, 16 August 2010, 18 August 2011 and 8 November 2012, asking the Government to set a date for the proposed visit. The Government has not yet set a new date for the visit despite the fact that more than eight years have elapsed.

Meetings

192. Representatives of the Government of the Islamic Republic of Iran met with the Working Group at its ninety-sixth session.

Total cases transmitted, clarified and outstanding

193. Since its establishment, the Working Group has transmitted 537 cases to the Government; of those, five cases have been clarified on the basis of information provided by the source, 14 cases have been clarified on the basis of information provided by the Government, and 518 remain outstanding.

Observations

194. The Working Group welcomes the replies received from the Government regarding the urgent appeal transmitted on 19 October 2011, but is concerned that no reply has yet been received regarding the urgent appeal transmitted on 16 February 2012.

195. The Working Group reiterates its hope that a final date will be agreed in the near future for the visit which was agreed to in 2004 and recalls Human Rights Council resolution 21/4 which "Urges States to cooperate with the Working Group to help it to carry out its mandate effectively and, in that framework, to give serious consideration to responding favourably to its requests for visits to their countries".

Iraq

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 9</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
16,410	0	0	9	0	16,401
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Clarification

196. On the basis of the information provided by the Government, the Working Group decided to clarify nine cases following the expiration of the period prescribed by the six-month rule.

Total cases transmitted, clarified and outstanding

197. Since its establishment, the Working Group has transmitted 16,548 cases to the Government; of those, 30 cases have been clarified on the basis of information provided by the source, 117 cases have been clarified on the basis of information provided by the Government, and 16,401 remain outstanding.

Ireland

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2009)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Total cases transmitted, clarified and outstanding

198. Since its establishment, the Working Group has not transmitted any cases to the Government.

Observations

199. The Working Group regrets that no response was received from the Government to its general allegation sent on 15 May 2009, concerning its alleged involvement in a practice of renditions and secret detention (A/HRC/13/31).

Israel

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2	0	0	0	0	2
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

201. Since its establishment, the Working Group has transmitted three cases to the Government; of those, one case has been clarified on the basis of information provided by the source, and two cases remain outstanding.

Japan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
4	0	0	0	0	0 ^f
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

202. The Government transmitted three communications to the Working Group, dated 19 March, 9 October and 12 October 2012. In these communications, the Government of Japan submitted information provided by one of the sources to eight of the cases registered under the Democratic People's Republic of Korea.

Meetings

203. Representatives of the Government of Japan met with the Working Group at its ninety-seventh and ninety-eighth sessions

Total cases transmitted, clarified and outstanding

204. Since its establishment, the Working Group has transmitted four cases to the Government. These cases have all been transferred to the statistics of the Democratic People's Republic of Korea.

^f In accordance with paragraph 15 of its Methods of Work, the Working Group decided, at its ninety-seventh session to transfer four cases from the statistics of Japan to those of the Democratic People's Republic of Korea.

Jordan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2	0	0	0	0	2
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	No	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Urgent appeals

206. The Working Group transmitted on 17 October 2012, jointly with one other special procedures mechanism, a communication under its urgent appeal procedure, concerning Mr. **Ashraf Mohammed Yousef Abdulsalam**, arrested on 25 September 2012 at his home in Bahrain by agents of the Bahraini State Security Forces. He was reportedly later forcibly returned to Jordan without further information being provided on his fate and whereabouts in spite of requests thereof. At the time of the communication, his fate and whereabouts reportedly remained unknown.

Total cases transmitted, clarified and outstanding

207. Since its establishment, the Working Group has transmitted two cases to the Government. Both cases remain outstanding.

Observations

208. The Working Group expresses its hope that the Government will reply to the urgent appeal transmitted on 17 October 2012 as soon as possible.

Kenya

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 40</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	40	0	0	40
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
N/A	N/A		N/A		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2011)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Standard procedure

209. The Working Group transmitted 40 newly-reported cases to the Government. The cases concerned Messrs. **Sospeter Chepkwesi Cherop, Daniel Simotwo Cheptunwo, Stephen Wilson Chesori, Patrick Sewui Kipyeto, Amos Kwarat Langat, Leonard Chemorion Borter, Meshack Komon Chesoroy, Wycliffe Kiplala Machir, Boniface Kaye Naibei, Titus Kipkot Pkania, Jonah Kauka Cheshari, Patrick Ngeywo Motum, Nixon Sioyi Ngeywo, Enos Kaan, Stephen Kaboto Fanuel, Jackson Komon Chesori, Simon Chenakan Miti, James Wasama Kirui, Moses Ndiwa Kisa, Enock Kaptunwo, Kenned Nyoka Chepkuruic, Bernard Kiboi Lawi, Benson Manyu Mugum, Timothy Chenje Sichei, Samuel Silali Chesebe, Immanuel Ndiwa Cheryembe, Amos Cherubeti Ngeywo, Patrick Monoo Sichei, Amos Miti Psisei, Joram Chepsengeny Pkania, Issac Kapcheria Kiboi, Simon Sikoa Kiboi, Abel Juma Naibei, Francis Lydon Sabai, Wycliffe Msee Monoo, Gideon Kwemboi Cherop, Geoffrey Chebus Champun, Vincent Sakong Maraka, Yusufu Kapchanga Ngaina, and a person below the age of 18.** The majority of these cases occurred in 2008 in the Mount Elgon district.

Information from sources

210. Sources provided information on 15 outstanding cases.

Total cases transmitted, clarified and outstanding

211. Since its establishment, the Working Group has transmitted 40 cases to the Government, all of which remain outstanding.

Observations

212. The Working Group is concerned by the allegations that a significant number of enforced disappearances took place in the Mount Elgon district in 2008, as reflected by the 40 cases transmitted in 2012. The Working Group also regrets that no response has been received from the Government to the general allegation sent on 9 September 2011, concerning enforced disappearances in the Mount Elgon district (A/HRC/19/58/Rev.1, paras. 312-316), notwithstanding a reminder sent on 13 August 2012.

Kuwait

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>1</i>	<i>No</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

Information from the Government

213. The Government transmitted a communication dated 25 April 2012 concerning the outstanding case. The information provided was not considered sufficient to lead to its clarification.

Total cases transmitted, clarified and outstanding

214. Since its establishment, the Working Group has transmitted one case to the Government. This case remains outstanding.

Kyrgyzstan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>N/A</i>	<i>N/A</i>		<i>N/A</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>Yes</i>		<i>Invitation extended</i>	<i>Yes</i>	

Information from the Government

215. On 4 November 2011, the Government responded to a request for an invitation for a visit from the Working Group, dated 16 September 2011. In its response, the Government requested additional information in relation to a potential visit.

216. On 23 March 2012, the Government transmitted a communication in response to a letter dated 25 January 2012 in which a request was made to postpone the potential visit to the country until 2013. In its response, the Government expressed no objections to the postponement of the Working Group's visit to Kyrgyzstan until 2013.

Total cases, transmitted, clarified and outstanding

217. Since its establishment, the Working Group has transmitted no cases to the Government.

Observations

218. The Working Group wishes to thank the Government for extending an invitation for a visit to the country.

Lao People's Democratic Republic

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>1</i>	<i>No</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

Information from the Government

219. The Government transmitted one communication to the Working Group, dated 5 June 2012, concerning one outstanding case. The information provided was not considered sufficient for the clarification of the case.

Total cases transmitted, clarified and outstanding

220. Since its establishment, the Working Group has transmitted seven cases to the Government; of those, five have been clarified on the basis of information provided by the source, one has been discontinued and one remains outstanding.

Lebanon^g

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
313	0	0	0	0	313
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

221. On 29 June 2011 and 9 November 2011, the Government transmitted communications concerning one outstanding case. The information provided in the first communication was not considered sufficient to lead to the clarification of the case. The information provided in the second communication could not be translated in time for inclusion in the present report.

Total cases transmitted, clarified and outstanding

222. Since its establishment, the Working Group has transmitted 321 cases to the Government; of those, two cases have been clarified on the basis of information provided by the Government, six cases have been clarified on the basis of information provided by the source, and 313 remain outstanding.

^g In accordance with the practice of the Working Group, Osman El-Hajjé did not participate in the decisions relating to this section of the report.

Libya

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 1</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
9	0	1	0	1	9
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	<i>Yes</i>		<i>Invitation extended</i>	<i>Yes</i>	

Standard procedure

223. The Working Group transmitted to the Government, one case under its standard procedure. The case concerned the alleged abduction of Mr. **Amhemed Ahwishy**, also known as Amhemed Abdosalam Amhemed, in Wadi Mansour, on 28 October 2011, by individuals who reportedly identified themselves as members of the Katiba of 28 May.

Information from sources

224. Sources provided information on one outstanding case, as a result, the case was clarified.

Clarification

225. Following the information provided by the sources, the Working Group decided to clarify one case.

Total cases transmitted, clarified and outstanding

226. Since its establishment, the Working Group has transmitted 17 cases to the Government; of those, eight cases have been clarified on the basis of information provided by the source and nine remain outstanding.

Request for a visit

227. On 11 July 2012, the Government extended an invitation to the Working Group to undertake a visit to the country in 2013. On 3 September 2012, the Working Group replied proposing the visit for the first half of 2013.

Observations

228. The Working Group would like to express its appreciation to the Government for the invitation extended to undertake a visit to the country and looks forward to the confirmation of dates for this visit.

Lithuania

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

General allegation

Summary of the general allegation

229. The Working Group on Enforced or Involuntary Disappearances received information from credible sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Lithuania. This information was transmitted to the Government on 16 April 2012.^h

230. According to sources, there have been credible reports of involvement of Lithuania with secret detentions between 2001 and 2006. It is alleged that a Lithuanian parliamentary committee in December 2009 concluded that State agents had collaborated with the United States of America Central Intelligence Agency (CIA) and that detention facilities operated by the United States of America intelligence agency had existed in Lithuania. It is also reported that these sites were later visited by various organisations. It is further reported that there has been an acknowledgement by Lithuania that it was involved in secret detentions and renditions.

231. It is alleged that an investigation into these practices was ordered by Lithuania in 2009. However, it is reported that it was announced on 14 January 2011, that the investigation was to be closed for a variety of reasons, including a State secrets privilege.

232. Sources affirm that Lithuania is under an international legal obligation to investigate all allegations of serious human rights violations and that it should re-open its criminal investigation into both its own involvement in these operations, and that of the United States of America and its agents on Lithuanian territory. It is further alleged that the investigation ought to be conducted through an independent, impartial, thorough and effective process. It is further alleged that Lithuania ought to hold those involved in these practices accountable and that victims should receive redress.

^h A/HRC/19/58/Rev.1, para. 22.

Total cases transmitted, clarified and outstanding

233. Since its establishment, the Working Group has transmitted no cases to the Government.

Observations

234. The Working Group regrets that no response was received from the Government to the general allegation sent on 16 April 2012.

Mali

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
N/A	N/A		N/A		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	No	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent appeals

235. On 27 September 2012, the Working Group, jointly with four other special procedures mechanisms, transmitted an urgent appeal to the Government concerning allegations of extrajudicial executions, enforced disappearances, torture, arbitrary detentions and violence against women in the context of the armed conflict in the north of Mali. It was reported, inter alia, that, between 2 and 3 May 2012, during the night, at least 21 soldiers were allegedly transferred to the military camp of Kati and that, at the time of the communication, their fate and whereabouts were unknown.

Total cases transmitted, clarified and outstanding

236. Since its establishment, the Working Group has not transmitted any cases to the Government.

Observations

237. The Working Group regrets that no response was received from the Government concerning the urgent appeal transmitted on 27 September 2012.

Mauritania

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 2</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
1	2	0	0	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent actions

238. The Working Group transmitted two cases under its urgent action procedure to the Government. These cases concerned Mr. **Mohamed Mahmoud Ould Sebti** and Mr. **Mohamed Abdellah Ould Hmednah**, who were allegedly abducted on 23 May 2011 from the civil prison of Nouakchott with 12 other prisoners and taken to an unknown location by members of the armed forces.

Total cases transmitted, clarified and outstanding

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

Mexico

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 17</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
310	11	6	0	0	327
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	No		0		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	No	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	Yes (4)		<i>Government response</i>	Yes (2)	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent actions

240. The Working Group sent 11 cases under its urgent action procedure to the Government.

241. The first case concerned Mr. **Moisés Orozco Medina**, who was allegedly arrested by the Municipal Police in Apatzingan, Michoacán, on 22 May 2012, and taken to an undisclosed location.

242. The next five cases concerned Ms. **Sonia Hinojosa Barrera** and her children Mr. **Homero Segura Hinojosa**, Ms. **Larissa Hasel Segura Hinojosa**, Ms. **Daniela Sarahi Segura Hinojosa** and a **person below the age of 18**, who were reportedly last seen at a ranch under the custody of the Ministerial Police in Río Bravo, Tamaulipas, on 16 June 2012.

243. The last five cases concerned Ms. **Iris Rocio Orozco Hinojosa**, Mr. **Raúl Herrera Hinojosa**, and their **three children**, all of whom were below the age of 18, who were reportedly last seen at a ranch under the custody of the Ministerial Police in Río Bravo, Tamaulipas, on 16 June 2012.

Standard procedure

244. The Working Group transmitted six newly-reported cases under its standard procedure.

245. The first case concerned Mr. **Jorge Antonio Salinas Cherety** who, on 2 October 2008, was allegedly detained by police officers on the corner of street Zaragoza y Pino Suárez, Cadareyta municipality.

246. The second case concerned Mr. **Leonel Orozco Medina** who, on 18 April 2009, was allegedly taken to an unknown destination by members of the Agencia Federal de Investigaciones (Federal Investigation Agency).

247. The third case concerned Mr. **Jehú Abrahám Sepúlveda Garza** who, on 12 November 2010, was allegedly arrested by two municipal police officers near a convenience shop on Avenida Vasconcelos, on the corner of Montes Rocallosos, in the municipality of San Pedro Garza García, Nuevo León.

248. The fourth and fifth cases concerned Ms. **Jocelyn Mabel Ibarra Buenrostro** and Mr. **José Ángel Mejía Martínez** who, on 15 November 2010, were allegedly seen for the last time at the home of Ms. Ibarra Buenrostro before leaving to look for two people who, two days previously, were allegedly abducted by a criminal group acting with the reported acquiescence of the Federal Police.

249. The sixth case concerned Mr. **David Joab Ibarra Buenrostro** who, on 19 November 2010, was allegedly last seen on the Navy premises, Deportivo San Nicolás, Avenida López Mateos, San Nicolás de los Garza.

Urgent appeals

250. On 6 January 2012, the Working Group, jointly with three other special procedures mechanisms, transmitted an urgent appeal to the Government concerning the alleged killing of Messrs. **Pedro Leyva Dominguez**, **Nepomuceno Moreno Núñez** and **Trinidad de la Cruz Crisóforo** and the alleged abduction of Mr. **Marcial Bautista Valle** and Ms. **Eva Alarcón Ortiz**, by members of the Municipal Police and the Army in the Sierra of Petlatán, Guerrero.

Prompt intervention

251. The Working Group transmitted four communications under its prompt intervention procedure to the Government.

252. The first communication was transmitted on 6 January 2012, jointly with three other special procedures mechanisms, concerning the allegations of attempted murder against Ms. **Norma Esther Andrade**, on 2 December 2011, in Ciudad Juárez, and subsequent death threats against her, her family and other members of “Nuestras Hijas de Regreso a Casa” (NHRC), an organization for which Ms. Andrade works and which deals with cases of enforced disappearance and abduction of women in Ciudad Juárez have been victims. On 22 February 2012, the Government replied to the communication.

253. The second communication was transmitted on 31 January 2012, jointly with two other special procedures mechanisms, and concerned alleged acts of harassment and intimidation against the family members of Ms. **Elena Barajas Mejía** on 21 December 2012, 15 January 2012 and 18 January 2012, in Michoacán, after Ms. Barajas Mejía had given an interview to the newspaper *El Universal*, wherein she denounced the alleged disappearance of a member of her family. Ms. Barajas Mejía is a member of the Comité de Familiares de Detenidos Desaparecidos “Hasta encontrarlos” (Committee of Family Members of the Detained and the Disappeared “Until They Are Found”). On 2 July 2012 the Government replied to this communication.

254. The third communication, transmitted on 20 February 2012 jointly with three other special procedures mechanisms, concerned further allegations of attempted murder against Ms. **Norma Esther Andrade**.

255. The fourth communication was transmitted on 20 April 2012, jointly with three other special procedures mechanisms, and concerned members of the Comité de Familiares de Detenidos Desaparecidos “Hasta encontrarlos”, who were allegedly threatened and harassed by the Federal Police and an unidentified individual in Michoacán, after they initiated the campaign entitled the “Campaña Nacional Contra la Guerra de Felipe Calderón por la Justicia y Castigo a los Criminales de Estado” (National Campaign Against the War of Felipe Calderón for the Justice and Punishment to the State Criminals) in 8 March 2012.

Information from the Government

256. The Government transmitted four communications to the Working Group, dated 28 November 2011, 22 February 2012, 24 April 2012, and 2 July 2012.

257. The first communication concerned one outstanding case. The information provided was not considered sufficient for the clarification of the case.

258. In the second communication, the Government responded to a prompt intervention letter dated 6 January 2012. In this communication, the Government reported that an investigation was being conducted by the Public Ministry and that no arrest warrant had yet been issued. Concerning the health of Ms. Andrade, the Government reported that the Secretary of Government (Secretaría de Gobernación) requested for the competent authorities to look into the possibility of a federal institution providing her with appropriate medical care. In addition, it was reported that the psychological services of the “Procuraduría Social de Atención a las Víctimas de Delito” (Social Attorney for the Care of Victims of Crime) are at the disposal of Ms. Andrade and her children. Regarding protective measures, the Government reported that Ms. Andrade had been relocated, with appropriate support to guarantee her personal safety. Furthermore, it was reported that measures were taken to assure the protection of the other members of the NHRC.

259. The third communication concerned information regarding the entering into force of the “Ley del registro nacional de datos de personas extraviadas o desaparecidas” (Law of the national register of details of missing or disappeared persons).

260. In the fourth communication, the Government replied to a prompt intervention letter dated 31 January 2012. The Government reported that the Procuraduría General del Estado de Michoacán (Attorney General of the Michoacán State) had conducted an investigation regarding the case of Ms. Barajas Mejía and that this procedure has not yet been able to identify those involved in the harassment. In addition, the Government reported that the presence of public security elements in the neighbourhood was increased and the services of the Unidad de Psicología y Atención a las Víctimas del Delito (Psychology and Care to Victims of Crime Unit) of the Attorney General of the Michoacán State were made available to the victim and her family. Finally, the Government highlighted that an investigation was being conducted into the alleged disappearance of a member of Ms. Barajas Mejía’s family.

Information from sources

261. Sources provided information on twelve outstanding cases

Press releases

262. On 14 March 2012, the Working Group issued a press release on the occasion of the presentation of the report on its visit to Mexico. The experts, while recognizing the challenges posed by the complex situation in relation to public security in the context of the fight against crime, emphasized that “there is a chronic pattern of impunity demonstrated by the absence of effective investigations in cases of enforced disappearances”.

Total cases transmitted, clarified and outstanding

263. Since its establishment, the Working Group has transmitted 505 cases to the Government; of those, 28 cases have been clarified on the basis of information provided by the source, 134 cases have been clarified on the basis of information provided by the Government, 16 cases have been discontinued and 327 remain outstanding.

Observations

264. The Working Group is seriously concerned that during the reporting period 11 urgent actions, six newly-reported cases, one urgent appeal, four prompt intervention letters, and one press release were transmitted to the Government. The Working Group recalls article 2.1 of the Declaration which states that “No State shall practise, permit or tolerate enforced disappearances”, as well as article 3, which provides that “Each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction.”

265. The Working Group would also like to recall article 7 of the Declaration, which states that “No circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances”.

266. The Working Group would also like to remind the Government of its obligations under the Declaration towards the families of the disappeared and in particular of article 13.3 according to which States must take steps to ensure that persons involved in investigations of cases of enforced disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal. The Working Group would also like to recall that, in its resolution 21/4, the Human Rights Council urged Governments to take steps to provide adequate

protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation, persecution, reprisals or ill-treatment to which they might be subjected, paying special attention to women as relatives of disappeared persons in the context of their struggle to resolve the disappearance of members of their families.

267. Finally, the Working Group calls on the Government to make efforts to implement the recommendations contained in the report published following the country visit in 2011 (A/HRC/19/58/Add.2).

Morocco

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 9</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
61	0	1	9	0	53
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
30	Yes		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Standard procedure

268. The Working Group transmitted one newly-reported case to the Government, concerning Mr. **Abdellatif Salem** who, on 2 May 1988, was allegedly arrested at the home of individuals associated with him, Hay al Kamra Nord, Bloc J, numéro 28, Rabat, by two agents of the Direction de la Sécurité du Territoire (secret police).

Information from the Government

269. The Government transmitted five communications on 1 December 2011, 5 December 2011, 12 February 2012, 6 July 2012 and 10 July 2012.

270. The first and second communications concerned 17 outstanding cases. Two of these cases had already been submitted to the six-month rule and were later clarified. The information provided was not considered sufficient for the clarification of the other cases.

271. The third communication concerned 28 outstanding cases. Seven of these cases had previously been submitted to the six-month rule and were later clarified. The information provided on 21 of these cases was not considered sufficient for their clarification. Of the 21 cases, information on 15 cases had previously been submitted by the Government in its first and second communications transmitted during the reporting period.

272. The fourth and fifth communications concerned outstanding cases as well as a number of cases which had already been clarified. The information provided could not be processed in time for inclusion in the present report.

Information from sources

273. Sources provided information on seven outstanding cases, confirming information provided by the Government and leading to the clarification of the case.

Clarification

274. On the basis of information provided by the Government, the Working Group decided to clarify nine cases: seven following confirmation by sources; and the remaining two following the expiration of the period prescribed by the six-month rule.

Meetings

275. Representatives of the Government of Morocco met with the Working Group at its ninety-sixth session.

Total cases transmitted, clarified and outstanding

276. Since its establishment, the Working Group has transmitted 286 cases to the Government; of those, 52 cases have been clarified on the basis of information provided by the source, 160 cases have been clarified on the basis of information provided by the Government, 21 cases have been discontinued and 53 remain outstanding.

Observations

277. The Working Group wishes to thank the Government for the information provided and for its willingness to engage in dialogue during the reporting period. In relation to the outstanding cases, the Working Group also wishes to express its hope to receive detailed information concerning the fate and whereabouts of the alleged victims.

278. The follow-up report on the implementation of the recommendations made by the Working Group after its visit to Morocco in 2009 (A/HRC/13/31/Add.1, paras. 86-108) can be found in an addendum (A/HRC/22/45/Add.3).

Mozambique

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2	0	0	0	0	2
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

279. The two outstanding cases were transmitted and regrettably no response was received from the Government. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

Total cases transmitted, clarified and outstanding

280. Since its establishment, the Working Group has transmitted two cases to the Government; both remain outstanding.

Myanmar

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 1</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2	0	0	1	0	1
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	Yes		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

281. The Government transmitted two communications, dated 1 December 2011 and 16 August 2012, concerning one outstanding case. Based on the information provided by the Government in its first communication, the Working Group decided, at its ninety-sixth session, to apply the six-month rule to the case. Before the expiration of the period prescribed by the six-month rule, the information provided by the Government was confirmed by the source and the case was clarified.

Information from sources

282. Sources provided information on one outstanding case, confirming the information provided by the Government and leading to its clarification.

Total cases transmitted, clarified and outstanding

283. Since its establishment, the Working Group has transmitted eight cases to the Government; of those, seven cases have been clarified on the basis of information provided by the Government, and one remains outstanding.

Namibia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
3	0	0	0	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

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

Nepal

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
458	0	0	0	0	458
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

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

Request for a visit

287. On 12 May 2006, the Working Group requested to undertake a follow-up visit to Nepal. A reminder letter was transmitted on 20 July 2009. On 2 October 2009, the Government informed the Working Group that due to the limited capacities of the country and other engagements it was unable to extend an invitation. A new reminder letter was transmitted on 30 June 2011. No reply has been received.

Total cases transmitted, clarified and outstanding

288. Since its establishment, the Working Group has transmitted 672 cases to the Government; of those, 79 cases have been clarified on the basis of information provided by the source, 135 cases have been clarified on the basis of information provided by the Government, and 458 remain outstanding.

Nicaragua

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
103	0	0	0	0	103
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

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

Request for a visit

290. On 23 May 2006, the Working Group requested the Government of Nicaragua to undertake a visit, as part of a four-country initiative in Central America. Reminder letters were sent on 20 July 2009, 16 August 2010 and 18 August 2011. No response has yet been received.

Total cases transmitted, clarified and outstanding

291. Since its establishment, 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 remain outstanding.

Pakistan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 8</i>		<i>Cases clarified during the period under review: 16</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
107	2	6	14	2	99
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
2	Yes		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent actions

292. The Working Group sent two communications under its urgent action procedure to the Government.

293. The first communication was transmitted on 29 November 2011 and concerned Mr. **Bashir Arisar**, allegedly detained by agents of the Pakistani Intelligence Services with the support of the Hyderabad Crime Investigation Agency, in Jamshoro district, on 17 November 2011. The Government replied to this communication on 16 July 2012.

294. The second communication was transmitted on 7 June 2012 and concerned a **person below the age of 18**, who was allegedly arrested by members of the Punjab police, in Ferozwala, on 18 April 2012. The Government responded to this communication on 7 June and 12 July 2012.

Standard procedure

295. The Working Group transmitted seven newly-reported cases to the Government.

296. The first case concerned Mr. **Faisal Marri** who, on 14 August 2007, was allegedly arrested by Pakistan intelligence agents in civilian clothes in the New Kahan Hazarganji Market, Quetta, Province of Balochistan.

297. The second case concerned Mr. **Muhammad Mustafa Haider** who, on 17 May 2009, was allegedly arrested by a group of State forces in Peer Bahawa, Buner District in Khyber Pakhtoon Khwah Province.

298. The third case concerned Dr. **Din Muhammad** who, on 29 June 2009, was allegedly arrested at the Rural Health Centre Ornach by members of the Inter-Services Intelligence (ISI).

299. The fourth case concerned a **person below the age of 18** who, on 8 March 2010, was allegedly arrested in Balecha, Makuran, by members of the Pakistani intelligence agencies in civilian clothes.

300. The fifth case concerned Mr. **Mudassar Iqbal** who, on 16 February 2011, was allegedly arrested by unidentified State forces in Lahore.

301. The seventh case concerned Mr. **Shah Faisal** who, on 12 December 2011, was arrested by four uniformed officers of the Anti-terrorist Squad at the toll plaza of the Peshawar-to-Kohat road, Khyber Pakhtoon, Khawah province.

Information from the Government

302. The Government transmitted three communications, dated 7 June 2012, 12 July 2012 and 16 July 2012.

303. In the first communication, the Government acknowledged receipt of the communication transmitted by the Working Group under its urgent action procedure on 7 June 2012.

304. In the second communication, concerning one outstanding case, the Government requested further information. The information provided was not considered sufficient for the clarification of the case.

305. The third communication concerned a case which had previously been clarified by the source.

Information from sources

306. Information was received from sources concerning six outstanding cases. Regarding one case, the source confirmed the information provided by the Government and, consequently, the case was clarified. On the basis of the information provided by sources, the Working Group decided, at its ninety-sixth session, to clarify one case and, at its ninety-seventh session, to clarify another case.

Clarification

307. Following the information provided by the Government, which was later confirmed by the source, the Working Group decided to clarify one case. Following the expiration of the period prescribed by the six-month rule, the Working Group decided to clarify 13 cases at its ninety-sixth session. Following the information received by the source, the Working Group decided to clarify two cases.

Meetings

308. Representatives of the Government of Pakistan met with the Working Group at its ninety-sixth session.

Visit

309. The Working Group visited Pakistan from 10 to 20 September 2012 (see A/HRC/22/45/Add.2).

Total cases transmitted, clarified and outstanding

310. Since its establishment, the Working Group has transmitted 151 cases to the Government; of those, nine cases have been clarified on the basis of information provided by the source, 42 cases have been clarified on the basis of information provided by the Government, one has been deleted, and 99 remain outstanding.

Observations

311. The Working Group thanks the Government for the cooperation extended before and during its visit to the country.

Peru

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2,371	0	0	0	0	2,371
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeals</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Standard procedure

312. The Working Group transmitted one case to the Government under its standard procedure. However, this case was later found to be a duplicate of an existing case and was therefore deleted from the Working Group's statistics.

Information from the Government

313. The Government transmitted one communication, dated 11 July 2011, which could not be processed in time for inclusion in the 2011 annual report (A/HRC/19/58/Rev.1) or the present report.

Information from sources

314. Information from sources was received concerning two cases.

Total cases transmitted, clarified and outstanding

315. Since its establishment, the Working Group has transmitted 3,009 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 2,371 remain outstanding.

Philippines

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
621	0	0	0	0	621
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes(2009/2012)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

General allegations

Summary of the general allegation

316. The Working Group on Enforced or Involuntary Disappearances received information from credible sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in the Philippines. This information was transmitted to the Government on 16 April 2012.ⁱ

317. Sources reported on serious violations of human rights in the Philippines, such as enforced disappearances. It is alleged that these abuses persist in part because of the Philippines police's failure to conduct thorough and impartial investigations, particularly when evidence points to the involvement of the military. The ability to bring the perpetrators to justice has also been hindered by the Justice Department's inadequate protection program for witnesses, who have been subject to harassment and intimidation.

318. Sources also reported that several victims were killed or abducted in front of witnesses. The perpetrators either wore civilian clothes with bonnets (balaclavas), or wore military uniforms and made no attempt to hide their faces. According to the sources, in several cases there is evidence that soldiers worked with members of paramilitary forces—primarily the Citizen Armed Force Geographical Unit (CAFGU)—or paid military “assets,” including “rebel returnees” (former New People’s Army –members). It is reported that the military appears to have targeted several of these victims as CPP-NPA (Communist Party of the Philippines - New People’s Army) members because of their involvement with leftist organizations, work on land reform, or opposition to military presence in their communities.

319. The sources alleged that police investigations into reports of enforced disappearances are woefully inadequate. Several core aspects of investigations are often disregarded by investigators, including effectively examining crime scenes and canvassing for witnesses. Witness protection is rarely provided and, where it is provided, the protection

ⁱ A/HRC/19/58/Rev.1, para. 22.

program is inflexible. Despite official orders requiring prosecutors and police to work together in order to ensure that a strong case is presented to court, such cooperation remains extremely unusual. Once a case is filed in court, hearings occur only at monthly intervals.

320. No response from the Government was received during the reporting period regarding this general allegation.

Request for a visit

321. On 24 May 2006, the Working Group requested an invitation to undertake a visit to the country. Reminder letters were sent on 16 August 2010 and 18 August 2011. No response has yet been received from the Government.

Total cases transmitted, clarified and outstanding

322. Since its establishment, the Working Group has transmitted 782 cases to the Government; of those, 35 cases have been clarified on the basis of information provided by the source, 126 cases have been clarified on the basis of information provided by the Government, and 621 remain outstanding.

Observations

323. The Working Group regrets that no response has been received from the Government to its general allegation sent in 2009 concerning the dismissal, by the Court of Appeals, of *amparo* petitions for the supposed failure of the petitioners to prove that their rights to life, liberty or security were violated or under threat (A/HRC/13/31, paras. 416-419), notwithstanding the reminders sent on 26 August 2011 and 14 August 2012. The Working Group also regrets that no response has been received from the Government to its general allegation sent on 16 April 2012 (see summary above) notwithstanding the reminder sent on 14 August 2012. The Working Group recalls the Declaration, in particular article 2.1 which states that “No State shall practise, permit or tolerate enforced disappearances”, and article 13.1, which states that “Each State shall ensure that any person having knowledge or a legitimate interest who alleges that a person has been subjected to enforced disappearance has the right to complain to a competent and independent State authority and to have that complaint promptly, thoroughly and impartially investigated by that authority. Whenever there are reasonable grounds to believe that an enforced disappearance has been committed, the State shall promptly refer the matter to that authority for such an investigation, even if there has been no formal complaint. No measure shall be taken to curtail or impede the investigation.”

Republic of Korea

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
N/A	N/A		N/A		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Government response</i>	N/A	

Information from the Government

324. The Government transmitted one communication to the Working Group, dated 21 June 2012. In this communication, the Government of the Republic of Korea submitted information in relation to a case registered under the statistics of Uzbekistan.

Meetings

325. Representatives of the Government of the Republic of Korea met with the Working Group at its ninety-seventh and ninety-eighth sessions.

Total cases transmitted, clarified and outstanding

326. Since its establishment, the Working Group has transmitted no cases to the Government.

Russian Federation

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 4		Cases clarified during the period under review: 0		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	
467	0	4	0	0	471
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	0		N/A		
Urgent appeal	N/A		Government response	N/A	
General allegation	N/A		Government response	N/A	
Prompt intervention letter	Yes		Government response	Yes	
Working Group request for a visit	Yes		Invitation extended	No	

Standard procedure

327. The Working Group transmitted four newly-reported cases to the Government.

328. These cases concerned Messrs. **Magomed Adzhiyev, Ali Dzhaniev, Yunus Dobriyev, and Yusup Dobriyev**, who were allegedly arrested by Russian law enforcement agents in Vasilievsky Ostrov (Vasiliev Island), Line 9 Street, between Bolshoi Prospect and Naberegnaya Street, Saint Petersburg on 25 December 2009.

Prompt intervention

329. On 1 March 2012, the Working Group, together with four other Special procedures mechanisms, sent a prompt intervention letter to the Government regarding alleged acts of police harassment against Mr. **Anton Ryzhov**, a lawyer with the Interregional Committee Against Torture and the Joint Mobile Group (JMG), a solidarity group of which travels to Chechnya on a rotating basis to investigate allegations of enforced disappearances and torture in the region; and Mr. **Igor Kalyapin**, Chairman of the Interregional Committee against Torture and founder and President of the JMG.

Information from the Government

330. The Government transmitted one communication, dated 27 August 2010, which could not be translated in time for inclusion in the 2010 annual report (A/HRC/16/48). This communication concerned the request for a visit of the Working Group.

331. During the reporting period, the Government transmitted three communications, dated 14 May, 22 May and 22 August 2012. The first two communications concerned the prompt intervention letter and could not be processed in time for inclusion in the present report. The third communication concerned four outstanding cases. The information provided was not considered sufficient for the clarification of the cases. The communication also concerned one case registered under the statistics of Georgia.

Information from sources

332. Sources provided information concerning four outstanding cases.

Request for a visit

333. On 2 November 2006, the Working Group requested an invitation to visit the country. The Working Group reiterated its interest to undertake the visit to the Russian Federation on 4 June 2008, 20 July 2009, 16 August 2010, 18 August 2011 and 8 November 2012. On 4 August 2009, the Government informed the Working Group that, due to limited capacities of the country and other engagements, it was unable to extend an invitation to visit the country. On 27 August 2010, the Government informed that the request for a visit of the Working Group would be considered in order of priority for visits to the Russian Federation by special procedures of the Human Rights Council. On 30 August 2011, the Government replied that it did not have any substantial objections but, due to the heavy schedule of visits by international and regional human rights mechanisms already planned, it suggested to revisit the question in mid-2012. At the end of the reporting period, no confirmation of an invitation to visit the country had been received.

Total cases transmitted, clarified and outstanding

334. Since its establishment, the Working Group has transmitted 483 cases to the Government; of those, 10 cases have been clarified on the basis of information provided by the source, two cases have been clarified on the basis of information provided by the Government, and 471 remain outstanding.

Rwanda

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
21	0	0	0	0	21
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

336. Since its establishment the Working Group has transmitted 24 cases to the Government; of these, two have been clarified on the basis of information provided by the sources, one has been discontinued, and 21 remain outstanding.

Saudi Arabia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
4	0	0	0	0	4
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

337. The Government transmitted one communication dated 13 June 2012, concerning one outstanding case. The information provided was not considered sufficient to lead to the clarification of the case.

Total cases transmitted, clarified and outstanding

338. Since its establishment, the Working Group transmitted 10 cases to the Government: two were clarified on the basis of information provided by the Government, two were clarified on the basis of information provided by sources, two were discontinued and four remain outstanding.

Serbia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
N/A	N/A		N/A		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	Yes	

Request for a visit

339. On 29 August 2011, the Working Group requested the Government to extend an invitation to undertake a visit to the country. On 14 September 2010, the Government invited the Working Group to undertake a visit to the country. On 25 October 2011, the Government renewed its invitation to visit the country.

Meeting

340. Representatives of the Government of Serbia met with the Working Group at its ninety-sixth session.

Total cases transmitted, clarified and outstanding

341. Since its establishment, the Working Group has transmitted one case to the Government. This case was clarified on the basis of information provided by the Government.

Observations

342. The Working Group thanks the Government for having extended an invitation to visit the country.

Seychelles

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
3	0	0	0	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

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

Somalia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>0</i>	<i>N/A</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

345. The outstanding case was retransmitted and regrettably no response was received from the Government. Reference to the case appears in document E/CN.4/2006/56 and Corr.1.

Total cases transmitted, clarified and outstanding

346. Since its establishment, the Working Group has transmitted one case to the Government. This case remains outstanding.

South Sudan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	^j
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>N/A</i>			<i>N/A</i>		<i>N/A</i>
<i>Urgent appeal</i>			<i>N/A</i>	<i>Government response</i>	<i>N/A</i>
<i>General allegation</i>			<i>N/A</i>	<i>Government response</i>	<i>N/A</i>
<i>Prompt intervention letter</i>			<i>N/A</i>	<i>Government response</i>	<i>N/A</i>
<i>Working Group request for a visit</i>			<i>Yes</i>	<i>Invitation extended</i>	<i>No</i>

Request for a visit

347. On 29 August 2011, the Working Group requested the Government of South Sudan to extend an invitation to undertake a visit to the country. The Government has not yet responded.

Total cases transmitted, clarified and outstanding

348. Since its establishment, the Working Group has transmitted one case to the Government. This case remains outstanding.

^j Following the independence of South Sudan on 9 July 2011 and its admission as a State Member of the United Nations on 14 July 2011, the Working Group has started reviewing the cases recorded under the Sudan to determine whether any of these should be transferred to the records of South Sudan in accordance to the Working Group's working methods. In accordance with paragraph 15 of its Methods of Work, the Working Group decided at its ninety-seventh session to transfer one case from the statistics of the Sudan to those of South Sudan.

Spain

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 1</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
4	0	0	1	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	Yes		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	Yes		<i>Government response</i>	Yes	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	Yes	

Prompt intervention

349. On 3 February 2012, the Working Group, together with one other Special Procedures mechanism, sent a prompt intervention letter to the Government regarding allegations that Judge Baltasar Garzón was suspended from his functions in May 2010 and submitted to a criminal trial for breach of legal duty. The Government replied to the prompt intervention letter on 13 March 2012.

Information from the Government

350. The Government transmitted four communications dated 12 December 2011, 13 March 2012, 4 July 2012 and 31 October 2012.

351. In the first communication, the Government submitted information on one outstanding case. The information provided was not considered sufficient to lead to the clarification of the case.

352. In the second communication, dated 13 March 2012, the Government replied to the prompt intervention letter of 3 February 2012, stating that the information received by the Working Group was incomplete and not accurate. For instance, it was mentioned that judge Garzón himself declared that the jurisdiction to investigate the alleged cases of enforced disappearances had to be assigned to the different territorially competent courts. With respect to the status of the trial against judge Garzón, the Government informed that the Supreme Court acquitted him on 27 February 2012.

353. The third communication concerned three outstanding cases. The information provided was not considered sufficient for the clarification of the cases.

354. The fourth communication concerned one outstanding case. The information provided was not considered sufficient for the clarification of the case.

Information from sources

355. Sources provided information concerning one outstanding case.

Clarification

356. Following the expiration of the period prescribed by the six-month rule, the Working Group decided, at its ninety-sixth session, to clarify one case.

Request for a visit

357. On 3 September 2012, the Working Group requested an invitation to undertake a visit to the country. During the ninety-eighth session, the Government confirmed its agreement to extend an invitation to the Working Group to undertake a visit to the country in 2013.

Meetings

358. Representatives of the Government of Spain met with the Working Group at its ninety-eighth session.

Press releases

359. On 8 February 2012, the Working Group together with another mandate holder issued a press release concerning the trial of Judge Baltasar Garzón in Spain and its effects on the process to investigate and deal with more than a hundred thousand cases of enforced disappearances which reportedly occurred during the Spanish civil war and the Franco regime. The Working Group emphasized that an investigation should be able to be conducted for as long as the fate of the victim of enforced disappearance remains unclarified and that an amnesty law should not allow an end to a State's obligation to investigate, prosecute and punish those responsible for disappearances.

Total cases transmitted, clarified and outstanding

360. Since its establishment, the Working Group has transmitted five cases to the Government; of those, two have been clarified on the basis of information provided by the Government and three remain outstanding.

Observations

361. The Working Group would like to express its appreciation to the Government for the invitation extended to undertake a visit to the country and looks forward to the confirmation of dates for this visit.

Sri Lanka

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 13		Cases clarified during the period under review: 0		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	
5,671	4	9	0	0	5,676 ^k
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)		
160	N/A		1		
Urgent appeal	N/A		Government response	N/A	
General allegation	Yes (2011)		Government response	No	
Prompt intervention letter	Yes (2 – 29 December 2011, 1 March 2012)		Government response	No	
Working Group request for a visit	Yes		Invitation extended	No	

Urgent actions

362. The Working Group transmitted four cases to the Government under its urgent action procedure.

363. The first two cases concerned Mr. **Lalith Weeraraja**, Jaffna coordinator of the *Jana Aragalaya* (People's Struggle) movement, and an executive committee member of We Are Sri Lankans, a student-based organisation which works to defend the rights of Tamil people in Sri Lanka; and Mr. **Kugan Muruganandan**, who were allegedly arrested by members of the Sri Lankan Army on 9 December 2011.

364. The third case concerned Mr. **Ramasamy Prabakaran**, a Tamil businessman of Indian origin, allegedly abducted by seven armed men in civilian clothing, believed to be security forces agents, on 11 February 2012. In a communication dated 5 April 2012, the Government acknowledged receipt of this urgent action.

365. The fourth case concerned Ms. **Vasanthamala Pathmanathan**, allegedly arrested at a bank near Vavuniya by agents of the Criminal Investigation Department (CID) of the Police on 21 August 2012.

Standard procedure

366. The Working Group transmitted nine newly-reported cases to the Government.

367. The first case concerned Mr. **Punyamoorthy Velusamy**, a three-wheeler taxi driver who allegedly disappeared between his house and Horombuwa Junction, Suduwatuara Road on 1 March 2008. The police had reportedly previously been to Mr. Velusamy's house on several occasions and questioned him regarding whether he had received money from the Liberation Tigers of Tamil Ealam (LTTE).

^k During its ninety-sixth and ninety-eighth sessions, the Working Group discovered that six and two cases, respectively, were in fact duplicates of existing cases. These eight cases were subsequently eliminated from the Working Group's records.

368. The second case concerned Mr. **Mathurakulasingam Velautham**, who was allegedly arrested at 55 Alwis Place, Kottehena, Colombo, by paramilitary forces reportedly working with the Sri Lankan military, on 11 June 2008.

369. The third case concerned Mr. **Abiyouth Anthony**, also known as Hilman, an employee of the District Secretariat of Mannar, Government Agent's Office, who allegedly disappeared after leaving a family member's house in Kallikaddaikadu, Uyilankulam, Mannar district, on 5 January 2009. Mr. Anthony was reportedly seen approximately one month after his alleged disappearance in front of Thalladi Military Camp, walking with army officers.

370. The fourth case concerned a **person below the age of 18** who, on 17 April 2009, was allegedly last seen in Puthumathalan. According to the information received, during the night of 17 April 2009, the person below the age of 18 was reportedly forcibly taken away by members of the Liberation Tigers of Tamil Eelam (LTTE). On 20 April 2009, the Sri Lankan army allegedly took control of the area. It was reported that all those in the area where the person below the age of 18 had been were taken away by members of the army.

371. The fifth case concerned Mr. **Varathalingam Ratnathurai**, also known as Puthuvai Rathinathurai, who was allegedly arrested by the Sri Lankan Army in Vadduvakal, Mullaitivu on 18 May 2009.

372. The sixth case concerned Mr. **IImi Rifai Ahmed Adbulla** who, on 5 May 2010, was allegedly abducted by seven individuals, one of whom was in police uniform, and driven away in a white van with registration number 7030 when he was returning home from work on his motorcycle.

373. The seventh and eighth cases concerned Mr. **Mohamed Kaya Mohideen Musammil**, an employment agency worker, and Mr. **Mohamed Oseer** who were allegedly arrested by police officers on Mawella Lane, Baseline Road, Dematagoda, Colombo 09, on 7 May 2010.

374. The ninth case concerned Mr. **Mohamed Akram** who, on 9 June 2010, was allegedly abducted by a group of men, three of whom were in police uniforms, driving white vans with registration numbers 58-0093 and LF 7655 at the hotel in front of a race course in Nuwara Eliya.

Prompt intervention

375. On 29 December 2011, the Working Group, together with four other Special Procedures mechanisms, sent a prompt intervention letter regarding the alleged arrest and detention of 42 human rights and political activists, including members of the non-governmental organisation, the Committee to Investigate Disappearances.

376. On 1 March 2012, the Working Group, together with four other Special Procedures mechanisms, sent a prompt intervention letter regarding alleged repeated instances of excessive use of force against peaceful protestors, and undue restrictions on the rights to freedom of peaceful assembly and expression, including against members of the Organization Collective against Abductions and Disappearance (OCAD), a platform of civil society organizations working on cases of disappearances and abduction.

Information from the Government

377. The Government transmitted seven communications, dated 24 January 2012, 5 April 2012, 26 April 2012, 27 April 2012, 7 May 2012, 15 June 2012, and 29 October 2012.

378. In the first communication, the Government acknowledged receipt of a communication from the Working Group dated 19 December 2011 concerning its ninety-fifth session.

379. In the second communication, the Government acknowledged receipt of the urgent action concerning Mr. Ramasamy Prabaharan.

380. In the third communication, the Government provided information on the report of the Working Group presented to the Human Rights Council at its nineteenth session (A/HRC/19/58/Rev.1).

381. In the fourth communication, the Government responded to a communication transmitted by the Working Group on 6 May 2011.

382. In the fifth communication, the Government submitted information concerning one outstanding case. The information provided was not considered sufficient to lead to the clarification of the remaining case.

383. In the sixth communication, the Government submitted information concerning 59 outstanding cases. Based on the information provided by the Government, the Working Group decided, at its ninety-seventh session, to apply the six-month rule to one of the cases. The information provided was not considered sufficient to lead to the clarification of the remaining cases.

384. In the seventh communication, the Government submitted information concerning 100 outstanding cases. Based on the information provided by the Government, the Working Group decided, at its ninety-eighth session, that two cases were duplicates. The Working Group also decided to transmit information concerning one case to the source in order to verify whether the case was a duplicate. The information provided concerning the other 97 cases was not considered sufficient to lead to their clarification.

Information from sources

385. Sources provided information concerning two outstanding cases.

Meetings

386. Representatives of the Government of Sri Lanka met with the Working Group at its ninety-sixth and ninety-eighth sessions.

Request for a visit

387. On 16 October 2006, the Working Group requested the Government of Sri Lanka to extend an invitation to undertake a visit to the country. The Government replied that it would not be possible to schedule a visit during the proposed dates, and that the interest of the Working Group would be given due consideration. Reminder letters were sent on 20 July 2009, 16 August 2010, 20 July 2011 and 8 November 2012.

Total cases transmitted, clarified and outstanding

388. Since its establishment, the Working Group has transmitted 12,473 cases to the Government; of those, 40 cases have been clarified on the basis of information provided by the source, 6,535 cases have been clarified on the basis of information provided by the Government, 222 cases were found to be duplications and were therefore deleted, and 5,676 remain outstanding

Observations

389. The Working Group regrets that no response was received from the Government to its general allegation on 4 May 2011, concerning serious obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearances in Sri Lanka during the last phase of the war against the Liberation Tigers of Tamil Eelam from 2006 to 2009 (A/HRC/19/58/Rev.1, paras. 495-501), notwithstanding a reminder sent on 13 August 2012.

390. The Working Group is seriously concerned that, during the reporting period, it transmitted four urgent actions, nine standard cases, and two prompt intervention letters. In this respect, the Working Group would like to recall the Declaration, which affirms that States must take steps to ensure that persons involved in investigations of cases of disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal. The Working Group would also like to recall that, in its resolution 21/4, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances, and the lawyers and families of disappeared persons against any intimidation, persecution, reprisals or ill-treatment to which they might be subjected, paying special attention to women as relatives of disappeared persons in the context of their struggle to resolve the disappearance of members of their families.

391. Following its request dated 16 October 2006, and reminder letters sent on 20 July 2009, 16 August 2010, 20 July 2011 and 8 November 2012, the Working Group wishes to reiterate its hope that the Government will extend an invitation for a visit to the country.

Sudan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
174	0	0	0	0	173 ¹
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	No	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

¹ Following the independence of South Sudan on 9 July 2011 and its admission as a State Member of the United Nations on 14 July 2011, the Working Group has started reviewing the cases recorded under Sudan to determine whether any of these should be transferred to the records of South Sudan in accordance to the Working Group's working methods. In accordance with paragraph 15 of its Methods of Work, the Working Group decided at its ninety-seventh session to transfer one case from the statistics of the Sudan to those of South Sudan.

Information from the Government

392. On 28 December 2011, the Government transmitted a communication concerning one outstanding case. The information provided was considered insufficient to lead to the clarification of the case. However, the case has since been transferred to the records of South Sudan.

393. On 6 June 2012, the Government transmitted a communication concerning complaints of human rights violations committed by the Government of South Sudan relating to enforced or involuntary disappearances.

Request for a visit

394. A request for a visit was sent to the Government of the Sudan on 20 December 2005. On 3 April 2008, 20 July 2009, 16 August 2010 and 18 August 2011, the Working Group reiterated its interest to undertake the visit. However, no reply has yet been received.

Total cases transmitted, clarified and outstanding

395. Since its establishment, the Working Group has transmitted 383 cases to the Government; of those, four cases have been clarified on the basis of information provided by the source, 205 cases have been clarified on the basis of information provided by the Government, one case has been transferred to the statistics of South Sudan, and 173 remain outstanding.

Observations

396. Following the independence of South Sudan on 9 July 2011 and its admission as a State Member of the United Nations on 14 July 2011, the Working Group has started reviewing the cases recorded under Sudan to determine whether these should be transferred to the records of South Sudan in accordance to the Working Group's working methods. So far the Working Group has transferred one case from the records of the Sudan to the records of South Sudan.

Switzerland

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>1</i>	<i>No</i>		<i>1</i>		
<i>Urgent Appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

Standard procedure

397. The Working Group, in accordance with its methods of work, retransmitted one case to the Government, concerning Mr. **Mohamed El Ghanam**, who was allegedly arrested in Geneva on 12 March 2007 by agents of the Swiss Government.

Information from the Government

398. The Government transmitted one communication dated 15 June 2012, concerning the outstanding case. On the basis of this information the Working Group decided at its ninety-seventh session to apply the six-month rule to this case.

Information from sources

399. Information was received from sources concerning the outstanding case.

Total cases transmitted, clarified and outstanding

400. Since its establishment, the Working Group has transmitted one case to the Government. This case remains outstanding.

Syrian Arab Republic

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 39</i>		<i>Cases clarified during the period under review: 8</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
41	30	9	1	7	72
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
9	No		0		
<i>Urgent Appeal</i>	Yes (5)		<i>Government response</i>	No	
<i>General allegation</i>	Yes (2)		<i>Government response</i>	Yes	
	Sent 9 September 2011			(On 27 December 2011)	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

Urgent actions

401. The Working Group transmitted 30 cases under its urgent action procedure to the Government. The cases concerned Messrs. **Maad Tayeh, Mustafa Abo Zaid, Mahmoud Dred, Mohamed Al Shurbaji, Muhammad Tayseer Khulani, Amr Ahmad Khulani, Muhammad Nouh, Essam Kadour, Kousai Kadour, Louai Kadour, Wissam Kadour, Hisham Kadour, Ammar Kadour, Islam Al Dabbas, Maamon Al Darsani, Ahmad Andora, Kamel Hamda, Fahed Almusa, Omar Raad, Mohammad Aswad, Muhammad Arab, Amjad Kassem, Nabil Al Shurbaji, Fady Khalous, Mohammad Tawfiq Anjileh, Maher Safouh Hamra, Muhannad Safouh Hamra, Khalil Matouk, and Ms. Fatima Khalid Saad and Ms. Rama Al Assas.**

Standard procedure

402. The Working Group transmitted nine newly-reported cases to the Government.
403. The first case concerned Mr. **Tahsein Mamo** who, on 29 January 2007, was allegedly arrested at the house of an individual associated with him located in the Sheikh Maqsood area of Aleppo, following a raid by Syrian security officers and was allegedly last seen on 18 December 2008 in Sednaya Military Prison.
404. The second case concerned Mr. **Abdulakram Al Sakka**, who was allegedly arrested on 15 July 2011 in his home in Daraya, Rif Damascus Governorate, by armed agents of the Air Force Intelligence.
405. The third case concerned Mr. **Solaiman Al Orib Al Salim**, who was allegedly arrested on 18 August 2011 at a checkpoint in Mazareb on the edge of Hama by security forces.
406. The fourth case concerned Mr. **Omar Shafik Kashroom**, who was allegedly arrested on 4 February 2012 by agents of the Air Force Intelligence during a demonstration in Daraya.
407. The fifth case concerned Mr. **Mohammed Issam Zaghoul**, who was allegedly arrested on 23 August 2011, at his home in Daraya district, Damascus, by a group of armed men wearing black civilian clothes. In November 2011, Mr. Issam Zaghoul was reportedly seen in the Air Force Military Intelligence Prison, Bab Touma, Tahir, Damascus.
408. The sixth case concerned Mr. **Ali Al Mahamid**, who was allegedly arrested on 25 August 2011, by Air Force Intelligence agents wearing civilian clothes at the Nasib Border Crossing on the border with Jordan, close to the city of Deryaa.
409. The seventh case concerned Mr. **Ibrahim Taha**, who was allegedly arrested by Air Force Intelligence agents on 5 December 2011 at Al Razi Hospital, Al Mazza, when he went to look for his brother, who had reportedly been brought there.
410. The eighth case concerned the brother of Mr. Ibrahim Taha, Mr. **Taha Taha**, who was allegedly arrested at his place of work by Air Force Intelligence agents in civilian clothes on 5 December 2011. Mr. Taha Taha was reportedly later seen at the Air Force Intelligence detention centre at Al Mazza military airport.
411. The ninth case concerned Mr. **Bassel Khartabil**, on whom an urgent appeal had previously been transmitted by the Working Group.

Urgent appeals

412. The Working Group transmitted five urgent appeals to the Government.
413. The first urgent appeal, transmitted on 3 February 2012, jointly with three other special procedures mechanisms, concerned the alleged shooting and subsequent arbitrary arrest and incommunicado detention of Mr. **Mohamed Anwar Dabbas** on 1 January 2012. Mr. Anwar Dabbas is an activist who has reportedly been campaigning for democratic reform since the beginning of the unrest in the Syrian Arab Republic.
414. The second urgent appeal, transmitted on 27 March 2012 jointly with six other special procedures mechanisms, concerned the arrest, incommunicado detention, and possible enforced disappearance of Mr. **Rudy Uthman**, a journalist and human rights activist, and Mr. **Saleh Shameya**, a well-known lawyer, and member of the board and head of the legal department of the National Human Rights Organisation-Syria (NOHR-S).
415. The third urgent appeal, transmitted on 15 August 2012, jointly with two other special procedures mechanisms, concerned allegations of mass arrests of individuals, some

of whom reportedly died, in Damascus, as well as the situation of Mr. **Hayel Hamid**, whose whereabouts were allegedly unknown at the time of the communication. Mr. Hayel Hamed is a surgeon and university professor of Palestinian and British nationality.

416. The fourth urgent appeal, transmitted on 21 September 2012, jointly with two other special procedures mechanisms, concerned the alleged arrest, incommunicado detention, and enforced disappearance of Mr. **Bassel Khartabil** on 15 March 2012. Mr. Bassel Khartabil is a 31-year-old Palestinian who was born and raised in the Syrian Arab Republic.

417. The fifth communication transmitted on 8 November 2012 concerned Messrs. **Abdelaziz Al-Khayer**, **Iyas Ayash** and **Maher Tahan**, all members of the National Coordination Body for Democratic Change, who were reportedly stopped at an Air Force Intelligence checkpoint and brought to one of the branches of Air Force Intelligence. At the time of the present communication, the fate and whereabouts of Messrs. Al-Khayer, Ayash and Tahan remained unknown.

Information from the Government

418. On 14 December 2011, the Government transmitted a response to an urgent appeal dated 22 August 2011, confirming the release of Mr. Abdel Karim Rihaoui on 22 August 2011, and that he travelled to Egypt on 8 September 2011.

419. On 27 December 2011, the Government transmitted a communication concerning two general allegations which were sent on 9 September 2011 (A/HRC/19/58/Rev.1, paras. 552-555). One of the general allegations concerned the reported discovery of a mass grave containing the remains of at least 13 bodies including women and children (possibly including members of the Abazied and al-Mahmaed families), on 16 May 2011, near Daraa in an area called Talit Mohammed Assarie. The other general allegation concerned reported systematic human rights violations committed by the Syrian authorities against its population, including enforced disappearances.

420. Also on 27 December 2011, the Government responded to an urgent appeal dated 3 August 2011. The response could not be translated in time for inclusion in the present report.

421. On 26 January 2012, the Government transmitted a communication with updated information on major events and developments in the Syrian Arab Republic, with reference to Legislative Decree No. 10 of 15 January 2012, statistics on the release of prisoners, communiqués of the Ministry of the Interior, impact of armed terrorist operations on the electricity sector, economic matters, abduction and murder of Ministry officials.

422. On 23 February 2012, the Government transmitted a communication concerning six outstanding cases. The information provided was not considered sufficient to lead to the clarification of these cases.

423. On 2 April 2012, the Government transmitted a communication with statistics on the loss of human life and material damage in the Syrian Arab Republic's governorates from the outbreak of the events until 15 March 2012 due to the acts of armed terrorist groups.

424. On 12 April 2012, the Government transmitted two communications concerning three outstanding cases. One of the cases had previously been clarified by the source. The information provided on the other two cases was not considered sufficient to lead to their clarification.

425. On 11 June 2012, the Government transmitted a communication regarding recent events in the Syrian Arab Republic, including media reports.

426. On 17 August 2012, the Government transmitted a communication regarding alleged losses incurred by the Ministry of Trade in the Syrian Arab Republic as a result of acts

committed by armed terrorist groups against staff, buildings and vehicles belonging to the Ministry of Trade.

Information from sources

427. Information was received from sources concerning 14 outstanding cases. As a result, seven of these cases were clarified.

General allegations

Reply from the Government

428. On 27 December 2011, the Government transmitted a communication concerning two general allegations which were sent on 9 September 2011. The Government reported that there were inaccuracies in relation to allegations concerning a mass grave containing 13 bodies in the Tallit Mohammed Assarie area, near Daraa. The Government reported that the Syrian Arab Army did not launch an attack on Daraa but did search for weapons and armed outlaws; that the army cordoned off Daraa on 25 April because an increasing number of armed men were using the town as a base from which to launch attacks against army and security personnel; and that the Army Command had given the armed men until 30 April to surrender their weapons before beginning to search. The Government further reported that the families of the persons concerned, with the assistance of the local authorities, discovered five bodies, rather than 13, in the mass grave. The names of the individuals whose bodies were discovered were listed, details of their disappearance were given, and information concerning the legal history of two of the individuals was also included. The Government explained that the place where their bodies were found was not under the control of the army and security forces, nor was it closed off; that the persons concerned were thought to be cooperating with the authorities, were targeted by armed terrorist groups and may have been killed and buried by such groups; that the authorities worked with the family of the concerned persons to conduct relevant investigations; and that the authorities did not attend either the home of the persons concerned or the place where their bodies were found, either before or after action against the members of armed terrorist groups began.

429. The Government reported that allegations that security personnel prevented residents of Daraa from leaving their homes to recover dead bodies from the streets, and that those bodies subsequently disappeared from the streets, were untrue. The Government suggested that the sources of the information were believed to have links with armed terrorist groups.

430. In relation to allegations of thousands of cases of enforced disappearances, the Government reported, inter alia, that there were no such cases in Syria and that all arrests of persons suspected of involvement in offences punishable by Syrian law were made in accordance with the Syrian Code of Criminal Procedure and were under the monitoring, supervision and authority of the competent prosecutor's office.

Clarification

431. Based on the information provided by sources, the Working Group decided to clarify seven cases. Following the expiration of the period prescribed by the six-month rule, the Working Group decided to clarify one case.

Total cases transmitted, clarified and outstanding

432. Since its establishment, the Working Group has transmitted 121 cases to the Government; of those, 34 cases have been clarified on the basis of information provided by

the source, 15 cases have been clarified on the basis of information provided by the Government, and 72 remain outstanding.

Request for a visit

433. On 19 September 2011, the Working Group requested an invitation to undertake a visit to the Syrian Arab Republic. The Government has not yet responded.

Observations

434. The Working Group would like to thank the Government for its reply to the two general allegations transmitted on 9 September 2011. However, the Working Group is gravely concerned about the number of allegations of enforced disappearances received during the reporting period, as reflected by 30 urgent actions, two urgent appeals and nine standard cases.

435. The Working Group is also deeply concerned by the recent report of the independent international commission of inquiry of the Syrian Arab Republic (A/HRC/19/69) concerning the increasing number of grave human rights violations in Syria, including enforced disappearances. In this context, the Working Group recalls recent General Assembly resolution 66/176, adopted on 23 February 2012, and Human Rights Council resolution 21/26, adopted on 17 October 2012, which condemn the continued grave and systematic human rights violations, including enforced disappearances, by the Syrian authorities.

436. The Working Group would like to recall article 2 of the Declaration, which states that “No State shall practise, permit or tolerate enforced”; article 3, which states that “Each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction”; and article 7, which states that “No circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances”.

437. In the light of the above, the Working Group would like to stress its interest in undertaking a visit to the country.

Tajikistan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 3</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
6	1	0	3	0	4
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
3	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	Yes	

Urgent actions

438. The Working Group sent one case under its urgent action procedure to the Government. It concerned Mr. **Naimjon Atokhonovich Naimkhonov**, who was allegedly last seen near the bus station of Karabolo district, Dushanbe, on 8 August 2012.

Information from the Government

439. On 14 February 2012, the Government transmitted a communication concerning three outstanding cases. The information provided was not considered sufficient to clarify the cases.

Clarification

440. Following the expiration of the period prescribed by the six-month rule, the Working Group decided to clarify three cases.

Meetings

441. Representatives of the Government of Tajikistan met with the Working Group at its ninety-sixth session.

Request for a visit

442. On 30 June 2011, the Working Group requested the Government of Tajikistan to extend an invitation to undertake a visit to the country. On 22 August 2011, the Government invited the Working Group to undertake a visit to the country at mutually convenient and agreed dates.

Total cases transmitted, clarified and outstanding

443. Since its establishment, the Working Group has transmitted nine cases to the Government; of those, three cases have been clarified on the basis of information provided by the Government, two cases have been clarified on the basis of information provided by the source and four cases remain outstanding.

Observations

444. The Working Group thanks the Government for having extended an invitation to visit the country.

Thailand

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 16</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
55	1	15	0	0	71
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
2	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

Urgent actions

445. The Working Group sent one case under its urgent action procedure to the Government. It concerned Mr. **Pee Naselan**, who was allegedly taken away from a local tea shop in his village, at Ban Moo 5 Juab Sub district, in the south of Thailand by three men in Navy uniforms, on 28 February 2012.

Standard procedure

446. The Working Group transmitted 15 newly-reported cases to the Government.

447. The first case concerned Mr. **Songkran Namprom** who, on 20 September 1999, was allegedly last seen entering Sofitel Hotel, Khon Kaen city, Khon Kaen province, to meet an individual who had identified himself as a police officer.

448. The second case concerned Mr. **Ja-Ur Pawlu** who, on 25 October 2002, was allegedly arrested with two other individuals near Ang Kang Mountain, Fang district, Chiang Mai province, by officers carrying firearms travelling in a vehicle identified as belonging to the Thai Narcotics Control Board.

449. The third case concerned Mr. **Burahum Ma-ela** who, on 10 March 2003, was allegedly arrested at a military checkpoint outside Su-Ngai Kolok district, near the highway intersection, Narathiwat Province.

450. The fourth and fifth case concerned Mr. **Montri Jagea** and a **person below the age of 18** who, in late May 2003, were allegedly arrested in the morning by police along the road between Huay Mayom village and Huay Bon village, near Huay Bon water reservoir dam, Viang sub-district.

451. The sixth case concerned Mr. **Japa Janu** who, in October 2003, was allegedly arrested with four other individuals at his home, 321 village number 3, Tadmok village, Mae Ai district, Chiang Mai province, by officers from various State authorities, including the police and the army.

452. The seventh and eighth cases concerned Messrs. **Musta-sidin Ma-ming** and **Waesoo Maseng** who, on 11 February 2004, were allegedly arrested by a group of presumed armed police officers at the mobile telephone shop at Tanyongmas Market.

453. The ninth, tenth, eleventh, and twelfth cases concerned Messrs. **Wandi Gazi, Abdullah Eitae, Manasay Lohlanay** and **Eruwan Masay**, all from the Malayu indigenous group, who, on 23 May 2007, were allegedly taken by six soldiers from a temporary military checkpoint near a market, on the main road between Yaha district and Yala district, Yala province, to an unknown location.

454. The thirteenth case concerned Mr. **Saman Meethum** who, on 2 June 2007, was allegedly last seen near Loop village, Loop sub-district. According to the information received, a police major from Yang Talat Police Station is reportedly believed to be responsible for the alleged disappearance.

455. The fourteenth case concerned Mr. **Kamol Lausophaphan** who, on 7 February 2008, was last seen at Ban Phai Police Station, Khon Kaen province.

456. The fifteenth case concerned Mr. **Roosaming Samamae** who, on 10 March 2009 was allegedly arrested at local Beu-Reah Mosque by three men wearing army ranger uniforms and wool facemasks.

General allegations

Summary of the general allegations

457. Information was submitted by sources concerning obstacles encountered in the implementation of the Declaration on the Protection of all Persons from Enforced Disappearance. This information was transmitted to the Government after the Working Group's ninety-eighth session.

458. The source alleged that enforced disappearances have been carried out in Thailand for many years as a method to stamp out dissent or to eliminate suspected criminals outside of the rule of law.

459. The source also alleged that two official policies directly contributed to the creation of an environment in which enforced disappearances along with other gross violation of human rights have taken place: 1) the highly militarized counter-insurgency approach adopted in southern Thailand by various regional governments beginning in 2001 under the Thaksin Administration; and 2) the so-called War on Narcotic Drugs Policy implemented by Prime Minister Thaksin in 2003.

460. The source argued that the counter-insurgency policies in the south led to the implementation of three emergency legislative frameworks, namely, 1) Martial law, which allows for detention of up to seven days for interrogation without a warrant or judicial review and without the right to challenge the detention; 2) the Decree on Government Administration in Emergency Situations issued in 2005, which allows for detention with a court warrant without criminal charges for up to seven days and renewable for up to 30 days; and 3) the Internal Security Act, which reportedly allows for detention of anyone suspected to be involved in insurgency or terrorism in a military training camp for up to six months by the order of court without any requirement of pending criminal charges or conviction. Such laws as well as the 'good faith' clauses, which provide immunity for officials from civil, criminal and disciplinary penalties for acts performed in good faith, facilitate impunity for enforced disappearances as demonstrated in a number of documented cases.

461. The source also argued that the counter-insurgency approach led to the militarisation of the southern part of Thailand where currently 74, 000 security officers are deployed and further 4000 troops are authorised to be deployed in the region. According to the source, such militarisation of the region contributed to the increase in enforced disappearances.

462. The source further reported that three patterns of enforced disappearances are observed in southern Thailand: i.e. individuals are taken from the street; they are arrested from home, work or mosque; or disappear as a consequence of their voluntary reporting to security forces.

463. The source further reported that the violent implementation of the so-called 2003 War on Narcotic Drugs Policy, which sets a quota for arrests and seizure of narcotic drugs to each province and financial rewards for drugs seized, also contributed to the increased cases of enforced disappearances. The source pointed out that although the laws in Thailand do not condone its security forces to arbitrarily detain or forcefully disappear suspected drug traffickers or users, such drug policy allegedly contribute to the creation of an environment where enforced disappearances happen. The source alleged that under the policy, a number of 'Ranger camps' were established where locally recruited security personnel, who assist and report to the military, detained suspected drug traffickers or users without warrants. It is reported that especially ethnic minorities are most heavily affected by the policy due to the stereotyped beliefs that members of ethnic minorities are often involved in illegal activities.

464. The source reported that the large majority of the victims of enforced disappearances belonged to minority groups, such as Malayu or Hill tribes. The source also alleged that the human rights, anti-corruption and environmental activists as well as witness of human rights violations were also vulnerable to enforced disappearances.

465. It was further reported that there is no definition of enforced disappearance in the domestic legislation. The source also informed on the lack of independence and the weakness of the Thai judiciary. As a result, according to the source, no case of enforced disappearance has led to the prosecution or conviction of the perpetrator.

466. In addition, the source reported that with the exception of a recommendation on 12 February 2012 made by the Committee for Compensation of People Affected by Unrest in the Southern Border Provinces established by the Prime Minister in 2010, to pay reparations to victims of a number of cases of enforced disappearances that occurred from January 2004 to 30 September 2011, reparations for enforced disappearances have been extremely limited in Thailand. For instance, it is reported that in a small number of cases in southern Thailand, 100,000 Baht were paid to the relatives by the Government following a recommendation of the National Reconciliation Commission established by the Government in 2005.

Information from the Government

467. The Government transmitted two communications to the Working Group.

468. In the first communication, dated 13 January 2012, the Government acknowledged receipt of a letter transmitted by the Working Group on 19 December 2011. The Government also reported that Thailand signed the International Convention on the Protection of All persons from Enforced Disappearance on 9 January 2012.

469. In the second communication, dated 4 April 2012, the Government provided information on two outstanding cases. The information provided was not considered sufficient to lead to the clarification of these cases.

Information from sources

470. Sources provided information on five outstanding cases.

Request for a visit

471. On 30 June 2011, the Working Group requested an invitation to undertake a visit to the country. On 17 October 2011, the Government of Thailand replied that given the high number of requests received, a further communication would be conveyed to the Working Group when an agreeable time can be arranged. A reminder was sent by the working group on 8 November 2012.

Total cases transmitted, clarified and outstanding

472. Since its establishment, the Working Group has transmitted 78 cases to the Government; of those, two cases have been clarified on the basis of information provided by the Government, two cases have been discontinued, three cases were found to be duplications and were therefore deleted, and 71 remain outstanding.

Observations

473. The Working Group is concerned that during the reporting period one urgent action and 15 newly-reported cases were transmitted to the Government and one general allegation was adopted.

The former Yugoslav Republic of Macedonia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
0	0	0	0	0	0
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	Yes (2009)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Observations

474. The Working Group regrets that no response was received from the Government to its general allegation sent on 15 May 2009, concerning the alleged involvement of the Government of the former Yugoslav Republic of Macedonia in a practice of renditions and secret detention (A/HRC/13/31), notwithstanding the reminders sent on 26 August 2011 and 17 August 2012.

Total cases transmitted, clarified and outstanding

475. Since its establishment, the Working Group has transmitted no cases to the Government.

Timor-Leste

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
428	0	0	0	0	428
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

477. Since its establishment, the Working Group has transmitted 504 cases to the Government; 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, and 428 remain outstanding.

Togo

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
10	0	0	0	0	10
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Meetings

479. Representatives of the Government of Togo met with the Working Group at its ninety-eighth session.

Total cases transmitted, clarified and outstanding

480. Since its establishment, the Working Group has transmitted 11 cases to the Government; of those, one case has been clarified on the basis of information provided by the source and 10 remain outstanding.

Tunisia

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2	0	0	0	0	2
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
2	N/A		0		
<i>Urgent Appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

481. The Government transmitted one communication, dated 17 February 2012 concerning the two outstanding cases. The information provided was not considered sufficient to lead to their clarification.

Information from sources

482. Information from the source was received on one outstanding case.

Total cases transmitted, clarified and outstanding

483. Since its establishment, the Working Group has transmitted 19 cases to the Government; of those, five cases have been clarified on the basis of information provided by the source, 12 cases have been clarified on the basis of information provided by the Government, and two remain outstanding.

Turkey

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 0		Cases clarified during the period under review: 0		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	
60	0	0	0	0	60
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)		
25	Yes		4		
Urgent appeal	N/A		Government response	N/A	
General allegation	N/A		Government response	N/A	
Prompt intervention letter	Yes (2011, 2012)		Government response	Yes	
Working Group request for a visit	N/A		Invitation extended	N/A	

Prompt intervention

484. On 9 August 2012, the Working Group, jointly with five other special procedures mechanisms, transmitted a prompt intervention letter to the Government concerning the alleged detention and trial of Mr. **Cemal Bektas**, president of Yakay-der, an organization which works to clarify the circumstances of enforced disappearances and extrajudicial executions in Turkey and a member association of the Euro-Mediterranean Federation Against Enforced Disappearances (FEMED).

Information from the Government

485. The Government transmitted four communications to the Working Group.

486. In the first communication, dated 13 December 2011, the Government replied to a prompt intervention letter transmitted by the Working Group jointly with two other special procedures mechanisms, on 28 October 2011, regarding the alleged arrests of representatives of member associations of the Euro-Mediterranean Federation Against Enforced Disappearances (FEMED), Messrs. **Kemal Aydin**, **Selahattin Tekin** and **Cemal Bektas** from Yakay-der, and Ms. **Nahide Ormani** from Mothers for Peace (A/HRC/19/58/Rev.1, par. 598). The Government reported that the aforementioned individuals were arrested for illegal activities falling within the scope of the investigation of a terrorist organisation known as the PKK/KCK. The Government further reported that, in 2007, the Diyarbakir Chief Public Prosecutor's Office initiated an investigation (number 20007/997) to transcribe the activities of the so-called Koma Civaken Kurdistan Parliament of Turkey (KCK/TM) that operates as the urban wing of the illegal PKK/KONGRA-GEL terrorist organization. In relation to Messrs. Aydin, Tekin and Bektas, the Government reported that they did have the opportunity to be assisted by lawyers and their relatives were informed about their situation; and that none of them lodged a complaint against any law enforcement officers involved in the investigation process. Regarding Ms. Ormani, the Government reported that she was taken into custody after her home was searched upon the instruction of Silopi Chief Public Prosecutor's Office; she was detained for 48 hours upon the written instruction of the Prosecutor's office; a member of her family was informed during the search of her home; she was assisted by her lawyer while in custody; she

benefited from her legal rights during the investigation stage; and she did not lodge a complaint against any law enforcement officer.

487. In the second communication, dated 5 March 2012, the Government provided information on 10 outstanding cases. The information provided was considered insufficient to lead to the clarification of the 10 cases, although the six-month rule had previously been applied to three of the cases.

488. In the third communication, dated 6 July 2012, the Government provided information on 18 outstanding cases. The information provided was not considered sufficient to clarify the cases.

489. In the fourth communication, dated 22 October 2012, the Government responded to the prompt intervention letter of 9 August 2012. The Government reported, *inter alia*, that all defence lawyers were able to attend the hearing but some did not attend on their own initiatives; according safety precautions, audio and video recorders (including cell phones) could not be admitted to the hearing room and the accused could not defend themselves in their native languages; the hearings were held open to the public, although some hearings were held in closed sessions in order to maintain discipline and order. The Government reported that there was no factual information or tangible evidence supporting the allegation that Mr. Bektas' detention on remand was because of his work on disappearances, and that Mr. Bektas was being tried on the charge of being a member of an armed terrorist organization.

Total cases transmitted, clarified and outstanding

490. Since its establishment, the Working Group has transmitted 182 cases to the Government; of those, 49 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, one case was discontinued, and 60 remain outstanding.

Observations

491. In relation to the communication transmitted under the prompt intervention procedure on 9 August 2012, the Working Group would like to recall the Declaration, which affirms that States must take steps to ensure that persons involved in investigations of cases of disappearance, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal. The Working Group would also like to recall that, in its resolution 21/4, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation, persecution, reprisals or ill-treatment to which they might be subjected, paying special attention to women as relatives of disappeared persons in the context of their struggle to resolve the disappearance of members of their families.

Turkmenistan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>0</i>	<i>N/A</i>		<i>0</i>		
<i>Urgent appeal</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>General allegation</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Prompt intervention letter</i>	<i>N/A</i>		<i>Government response</i>	<i>N/A</i>	
<i>Working Group request for a visit</i>	<i>N/A</i>		<i>Invitation extended</i>	<i>N/A</i>	

492. The outstanding case was retransmitted and regrettably no response was received from the Government. A summary appears in document A/HRC/13/31.

Total cases transmitted, clarified and outstanding

493. Since its establishment, the Working Group has transmitted three cases to the Government; of those, two have been clarified on the basis of information provided by the Government, and one remains outstanding.

Uganda

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
<i>15</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>15</i>
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
<i>0</i>			<i>N/A</i>		<i>0</i>
<i>Urgent appeal</i>			<i>N/A</i>	<i>Government response</i>	<i>N/A</i>
<i>General allegation</i>			<i>N/A</i>	<i>Government response</i>	<i>N/A</i>
<i>Prompt intervention letter</i>			<i>N/A</i>	<i>Government response</i>	<i>N/A</i>
<i>Working Group request for a visit</i>			<i>N/A</i>	<i>Invitation extended</i>	<i>N/A</i>

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

Total cases transmitted, clarified and outstanding

495. Since its establishment the Working Group has transmitted 22 cases to the Government; of those, five have been clarified on the basis of information provided by the source, two have been clarified on the basis of information provided by the Government, and 15 remain outstanding.

Ukraine

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
3	1	0	0	0	4
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Urgent actions

496. The Working Group sent one case to the Government under its urgent action procedure, concerning Mr. **Valid Beriev**, who allegedly disappeared close to the Pizzeria Delikt restaurant, Nauchnaia Street, Lviv on 17 May 2012.

Total cases transmitted, clarified and outstanding

497. Since its establishment, the Working Group has transmitted six cases to the Government; of those, two have been clarified on the basis of information provided by the Government and four remain outstanding.

United Arab Emirates

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 0		Cases clarified during the period under review: 0		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
5	0	0	0	0	5
Number of cases on which the Government has replied	Multiple replies on some cases		Number of cases of possible clarification by Government (6-month rule)		
0	N/A		0		
Urgent appeal	Yes		Government response	No	
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		Invitation extended	N/A	

Urgent appeals

498. On 15 May 2012, the Working Group transmitted an urgent appeal to the Government, jointly with three other special procedures mechanisms, concerning various individuals. It was reported, *inter alia*, that Dr. **Ahmed Yousef Al-Zaabie**, was allegedly arrested in Abu Dhabi on 26 March 2012. It was also reported that, Mr. **Saleh Al-Dhufairi**, an online activist, general manager of the Holy Koran Foundation and a member of the Islah Association, was allegedly arrested at a mosque in Ras al-Khaimah on 29 April 2012. At the time of the communication, their whereabouts remained unknown.

499. On 7 November 2012, the Working Group transmitted a second urgent appeal to the Government, jointly with five other special procedures mechanisms, concerning the alleged mass arrest of human rights defenders, judges and lawyers. It was reported, *inter alia*, that, at the time of the communication, the whereabouts of Mr. **Ahmad Gaith Al Suwaidi**, Mr. **Rashid Mohamed Abdullah Al Roken**, Mr. **Abdullah Al Hajiri**, Mr. **Juma Darwish El Felassi**, Mr. **Ali Saeed Al Kindi**, and Mr. **Khamis Saeed Al Sam Al Zyoudi**, remained unknown.

Total cases transmitted, clarified and outstanding

500. Since its establishment, 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 Government, and five cases remain outstanding.

Observations

501. The Working Group regrets that no response was received from the Government concerning the urgent appeal transmitted on 15 May 2012.

Uruguay

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 1</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
20	0	0	1	0	19
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Clarification

502. On the basis of information provided by the Government on 21 June 2011, the Working Group decided to clarify one case following the expiration of the period prescribed by the six-month rule.

Total cases transmitted, clarified and outstanding

503. Since its establishment, the Working Group has transmitted 31 cases to the Government; of those, one case has 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 19 remain outstanding.

Uzbekistan

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 1</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
7	1	0	0	0	8
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
8	Yes		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

Urgent actions

504. The Working Group transmitted one case under its urgent action procedure to the Government, concerning Mr. **Usmon Rakhimov**, who was allegedly handed over to the Service of National Safety of the Republic of Uzbekistan on 22 March 2012, after having been deported from the Republic of Korea. In accordance with the Working Group's methods of work, the Government of the Republic of Korea received a copy of this case.

Information from the Government

505. The Government transmitted five communications to the Working Group.

506. In the first communication, dated 19 October 2011, the Government provided information on measures being taken in Uzbekistan to ensure that citizens are protected from involuntary disappearance and to fulfil the Declaration on the Protection of All Persons from Enforced Disappearance

507. The second communication, dated 10 January 2012, concerned seven outstanding cases. The information provided was not considered sufficient for the clarification of the cases.

508. The third communication, dated 21 June 2012, concerned one outstanding case. The information provided was not considered sufficient for the clarification of the case.

509. The fourth communication, dated 2 July 2012, concerned seven outstanding cases. The information provided was not considered sufficient for the clarification of the cases.

510. The fifth communication, dated 16 July 2012, concerned one outstanding case. On the basis of this information, the Working Group decided, at its ninety-eighth session, to submit the case to the six-month rule.

Request for a visit

511. On 30 June 2011, the Working Group requested an invitation to undertake a visit to the country. A reminder was sent on 8 November 2012. No response has yet been received from the Government.

Total cases transmitted, clarified and outstanding

512. Since its establishment, the Working Group has transmitted 20 cases to the Government; of those, one case has 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 eight remain outstanding.

Venezuela (Bolivarian Republic of)

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 0		Cases clarified during the period under review: 0		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
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0			No		0
<i>Urgent appeal</i>			N/A	<i>Government response</i>	No
<i>General allegation</i>			N/A	<i>Government response</i>	N/A
<i>Prompt intervention letter</i>			N/A	<i>Government response</i>	N/A
<i>Working Group request for a visit</i>			N/A	<i>Invitation extended</i>	N/A

513. The outstanding 10 cases were retransmitted and, regrettably, no response was received from the Government. A summary of the situation in the country appears in document E/CN.4/2006/56 and Corr.1.

Total cases transmitted, clarified and outstanding

514. Since its establishment, the Working Group has transmitted 14 cases to the Government; of those, four cases have been clarified on the basis of information provided by the Government, and 10 remain outstanding.

Viet Nam

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 0		Cases clarified during the period under review: 0		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
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

515. The outstanding case was retransmitted and regrettably no response was received from the Government. A summary of the situation in the country appears in document A/HRC/10/9.

Total cases transmitted, clarified and outstanding

516. Since its establishment, the Working Group has transmitted two cases to the Government; of those, one has been clarified on the basis of information provided by the Government, and one remains outstanding.

Yemen

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
2	0	0	0	0	2
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
2	No		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

Information from the Government

517. The Government transmitted one communication dated 14 February 2012, concerning two cases. The information provided was considered insufficient to lead to the clarification of the two cases.

Information from sources

518. Information was received from sources concerning two outstanding cases.

Total cases transmitted, clarified and outstanding

519. Since its establishment, the Working Group has transmitted 160 cases to the Government; of those, nine cases have been clarified on the basis of information provided by the source, 135 cases have been clarified on the basis of information provided by the Government, 14 have been discontinued and two remain outstanding.

Zimbabwe

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
4	0	0	0	0	4
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
1	Yes		0		
<i>Urgent appeal</i>	Yes		<i>Government response</i>	No	
<i>General allegation</i>	Yes (2009)		<i>Government response</i>	No	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	Yes		<i>Invitation extended</i>	No	

Urgent appeal

520. On 22 December 2011, the Working Group, jointly with four other special procedures mechanisms, transmitted to the Government a communication under its urgent appeal procedure concerning various individuals, including Ms. **Jestina Mukoko**, a human rights defender and the director of the Zimbabwe Peace Project, an organisation whose mission is to work for sustainable peace through monitoring, documentation, research and publications, and community peace building interventions. According to the information received, on 15 November 2011, Ms. Jestina Mukoko was allegedly followed around greater Harare. Concern was expressed that Ms. Mukoko, who had previously been a victim of enforced disappearance in December 2008, may have been at risk of enforced disappearance.

521. No response was received from the Government regarding this urgent appeal during the reporting period.

Information from the Government

522. The Government transmitted two communications to the Working Group dated 8 March 2012 and 3 October 2012, concerning one outstanding case. The information was not considered sufficient to lead to the clarification of the case.

Request for a visit

523. On 20 July 2009, the Working Group requested the Government for an invitation to undertake a visit to Zimbabwe. Reminder letters were sent on 16 August 2010 and 18 August 2011. The Permanent Mission acknowledged receipt on 18 August 2010, and 29 August 2011, informing that the request had been transmitted to the relevant authorities. No reply has been received during the reporting period.

Total cases transmitted, clarified and outstanding

524. Since its establishment, the Working Group has transmitted six cases to the Government; of those, one case has been clarified on the basis of information provided by the source, one case has been clarified on the basis of information provided by the Government, and four cases remain outstanding.

Observations

525. The Working Group regrets that no response was received from the Government to its general allegation, sent on 19 December 2008, concerning the escalating phenomenon of enforced or involuntary disappearances of political party members and human rights defenders in Zimbabwe (A/HRC/13/31, par. 632-638), notwithstanding reminders sent on 26 August 2011 and 14 August 2012.

526. The Working Group also regrets that no response was received from the Government concerning the urgent appeal transmitted on 22 December 2011.

State of Palestine

<i>Number of outstanding cases at the beginning of the period under review</i>	<i>Cases transmitted to the Government during the period under review: 0</i>		<i>Cases clarified during the period under review: 0</i>		<i>Number of outstanding cases at the end of the year under review</i>
	<i>Cases sent under the urgent action procedure</i>	<i>Cases sent under the standard procedure</i>	<i>Government</i>	<i>Non-governmental sources</i>	
3	0	0	0	0	3
<i>Number of cases on which the Government has replied</i>	<i>Multiple replies on some cases</i>		<i>Number of cases of possible clarification by Government (6-month rule)</i>		
0	N/A		0		
<i>Urgent appeal</i>	N/A		<i>Government response</i>	N/A	
<i>General allegation</i>	N/A		<i>Government response</i>	N/A	
<i>Prompt intervention letter</i>	N/A		<i>Government response</i>	N/A	
<i>Working Group request for a visit</i>	N/A		<i>Invitation extended</i>	N/A	

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

Total cases transmitted, clarified and outstanding

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

[English only]

Statistical summary: cases of enforced or involuntary disappearance reported to the Working Group between 1980 and 2012

States/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification					
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	Discontinued cases	Closed cases	
	Cases	Female	Cases	Female								
Afghanistan	3	-	3	-	-	-	-	-	-	-	-	-
Albania	1	-	1	-	-	-	-	-	-	-	-	-
Algeria	3 033	19	3 005	18	9	19	10	10	8	-	-	-
Angola	10	1	-	-	7	-	-	-	7	3	-	-
Argentina	3 449	773	3 271	734	124	52	30	5	141	-	-	-
Bahrain	5	-	1	-	-	4	2	2	-	-	-	-
Bangladesh	12	2	11	1	1	-	1	-	-	-	-	-
Belarus	3	-	3	-	-	-	-	-	-	-	-	-
Bhutan	5	-	5	-	-	-	-	-	-	-	-	-
Bolivia (Plurinational State of)	48	3	28	3	19	1	19	-	1	-	-	-
Brazil	63	4	13	-	46	4	1	-	49	-	-	-
Bulgaria	3	-	-	-	3	-	-	-	3	-	-	-
Burkina Faso	3	-	-	-	3	-	-	-	3	-	-	-
Burundi	53	-	52	-	-	1	1	-	-	-	-	-
Cambodia	2	-	-	-	-	-	-	-	-	2	-	-
Cameroon	19	-	14	-	5	-	4	1	-	-	-	-

States/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification					
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	Discontinued cases	Closed cases	
	Cases	Female	Cases	Female								
Central African Republic	3	-	3	-	-	-	-	-	-	-	-	-
Chad	34	-	23	-	3	8	9	1	1	-	-	-
Chile	908	65	801	64	83	23	2	-	104	-	-	-
China	119	14	30	4	77	12	52	35	2	-	-	-
Colombia	1 255	125	969	95	218	68	159	24	103	-	-	-
Congo ⁵⁹	114	3	88	3	-	-	-	-	-	-	-	-
Democratic People's Republic of Korea	20	8	20	8	-	-	-	-	-	-	-	-
Democratic Republic of the Congo	53	11	44	11	6	3	9	-	-	-	-	-
Denmark	1	-	-	-	-	1	-	1	-	-	-	-
Dominican Republic	4	-	1	-	2	-	2	-	-	1	-	-
Ecuador	26	2	4	-	18	4	12	4	6	-	-	-
Egypt	69	-	41	-	8	20	5	23	-	-	-	-
El Salvador	2 662	332	2,271	295	318	73	196	175	20	-	-	-
Equatorial Guinea	8	-	8	-	-	-	-	-	-	-	-	-
Eritrea	54	4	54	4	-	-	-	-	-	-	-	-

⁵⁹ The Working Group determined that two cases were duplicated and were subsequently eliminated from its records.

States/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification				
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	Discontinued cases	Closed cases
	Cases	Female	Cases	Female							
Ethiopia	119	2	112	1	3	4	2	5	-	-	-
France	1	-	1	-	-	-	-	-	-	-	-
Gambia	2	-	1	-	-	1	-	-	-	-	-
Georgia	1	-	1	-	-	-	-	-	-	-	-
Greece	3	-	1	-	-	-	-	-	-	2	-
Guatemala	3,155	390	2,899	372	177	79	187	6	63	-	-
Guinea	28	-	21	-	-	7	-	-	7	-	-
Haiti	48	1	38	1	9	1	1	4	5	-	-
Honduras	209	34	129	21	37	43	54	8	18	-	-
India	433	12	353	10	68	12	51	7	22	-	-
Indonesia	165	2	162	2	3	-	3	-	-	-	-
Iran (Islamic Republic of)	537	103	518	102	14	5	8	2	9	-	-
Iraq	16 548	2 311	16 401	2 294	117	30	122	16	9	-	-
Israel	3	-	2	-	-	1	-	-	-	-	-
Japan	4	3	-	-	-	-	-	-	-	-	-
Jordan	2	-	2	-	-	-	-	-	-	-	-
Kazakhstan	2	-	-	-	-	2	-	-	-	-	-
Kenya	40	-	40	-	-	-	-	-	-	-	-
Kuwait	1	-	1	-	-	-	-	-	-	-	-
Lao People's Democratic Republic	7	1	1	1	-	5	-	4	1	1	-
Lebanon	321	19	313	19	2	6	7	1	-	-	-
Libya	17	1	9	1	-	8	6	2	-	-	-

States/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification				
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	Discontinued cases	Closed cases
	Cases	Female	Cases	Female							
Malaysia	2	-	-	-	-	1	-	1	-	1	-
Mauritania	3	-	3	-	-	-	-	-	-	-	-
Mexico	505	42	327	32	134	28	77	18	67	16	-
Montenegro	16	1	-	-	1	-	-	1	-	14	1
Morocco	286	28	53	6	160	52	142	16	54	21	-
Mozambique	2	-	2	-	-	-	-	-	-	-	-
Myanmar	8	5	1	-	7	-	5	2	-	-	-
Namibia	3	-	3	-	-	-	-	-	-	-	-
Nepal	672	72	458	56	135	79	153	60	1	-	-
Nicaragua	234	4	103	2	112	19	45	11	75	-	-
Nigeria	6	-	-	-	6	-	6	-	-	-	-
Pakistan	151	2	99	2	42	9	34	14	3	-	-
Paraguay	23	-	-	-	20	-	19	-	1	3	-
Peru	3 009	311	2 371	236	253	385	450	85	103	-	-
Philippines	782	94	621	74	126	35	108	19	29	-	-
Romania	1	-	-	-	1	-	1	-	-	-	-
Russian Federation	483	27	471	25	2	10	12	-	-	-	-
Rwanda	24	2	21	2	-	2	1	1	-	1	-
Saudi Arabia	10	-	4	-	2	2	1	3	-	2	-
Serbia	1	-	-	-	1	-	1	-	-	-	-
Seychelles	3	-	3	-	-	-	-	-	-	-	-
Somalia	1	-	1	-	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6	-
South Sudan	1	-	1	-	-	-	-	-	-	-	-

States/entities	Cases transmitted to the Government				Clarification by:		Status of person at date of clarification				
	Total		Outstanding		Government	Non-governmental sources	At liberty	In detention	Dead	Discontinued cases	Closed cases
	Cases	Female	Cases	Female							
Spain	5	-	3	-	2	-	-	-	2	-	-
Sri Lanka ⁶⁰	12 473	156	5 676	88	6 535	40	103	27	6 445	-	-
Sudan	383	37	173	5	205	4	209	-	-	-	-
Switzerland	1	-	1	-	-	-	-	-	-	-	-
Syrian Arab Republic	121	5	72	3	15	34	26	17	6	-	-
Tajikistan	9	-	4	-	3	2	1	-	4	-	-
Thailand	78	5	71	5	2	-	1	1	-	2	-
Timor-Leste	504	36	428	28	58	18	51	23	2	-	-
Togo	11	2	10	2	-	1	1	-	-	-	-
Tunisia	19	1	2	-	12	5	1	16	-	-	-
Turkey	182	11	60	2	72	49	71	24	26	1	-
Turkmenistan	3	-	1	-	2	-	-	2	-	-	-
Uganda	22	4	15	2	2	5	2	5	-	-	-
Ukraine	6	-	4	-	2	-	1	-	1	-	-
United Arab Emirates	7	-	5	-	2	-	2	-	-	-	-
United Kingdom of Great Britain and Northern Ireland	1	-	-	-	-	-	-	-	-	-	-
United Republic of Tanzania	2	-	-	-	2	-	2	-	-	-	-

⁶⁰ The Working Group determined that eight cases were duplicated and were subsequently eliminated from its records.

<i>States/entities</i>	<i>Cases transmitted to the Government</i>				<i>Clarification by:</i>		<i>Status of person at date of clarification</i>				
	<i>Total</i>		<i>Outstanding</i>		<i>Government</i>	<i>Non-governmental sources</i>	<i>At liberty</i>	<i>In detention</i>	<i>Dead</i>	<i>Discontinued cases</i>	<i>Closed cases</i>
	<i>Cases</i>	<i>Female</i>	<i>Cases</i>	<i>Female</i>							
United States of America	1	-	-	-	1	-	-	-	-	-	-
Uruguay	31	7	19	2	11	1	5	4	3	-	-
Uzbekistan	20	-	8	-	11	1	2	10	-	-	-
Venezuela (Bolivarian Republic of)	14	2	10	1	4	-	1	-	3	-	-
Viet Nam	2	-	1	-	1	-	-	-	-	-	-
Yemen	160	-	2	-	135	9	66	5	73	14	-
Zambia	1	1	-	-	-	1	-	1	-	-	-
Zimbabwe	6	1	4	1	1	1	1	-	1	-	-
State of Palestine	3	-	3	-	-	-	-	-	-	-	-

Annex III

[English only]

Graphs showing the number of cases of enforced disappearances per year and per country according to the cases transmitted by the Working Group during the period 1980-2012 (only for countries with more than 100 cases transmitted)






























