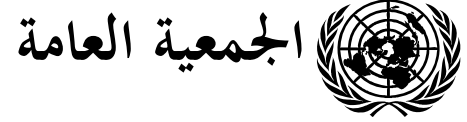


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مجلس حقوق الإنسان

الدورة الثانية والعشرون

البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

تقرير الفريق العامل المعني بحالات الاختفاء القسري أو غير الطوعي*

موجز

يعد الفريق العامل المعني بحالات الاختفاء القسري أو غير الطوعي أول آلية مواضيعية معنية بحقوق الإنسان تنشئها الأمم المتحدة وتوكل إليها ولاية عالمية. وتستند الولاية الأصلية من قرار لجنة حقوق الإنسان ٢٠(د-٣٦) المؤرخ ٢٩ شباط/فبراير ١٩٨٠. ومُدّدت هذه الولاية مؤخراً بقرار مجلس حقوق الإنسان ١٦/١٦ المؤرخ ٢٤ آذار/مارس ٢٠١١.

ويبلغ مجموع الحالات التي أحالها الفريق العامل إلى الحكومات منذ إنشائه ٥٣ ٩٨٦ حالة. ويبلغ عدد الحالات التي ما زالت قيد النظر الفعلي ولم توضح أو تغلق أو يوقف النظر فيها بعد ٤٢ ٨٨٩ حالة في ما مجموعه ٨٤ دولة. وقد تمكن الفريق العامل من توضيح ٢٩٨ حالة على امتداد الأعوام الخمسة الماضية.

ويتناول هذا التقرير البلاغات والحالات التي نظر فيها الفريق العامل خلال دوراته الثلاث المعقودة في عام ٢٠١٢، ويشمل الفترة من ١٢ تشرين الثاني/نوفمبر ٢٠١١ إلى ٩ تشرين الثاني/نوفمبر ٢٠١٢. ويتضمن، في المرفق الأول، فروعاً عن ٩٦ دولة وإقليمياً. ويضم التقرير أيضاً فرعاً مواضيعياً بشأن جبر أضرار الاختفاء القسري، ويورد معلومات عن أنشطة أخرى اضطلع بها الفريق العامل.

* تعمّم مرفقات هذا التقرير كما وردت، وباللغة التي قدمت بها فقط.

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أولاً - مقدمة

- ١- يعد الفريق العامل المعني بحالات الاختفاء القسري أو غير الطوعي أول آلية مواضيعية معنية بحقوق الإنسان تنشئها الأمم المتحدة وتوكل إليها ولاية عالمية. وتستند الولاية الأصلية من قرار لجنة حقوق الإنسان ٢٠(د-٣٦) المؤرخ ٢٩ شباط/فبراير ١٩٨٠، الذي أعقب قرار الجمعية العامة ١٧٣/٣٣ المؤرخ ٢٠ كانون الأول/ديسمبر ١٩٧٨ الذي أعربت فيه الجمعية عن قلقها إزاء التقارير الواردة من مختلف أنحاء العالم بشأن حالات الاختفاء القسري وطلبت إلى لجنة حقوق الإنسان أن تنظر في مسألة الأشخاص المفقودين أو المختفين. ومُدّدت هذه الولاية مؤخراً بقرار مجلس حقوق الإنسان ١٦/١٦ المؤرخ ٢٤ آذار/مارس ٢٠١١.
- ٢- وتتمثل مهمة الفريق العامل الأساسية في مساعدة الأسر في معرفة مصير أو مكان وجود أفرادها الذين يبلغ عن اختفائهم. ويقوم الفريق العامل في سياق هذه الولاية الإنسانية بدور قناة اتصال بين أفراد أسر ضحايا الاختفاء القسري وغيرهم ممن لهم صلة بالأشخاص المختفين من جهة والحكومات من جهة أخرى.
- ٣- وعقب اعتماد الجمعية العامة قرارها ١٣٣/٤٧ والإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري، كُلِّف الفريق العامل برصد التقدم الذي تحرزه الدول في الوفاء بالتزاماتها المترتبة عن الإعلان. وشجّع مجلس حقوق الإنسان، في قراره ١٢/٧، الفريق العامل على تقديم المساعدة للدول ليتسنى لها تنفيذ الإعلان والقواعد الدولية القائمة. وشهد عام ٢٠١٢ الذكرى السنوية العشرين للإعلان. وعقد الفريق العامل مناسبة لإحياء الذكرى يومي ٣٠ و٣١ تشرين الأول/أكتوبر ٢٠١٢ بدعم من المنظمة الدولية للفرانكفونية ومفوضية الأمم المتحدة السامية لحقوق الإنسان (انظر أيضاً الفقرة ١٤ أدناه).
- ٤- ويتناول هذا التقرير البلاغات والحالات التي نظر فيها الفريق العامل خلال دوراته الثلاث المعقودة في عام ٢٠١٢، ويشمل الفترة من ١٢ تشرين الثاني/نوفمبر ٢٠١١ إلى ٩ تشرين الثاني/نوفمبر ٢٠١٢.
- ٥- ويرد موجز للأنشطة التي تمت خلال الفترة المشمولة بالتقرير في شكل جدول لكل بلد مع وصف مفصل لمجالات النشاط (انظر المرفق الأول). ويعرب الفريق العامل عن الأسف لعدم ترجمة ذلك الفرع الذي يضم المعلومات ذات الصلة عن حالات الاختفاء القسري حول العالم. وفي هذا الصدد، يدرس الفريق العامل حالياً الطرائق المختلفة لتقديم التقارير عن أنشطته بما قد يسمح بترجمتها في المستقبل. وفي حال عدم ورود أية معلومات من الحكومات أو المصادر، رغم الرسائل التذكيرية السنوية التي يرسلها الفريق العامل فيما يتعلق بالحالات التي لم يُبَيَّن فيها بعد، يرد جدول وإشارة مرجعية إلى التقرير السابق الذي يتناول تلك الحالات.

- ٦- وأحال الفريق العامل منذ إنشائه ما مجموعه ٩٨٦ ٥٣ حالة إلى الحكومات. ويبلغ عدد الحالات التي ما زالت قيد النظر الفعلي ولم توضح أو تغلق أو يوقف النظر فيها بعد ٤٢ ٨٨٩ حالة في ما مجموعه ٨٤ دولة. وقد تمكن الفريق العامل من توضيح ٢٩٨ حالة على امتداد الأعوام الخمسة الماضية.
- ٧- ويعرب الفريق العامل عن قلقه لاستمرار عدم ترجمة العديد من البلاغات في الوقت المناسب، الأمر الذي يؤخر نظر الفريق فيها ويقيد ولايته الإنسانية. كما يعرب عن الأسف من أن تقريره السابق، حتى وقت اعتماد هذا التقرير (تشرين الثاني/نوفمبر ٢٠١٢)، لم يُترجم إلا إلى اللغة العربية.
- ٨- ولا يزال الموقع الشبكي للفريق غير ملائم، وأغلب محتواه باللغة الإنكليزية فقط. ويدعو الفريق الأمم المتحدة مجدداً إلى إتاحة ما يكفي من الموارد ليتسنى تحديث الموقع وتحسين إمكانية استخدامه.
- ٩- ويعرب الفريق العامل عن امتنانه لتزويده بموارد بشرية إضافية أثناء الفترة المشمولة بالتقرير. ولكنه يلاحظ أن على الرغم من الجهود المبذولة، لا يزال هناك عمل متراكم يربو على ٩٠٠ حالة. ويعتبر الفريق أن الحد من الحالات المتراكمة يشكل أحد أولوياته، ولذلك من الضروري استمرار الدعم الإضافي في المستقبل.

ثانياً - أنشطة الفريق العامل المعني بحالات الاختفاء القسري أو غير الطوعي: من ١٢ تشرين الثاني/نوفمبر ٢٠١١ إلى ٩ تشرين الثاني/نوفمبر ٢٠١٢

ألف - الدورات وأنشطة الأعضاء فيما بين الدورات ومناسبات أخرى

- ١٠- عقد الفريق العامل ثلاث دورات خلال الفترة المشمولة بالاستعراض: الدورة السادسة والتسعون في الفترة من ١٢ إلى ١٦ آذار/مارس ٢٠١٢؛ والدورة السابعة والتسعون في الفترة من ٩ إلى ١٣ تموز/يوليه ٢٠١٢؛ والدورة الثامنة والتسعون في الفترة من ٣١ تشرين الأول/أكتوبر إلى ٩ تشرين الثاني/نوفمبر ٢٠١٢. وعقدت كل الدورات في جنيف.
- ١١- وتولى جيريبي ساركين منصب الرئيس - المقرر للفريق العامل حتى ١١ آذار/مارس ٢٠١٢. واعتباراً من ١٢ آذار/مارس ٢٠١٢، تولى هذا المنصب أوليفيه دي فروفيل. والأعضاء الآخرون هم أرييل دوليتزكي وياسمينكا جُمهر وعثمان الحجة وجيريبي ساركين.
- ١٢- وفي ٥ آذار/مارس ٢٠١٢، قدم الرئيس - المقرر التقرير السنوي للفريق العامل لعام ٢٠١١ إلى مجلس حقوق الإنسان في دورته التاسعة عشرة، وشارك في الحوار التفاعلي مع الدول الأعضاء.

١٣- وفي ٢٥ تشرين الأول/أكتوبر ٢٠١٢، ألقى الرئيس - المقرر كلمة أمام الجمعية العامة في دورتها السابعة والستين، وشارك في الحوار التفاعلي مع الدول الأعضاء.

١٤- وفي يومي ٣٠ و ٣١ تشرين الأول/أكتوبر ٢٠١٢، عقد الفريق العامل مناسبة في جنيف للاحتفال بالذكرى السنوية العشرين لصدور الإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري. فقد عقدت في ٣٠ تشرين الأول/أكتوبر مناقشة مواضيعية ليوم واحد كرست لموضوع "دراسة التحديات وأفضل الممارسات في مجال حماية المرأة من الاختفاء القسري وأثره"، أعقبها في ٣١ تشرين الأول/أكتوبر حوار مفتوح لنصف يوم بين الفريق العامل وممثلي الدول. وركز اليوم الأول من المناسبة على أثر الاختفاء القسري على المرأة ودور المرأة كعامل للتغيير. وأبرز المشاركون النتائج الاجتماعية - الاقتصادية وغيرها من نتائج الاختفاء القسري على المرأة، وكذلك أوجه الضعف الجنسانية للمرأة خلال الاختفاء القسري. وأدلت نساء من أقارب الضحايا بشهادتهن وتحذرن عن دورهن في طليعة الكفاح ضد الاختفاء القسري، وأبرزن الصعوبات التي واجهتهن خلال ما اضطلعن به من أنشطة تستهدف إعمال الحق في معرفة الحقيقة وفي تحقيق العدالة. وكُرس اليوم الثاني من المناسبة لحوار مفتوح بين الفريق العامل والدول بشأن التحديات وأفضل الممارسات في تنفيذ الإعلان في مجالات منع الاختفاء القسري وتحقيق العدالة ومعرفة الحقيقة فيه وجبر ضحاياه. وقدم أعضاء الفريق العامل كل موضوع من مواضيع النقاش، وأعقب ذلك حوار تفاعلي مع الدول الأعضاء. وألقي الضوء على مسائل متنوعة من بينها الحاجة إلى وضع استراتيجية شاملة لحماية الشهود وأقارب المختفين؛ والتزام الدول بإدراج جريمة الاختفاء القسري في قوانينها الجنائية باعتبارها جريمة قائمة بذاتها؛ وأهمية وضع تدابير للجبر تكون مراعية للاعتبارات الجنسانية؛ والحاجة إلى اعتبار الحق في معرفة الحقيقة حقاً مطلقاً.

١٥- وخلال الفترة المشمولة بالتقرير، أجرى جميع أعضاء الفريق العامل عدداً من الأنشطة المرتبطة بالاختفاء القسري، تضمنت مشاركتهم في حلقات دراسية ومناسبات تدريبية وحلقات عمل ومحاضرات.

باء- الاجتماعات

١٦- خلال الفترة المشمولة بالاستعراض، حضر دورات الفريق العامل ممثلون عن حكومات إسبانيا، إيران (جمهورية - الإسلامية)، باكستان، توغو، الجزائر، جمهورية كوريا، سري لانكا، صربيا، طاجيكستان، غامبيا، غواتيمالا، المغرب، ناميبيا، اليابان. وعقد عدد من الاجتماعات الأخرى غير الرسمية مع دول مختلفة خلال العام. كما اجتمع الفريق العامل مع اللجنة المعنية بالاختفاء القسري، وممثلين عن منظمات حكومية دولية، ومنظمات غير حكومية معنية بحقوق الإنسان، وجمعيات لأقارب المختفين وأسر ضحايا الاختفاء القسري أو الشهود عليه.

جيم - البلاغات

- ١٧- خلال الفترة المشمولة بالاستعراض، أحال الفريق العامل ٢٠٨ حالات جديدة للاختفاء القسري إلى ٢١ حكومة.
- ١٨- وأحال الفريق العامل ٥٩ من الحالات المذكورة أعلاه في إطار الإجراء العاجل إلى حكومات أوزبكستان، أوكرانيا، باكستان، بنغلاديش، تايلند، الجزائر، جمهورية أفريقيا الوسطى، الجمهورية العربية السورية، سري لانكا، طاجيكستان، المكسيك، موريتانيا.
- ١٩- وخلال الفترة نفسها، أوضح الفريق العامل ٧٤ حالة في الأرجنتين، إسبانيا، أوروغواي، باكستان، الجزائر، ليبيا، الجمهورية العربية السورية، شيلي، طاجيكستان، العراق، كولومبيا، مصر، المغرب، ميانمار. ومن بين الحالات الـ ٧٤، تم توضيح ٦١ حالة على أساس المعلومات المقدمة من الحكومات و١٣ حالة على أساس المعلومات المقدمة من المصادر.
- ٢٠- وخلال الفترة المشمولة بالتقرير، أحال الفريق العامل ١٠ بلاغات تستدعي التدخل الفوري، تناولت مضايقات وتهديدات يتعرض لها المدافعون عن حقوق الإنسان وأقارب الأشخاص المختفين في الاتحاد الروسي، تركيا، الجزائر، سري لانكا، المكسيك، الهند. وكلها كانت بلاغات مشتركة مع آخرين من المكلفين بولايات في إطار الإجراءات الخاصة.
- ٢١- وأحال الفريق العامل ١٦ نداءً عاجلاً بشأن أشخاص تم توقيفهم أو احتجازهم أو اختطافهم أو حرمانهم بشكل آخر من حريتهم أو أشخاص اختفوا قسراً أو تعرضوا لخطر الاختفاء في الأردن، الإمارات العربية المتحدة، إيران (جمهورية - الإسلامية)، الجمهورية العربية السورية، جمهورية الكونغو الديمقراطية، زيمبابوي، كولومبيا، مالي، المكسيك، الهند. وأرسلت جميع تلك البلاغات بالاشتراك مع آليات أخرى من آليات الإجراءات الخاصة.
- ٢٢- وخلال الفترة المشمولة بالتقرير، أحال الفريق العامل ٣ ادعاءات عامة إلى حكومات إريتريا والفلبين وليتوانيا^(١)، واعتمد ادعاءً عاماً يخص تايلند. وأحال الفريق أيضاً بالاشتراك مع آليات أخرى من آليات الإجراءات الخاصة، ادعاءين عامين إلى جمهورية كوريا الشعبية الديمقراطية وكولومبيا (انظر أيضاً المرفق الأول).

دال - الزيارات القطرية

- ٢٣- زار الفريق العامل شيلي وباكستان بناءً على دعوة من حكومتيهما.

(١) على النحو الوارد في التقرير السنوي السابق (انظر A/HRC/19/58/Rev.1، الفقرة ٢٢). وتورد في المرفق الأول ملخصات الادعاءات العامة الثلاثة التي نظر فيها الفريق العامل في دورته الخامسة والتسعين.

٢٤- فقد زار الفريق العامل شيلي، ممثلاً بآرييل دوليتزكي وياسمينكا جُمهُر، في الفترة من ١٣ إلى ٢١ آب/أغسطس ٢٠١٢. وكان الغرض من الزيارة هو دراسة المبادرات والسياسات الرئيسية التي وضعتها شيلي بشأن حالات الاختفاء القسري أو غير الطوعي في سياق انتهاكات حقوق الإنسان في الماضي. كما حلل الخبيران كذلك تطور التحقيقات والإجراءات القضائية المتعلقة بحالات الاختفاء القسري، وكذلك المسائل المتعلقة بمعرفة الحقيقة وتحقيق العدالة وجبر الضحايا في حالات الاختفاء القسري. ويرد التقرير المتعلق بالزيارة إلى شيلي في إضافة لهذا التقرير (A/HRC/22/45/Add.1).

٢٥- وزار الفريق العامل باكستان، ممثلاً بأوليفيه دي فروفيل وعثمان الحجة، في الفترة من ١٠ إلى ٢٠ أيلول/سبتمبر ٢٠١٢. وكان الغرض من الزيارة هو تجميع المعلومات عن حالات الاختفاء القسري، وكذلك دراسة التدابير التي تتخذها الدولة من أجل منع الاختفاء القسري والقضاء عليه، بما يشمل المسائل المتعلقة بمعرفة الحقيقة وتحقيق العدالة وجبر الضحايا في حالات الاختفاء القسري. ويرد التقرير المتعلق بالزيارة إلى باكستان في إضافة لهذا التقرير (A/HRC/22/45/Add.2).

٢٦- وخلال الفترة المشمولة بالتقرير، كرر الفريق العامل طلبه لزيارة الاتحاد الروسي، إندونيسيا، أوزبكستان، إيران (جمهورية - الإسلامية)، تايلند، الجزائر، سري لانكا، مصر، الهند.

٢٧- وخلال الفترة المشمولة بالتقرير، طلب الفريق أيضاً زيارة ليبيا وإسبانيا. وقبلت حكومة ليبيا طلب الفريق بزيارة البلد في النصف الأول من عام ٢٠١٣. وقبلت حكومة إسبانيا على طلب الفريق بزيارة البلد في النصف الثاني من عام ٢٠١٣.

٢٨- وخلال الفترة المشمولة بالتقرير، دعت حكومة قبرغيزستان الفريق العامل إلى زيارتها في عام ٢٠١٣. ويتقدم الفريق العامل بالشكر إلى الدول التي قدمت دعوات لزيارتها.

٢٩- وقد طلب الفريق العامل زيارة البلدان التالية، ولكنه لم يتلق رداً إيجابياً بعد: الاتحاد الروسي، إندونيسيا، أوزبكستان، بروندي، بيلاروس، تايلند، الجبل الأسود، الجمهورية العربية السورية، جنوب السودان، زمبابوي، سري لانكا، السودان، الفلبين، كرواتيا، مصر، نيبال، نيكاراغوا، الهند. ويدعو الفريق العامل جميع الدول التي تلقت منه طلباً للزيارة إلى الاستجابة للطلب وفقاً لقرار مجلس حقوق الإنسان ٤/٢١.

٣٠- وفي هذا الصدد، يود الفريق العامل التذكير بأن جمهورية إيران الإسلامية وافقت على زيارة الفريق العامل في عام ٢٠٠٤، وتأجلت الزيارة بناء على طلب الحكومة. ويدعو الفريق الحكومة إلى تحديد موعد للزيارة.

هاء- تقارير المتابعة

٣١- خلال الفترة المشمولة بالتقرير، أعد الفريق العامل تقريراً متابعاً عن تنفيذ التوصيات الصادرة عقب زيارته إلى السلفادور والمغرب. ويرد تقريراً المتابعة في إضافة لهذا التقرير (A/HRC/22/45/Add.3).

واو- النشرات والبيانات الصحفية

٣٢- في ١١ تشرين الثاني/نوفمبر ٢٠١١، أصدر الفريق العامل نشرة صحفية مشتركة مع اللجنة المعنية بالاختفاء القسري. بمناسبة الاجتماع الأول بين الهيئتين الذي عقد يوم الأربعاء الموافق ٨ تشرين الثاني/نوفمبر ٢٠١١^(٢).

٣٣- وفي ٣٠ آب/أغسطس ٢٠١٢، أصدر الفريق العامل واللجنة المعنية بالاختفاء القسري بياناً مشتركاً بمناسبة اليوم الدولي الثاني لضحايا الاختفاء القسري. ولاحظ الفريق العامل أن على الرغم من مرور ٢٠ عاماً على اعتماد الإعلان، فإن ممارسة الاختفاء القسري لا تزال تستخدم في بلدان معينة لقمع الأفراد وتخويف الناس المطالبين بحقوقهم. كما لاحظ الخبراء أن هناك بلداناً أخرى لم تُعالج فيها الحالات التي وقعت في الماضي بالأسلوب المناسب. وشددوا على أن جميع أسر المختفين، حتى وإن كانت حالات الاختفاء تلك قد حدثت قبل عقود، يجب أن يتمتعوا بالحق في معرفة الحقيقة والحق في إقامة العدل والحق في الجبر^(٣).

٣٤- وفي ٢٥ تشرين الأول/أكتوبر ٢٠١٢، وبمناسبة الكلمة التي أدلى بها الرئيس - المقرر أمام الجمعية العامة، صدرت نشرة صحفية مشتركة مع رئيس اللجنة المعنية بالاختفاء القسري^(٤).

٣٥- وفي ٨ تشرين الثاني/نوفمبر ٢٠١٢، أصدر الفريق العامل بياناً مشتركاً مع اللجنة المعنية بالاختفاء القسري عن اجتماعهما الذي عقد في ١ تشرين الثاني/نوفمبر ٢٠١٢. وفي ذلك الاجتماع، تبادل أعضاء الهيئتين التابعتين للأمم المتحدة والمعنيتين. بمسألة الاختفاء القسري المعلومات عن أنشطة كل منهما وناقشتا تنسيق المبادرات المشتركة. وأكد الفريق واللجنة مجدداً التزامهما بالتعاون والتنسيق في الاضطلاع بولاية كل منهما. واتفقا على مبدأ تبادل المعلومات بشكل دائم. وعقدتا مناقشات عن تكامل إجراءاتهما، وتفسير القانون الدولي في مجال الاختفاء القسري، والزيارات القطرية. وذكرت الهيئتان بأن التنسيق والتكامل ضروريان من أجل ضمان الحماية الفعالة لضحايا الاختفاء القسري، وبأنهما تعملان بأسلوب تكاملي يكفل أن يعزز أحدهما الآخر من أجل منع جريمة الاختفاء القسري الشنيعة ومكافحتها^(٥).

(٢) يمكن الاطلاع عليه في الموقع الشبكي التالي:

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

(٣) انظر: .www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12472&LangID=E

(٤) انظر: .www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12701&LangID=E

(٥) انظر: .www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12754&LangID=E

٣٦- وخلال الفترة المشمولة بالتقرير، أصدر الفريق العامل أيضاً نشرات صحفية عن إسبانيا والصين وكولومبيا والمكسيك.

٣٧- وفي ٢٣ كانون الأول/ديسمبر ٢٠١١، أصدر الفريق العامل نشرة صحفية مشتركة مع ثلاث آليات أخرى للإجراءات الخاصة بشأن ما يُزعم من استمرار احتجاز غاو جيشنغ سراً، وهو محام بارز في مجال حقوق الإنسان اعتُقل حسبما أفادت التقارير في عام ٢٠٠٦ لأسباب تتعلق بعمله الدعوي في مجال مكافحة انتهاكات حقوق الإنسان في الصين. ويُزعم أن السيد غاو أتهم بتقويض سلطة الدولة، على الرغم من عدم إثبات ذلك في المحكمة. وفي وقت صدور النشرة الصحفية كان مكان السيد غاو لا يزال مجهولاً منذ ٢٠ شهراً^(٦).

٣٨- وفي ٨ شباط/فبراير ٢٠١٢، أصدر الفريق العامل نشرة صحفية مشتركة مع طرف آخر من المكلفين بالولايات بشأن محاكمة القاضي بالتاسار غارثون في إسبانيا وآثارها على عملية التحقيق والتعامل مع ما يربو على ١٠٠٠٠٠ حالة اختفاء قسري يُزعم حدوثها أثناء الحرب الأهلية الإسبانية وتحت نظام حكم فرانكو. وأكد الفريق العامل أنه ينبغي المضي في التحقيقات طالما ظل مصير ضحية الاختفاء القسري مجهولاً، وأن ما من قانون عفو يُنهي التزام الدولة بالتحقيق مع المسؤولين عن حالات الاختفاء ومقاضاتهم ومعاقبتهم^(٧).

٣٩- وفي ١٤ آذار/مارس ٢٠١٢، أصدر الفريق العامل نشرة صحفية بمناسبة تقديم التقرير المتعلق بزيارته للمكسيك (A/HRC/19/58/Add.2). وبينما يدرك الخبراء التحديات التي يفرضها الوضع الأمني العام المعقد في سياق مكافحة الجريمة، فقد أكدوا وجود نمط مزمن للإفلات من العقاب يُظهره غياب التحقيقات الفعالة في حالات الاختفاء القسري^(٨).

٤٠- وفي ٢١ آب/أغسطس ٢٠١٢، أصدر الفريق العامل نشرة صحفية في نهاية زيارته الرسمية إلى شيلي^(٩).

٤١- وفي ٢٠ أيلول/سبتمبر ٢٠١٢، أصدر الفريق العامل نشرة صحفية في نهاية زيارته الرسمية إلى باكستان^(١٠).

٤٢- وفي ٢٢ تشرين الأول/أكتوبر ٢٠١٢، أصدر الفريق العامل نشرة صحفية مشتركة مع ١٠ آليات أخرى للإجراءات الخاصة بشأن الإصلاح المقترح للدستور السياسي لكولومبيا

(٦) انظر: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11741&LangID=E

(٧) انظر: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11741&LangID=E

(٨) انظر: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11963&LangID=E

(٩) انظر: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12451&LangID=E

(١٠) انظر: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12552&LangID=E

فيما يتعلق بالقانون الجنائي العسكري، وأعرب فيها عن القلق من أن المقترح يمكن أن يترك آثاراً خطيرة على سيادة القانون والتمتع بحقوق الإنسان في كولومبيا. وعلى الرغم من أن الإصلاح المقترح سيستبعد، حسبما يُزعم، جرائم الإبادة الجماعية والجرائم ضد الإنسانية والاختفاء القسري من الولاية القضائية للمحاكم العسكرية ومحاكم الشرطة، فإن بإمكانه أيضاً أن يوسع من نطاق ولاية تلك المحاكم بمنحها سلطة التحقيق والنظر والبث في حالات الانتهاكات الخطيرة الأخرى لحقوق الإنسان والجرائم التي ترتكبها قوات الأمن الخاصة، التي يجب أن تخضع لسلطة نظام ومحاكم القضاء الجنائي العادي^(١١).

٤٣ - ويمكن الاطلاع أيضاً على مراجع النشرات الصحفية المذكورة أعلاه في الفرع المعني بكل بلد في هذا التقرير (انظر المرفق الأول).

٤٤ - وقد صدرت تقارير إعلامية ونشرات صحفية في بداية ونهاية كل دورة من الدورات الثلاث للفريق العامل خلال الفترة المشمولة بالتقرير.

زاي - تعليقات عامة

٤٥ - في عام ٢٠١٢، أنهى الفريق العامل وضع تعليقاتين عامين عن الأطفال والاختفاء القسري والمرأة المتضررة من الاختفاء القسري، واعتمدهما في دورته الثامنة والتسعين.

ثالثاً - الجبر والاختفاء القسري

٤٦ - قرر الفريق العامل اعتباراً من هذا العام أن يُدرج في تقاريره السنوية فرعاً مواضيعياً. وأخذاً في الاعتبار ما مر من وقت منذ تعليقه العام على المادة ١٩ من الإعلان (١٩٩٧) والتطورات الجديدة في القانون الدولي، اختار الفريق أن يكرس الفرع المواضيعي في هذا التقرير لمسألة جبر ضحايا الاختفاء القسري.

٤٧ - فالمادة ١٩ من الإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري تنص على أنه "يجب تعويض الأشخاص الذين وقعوا ضحية اختفاء قسري، وأسرهم، ويكون لهم الحق في الحصول على التعويض المناسب، بما في ذلك الوسائل الكفيلة بإعادة تأهيلهم على أكمل وجه ممكن. وفي حالة وفاة شخص نتيجة لاختفاء قسري، يحق لأسرته الحصول على التعويض أيضاً".

(١١) انظر: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12684&LangID=E

ألف - تعريف الجبر

٤٨ - يعتبر الفريق العامل أن تعبير "التعويض" الوارد في المادة ١٩ من الإعلان يقصد منه أن يتضمن بالدرجة الأولى مفهوم "الجبر"، حتى وإن كان يشمل كذلك مفهوم "الإنصاف الفعال"^(١٢). ويعد الحق في الجبر حقاً راسخاً وأساسياً من حقوق الإنسان، وهو مكرس في معاهدات حقوق الإنسان العالمية والإقليمية وفي صكوك دولية أخرى^(١٣). ويرى الفريق العامل أن نطاق الحق في الجبر في القانون العرفي شهد تطوراً على مدى العقود الماضية.

٤٩ - ولأول مرة في القانون الدولي يُكرّس الحق في الجبر عن الاختفاء القسري في صك دولي ملزم قانوناً هو الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري^(١٤). وتحدد الفقرة ٥ من المادة ٢٤ للاتفاقية أن الحق في الجبر يشمل الأضرار المادية والمعنوية، وعند الاقتضاء، طرائق أخرى للجبر من قبيل رد الحقوق، وإعادة التأهيل، والترضية (بما في ذلك رد الاعتبار لكرامة الشخص وسمعته)، وضمانات بعدم التكرار^(١٥).

١ - الجبر كنتيجة لانتهاك حقوق الضحايا

٥٠ - يشير الفريق العامل إلى أن التدابير الرامية إلى مساعدة الأقارب على التكيف مع تبعات غياب الشخص المختفي تضاهي، في واقع الأمر، تدابير الجبر. فكل شخص له الحق في الأمن الاجتماعي، والدولة عليها واجب تزويد الأسرة بأوسع نطاق ممكن من الحماية. ولكن التدابير التي توفر المساعدة الاجتماعية لا تخل بالتزام الدولة بجزر الضحايا نتيجة انتهاك حقوقهم^(١٦). إضافة إلى ذلك، فإن البدلات الاجتماعية و/أو تدابير الجبر ينبغي ألا تكون مشروطة بتقديم أقارب المختفي شهادة وفاة^(١٧). وأوضح الفريق العامل في تعليقه العام على

(١٢) انظر أيضاً التعليق العام رقم ٣ للجنة مناهضة التعذيب عن المادة ١٤ من الاتفاقية (CAT/C/GC/3).

(١٣) على نحو ما كررت تأكيده مؤخرًا الدائرة الابتدائية الأولى للمحكمة الجنائية الدولية، الحالة في جمهورية الكونغو الديمقراطية، قضية المدعي العام ضد توماس لوبانغا دييلو، القرار المنشئ للمبادئ والإجراءات الواجب تطبيقها في أعمال الجبر، ٧ آب/أغسطس ٢٠١٢، الفقرة ١٨٥.

(١٤) المادة ٢٤، الفقرة ٤: "تضمن كل دولة طرف، في نظامها القانوني، لضحايا الاختفاء القسري الحق في جزر الضرر والحصول على تعويض بشكل سريع ومنصف وملائم".

(١٥) يعد الاجتهاد القضائي لحاكم حقوق الإنسان الإقليمية، ولا سيما محكمة البلدان الأمريكية لحقوق الإنسان، مؤثراً في تفسير وتطور الحق في الجبر. فمن الواضح أن للمحكمة المذكورة اجتهاداً قضائياً هو الأكثر تطوراً وابتكاراً فيما يتعلق بالتأكيد على حق الضحايا في الجبر.

(١٦) وفي الفقرة ٩ من تعليقه العام بشأن حق الشخص في الاعتراف بشخصيته القانونية في سياق الاختفاء القسري، ذكر الفريق العامل أنه ينبغي ألا يعتبر قبول أفراد الأسرة تلقي الدعم المالي على أنه تخل عن الحق في الحصول على التعويض الكامل عن الضرر المترتب عن جريمة الاختفاء القسري، وفقاً للمادة ١٩ من الإعلان.

(١٧) A/HRC/16/48/Add.1، الفقرة ٤٦.

المادة ١٩ من الإعلان أنه "كمنبداً عام، لا يجوز افتراض وفاة ضحية من ضحايا الاختفاء القسري رغم اعتراضات الأسرة"^(١٨).

٢- تعريف من لهم الحق في الجبر

٥١- إن الفريق العامل لا يميز بين الضحايا المباشرين وغير المباشرين، ولكنه يعتبر بالأحرى أن الشخص المختفي والأشخاص الذين يعانون نتيجة الاختفاء يتعين اعتبارهم ضحايا الاختفاء القسري، ومن ثم يحق لهم الجبر^(١٩). ولأغراض الجبر، يتعين اعتماد تعريف واسع للضحية، لا يرتبط بإنشاء المسؤولية الجنائية للجاني وإدانته^(٢٠).

٥٢- والمبادئ الأساسية والمبادئ التوجيهية بشأن الحق في الانتصاف والجبر لضحايا الانتهاكات الجسيمة للقانون الدولي لحقوق الإنسان والانتهاكات الخطيرة للقانون الإنساني الدولي^(٢١) تعرف الضحايا على أنهم الأشخاص الذين لحق بهم ضرر، أفراداً كانوا أو جماعات، بما في ذلك الضرر البدني أو العقلي أو المعاناة النفسية أو الخسارة الاقتصادية أو الحرمان بدرجة كبيرة من التمتع بحقوقهم الأساسية، وذلك من خلال عمل أو امتناع عن عمل يشكل انتهاكاً جسيماً للقانون الدولي لحقوق الإنسان، أو انتهاكاً خطيراً للقانون الإنساني الدولي. وعند الاقتضاء، ووفقاً للقانون المحلي، يشمل مصطلح "ضحية" أيضاً أفراد الأسرة المباشرة أو من تعيلهم الضحية المباشرة، والأشخاص الذين لحق بهم ضرر أثناء تدخلهم لمساعدة الضحايا المعرضين للخطر أو لمنع تعرضهم للخطر.

باء- أشكال الجبر في حالات الاختفاء القسري

٥٣- أشار الفريق العامل إلى أن تفسير الجبر، في عدد من البلدان، يأخذ شكل التعويض حصراً، أي في صورة مبلغ من المال يهدف إلى التعويض عن جميع أشكال الضرر التي لحقت بالضحايا. ولكن الفريق العامل أوضح بالفعل في تعليقاته العامة على المادة ١٩ من الإعلان، أن الالتزام بإنصاف ضحايا الاختفاء القسري لا يقتصر على الحق في التعويض النقدي، بل يتضمن أموراً من بينها الرعاية الطبية والنفسية وإعادة التأهيل فيما يخص أي شكل من أشكال الضرر الجسدي أو العقلي فضلاً عن إعادة التأهيل قانونياً واجتماعياً وضمادات عدم تكرار الاختفاء واستعادة الحرية الشخصية، والأشكال المماثلة لرد الحقوق والترضية وجبر الضرر التي يمكن أن تمحو آثار الاختفاء القسري^(٢٢).

(١٨) E/CN.4/1998/43، الفقرة ٧٤.

(١٩) انظر: A/HRC/19/58/Rev.1، الفقرة ٥٨. تنص الفقرة ١ من المادة ٢٤ للاتفاقية على أن تعبير "الضحية" يقصد به "الشخص المختفي وكل شخص طبيعي لحق به ضرر مباشر من جراء هذا الاختفاء القسري".

(٢٠) انظر: A/HRC/19/58/Add.2، الفقرة ١٠٩.

(٢١) قرار الجمعية العامة ١٤٧/٦٠، المرفق.

(٢٢) E/CN.4/1998/43، الفقرة ٧٥.

٥٤- ويوصي الفريق العامل عموماً بإنشاء برنامج وطني للجبر يشمل التعويض ورد الحقوق وإعادة التأهيل والترضية وضمانات عدم التكرار لجميع ضحايا انتهاكات حقوق الإنسان بما في ذلك الاختفاء القسري^(٢٣). ويشدد الفريق العامل أيضاً، في نطاق الحق في الجبر في حالة الاختفاء القسري، على أن يكون لأسرة الشخص المختفي حق غير قابل للتقادم في اطلاعها على مصير و/أو مكان الشخص المختفي، وفي حالة وفاة هذا الشخص، ينبغي تسليمها جثمانه بمجرد التعرف عليه، بصرف النظر عما إذا كان قد تم التعرف على هوية مرتكبي الجريمة أو ملاحقتهم^(٢٤).

١- رد الحق

٥٥- رد الحق هو الإجراءات المتخذة للعمل على إعادة الضحية قدر الإمكان إلى الحالة الأصلية التي كانت عليها قبل ارتكاب الانتهاك. وفي حالة الاختفاء القسري، تتضمن هذه التدابير استعادة الهوية^(٢٥)، واستعادة الحرية أو الإعادة إلى مكان الإقامة. ويشدد الفريق العامل على أن تُكْمَل رد الحق أشكالاً أخرى للجبر مثل التعويض وإعادة التأهيل، حيث إن رد الحق بصورة كاملة عادة ما يكون غير ممكن في حالة الاختفاء القسري نظراً للطابع غير القابل للإعادة للضرر الذي لحق بالضحية. وفضلاً عن ذلك، فمن المهم التأكيد على أنه حتى لو كان رد الحق ممكناً، فإن تدابير الجبر لإعادة الضحية إلى الوضع الذي كان قائماً من قبل ربما يلزم أن تقوم بإصلاح ومعالجة حالات سابقة من التمييز و/أو الضعف.

٢- التعويض

٥٦- يشدد الفريق العامل على أن التعويض المالي في حد ذاته غير كاف، ويتعين أن يقترن عادة بأشكال أخرى للجبر^(٢٦). وتنص المبادئ الأساسية والمبادئ التوجيهية بشأن الحق في الانتصاف والجبر لضحايا الانتهاكات الجسيمة للقانون الدولي لحقوق الإنسان على أنه ينبغي دفع التعويض عن أي ضرر يمكن تقييمه اقتصادياً، حسب الاقتضاء وبما يتناسب مع جسامته

(٢٣) انظر A/HRC/19/58/Add.1، الفقرة ٧٩(ب)؛ وA/HRC/16/48/Add.1، الفقرة ٨٤(د). وانظر أيضاً المبدأ ١٨ من المبادئ الأساسية والمبادئ التوجيهية بشأن الحق في الانتصاف والجبر لضحايا الانتهاكات الجسيمة للقانون الدولي لحقوق الإنسان والانتهاكات الخطيرة للقانون الإنساني الدولي.

(٢٤) انظر E/CN.4/2005/102/Add.1، المبدأ ٣٤.

(٢٥) انظر محكمة البلدان الأمريكية لحقوق الإنسان، قضية كونتريراس وآخرين ضد السلفادور، الحكم الصادر في ٣١ آب/أغسطس ٢٠١١ (بمكمن الاطلاع عليه في الموقع الشبكي التالي: www.corteidh.or.cr/docs/casos/articulos/seriec_232_ing.pdf)، الفقرة ١٩٣.

(٢٦) انظر: A/HRC/19/58/Add.3، الفقرة ٥٤. نظر الفريق العامل في السابق في مسألة تعويض ضحايا الاختفاء القسري في تقريره السنوي لعام ١٩٩٧ (E/CN.4/1998/43). وفي سياق إعداد ذلك التقرير، خاطب الفريق العامل البلدان التي يوجد فيها أكثر من ٢٠ حالة معلقة من أجل التماس معلومات عن ممارسة كل منها في هذا الصدد.

الانتهاك وظروف كل حالة، ويكون ناجماً عن انتهاكات جسيمة للقانون الدولي لحقوق الإنسان وانتهاكات خطيرة للقانون الإنساني الدولي. ويورد المبدأ ٢٠ أيضاً قائمة بما قد يعتبر ضرراً يمكن تقييمه اقتصادياً: (أ) الضرر البدني أو العقلي؛ (ب) الفرص الضائعة، بما فيها فرص العمل والتعليم والمنافع الاجتماعية؛ (ج) الأضرار المادية وخسائر الإيرادات، بما فيها خسائر الإيرادات المحتملة؛ (د) الضرر المعنوي؛ (هـ) التكاليف المترتبة على المساعدة القانونية أو مساعدة الخبراء والأدوية والخدمات الطبية والنفسية والاجتماعية.

٥٧- ويشكل التعويض عنصراً هاماً من عناصر الحق في انتصاف فعال، ولا سيما عندما يكون إعادة الضحية إلى الحالة التي كانت عليها في السابق غير ممكن، وهو غالباً ما يحدث في العديد من الجرائم الدولية بما فيها الاختفاء القسري. ويشدد الفريق العامل على أن التعويض ينبغي أن يكون كاملاً و"كافياً"، أي متناسباً مع فداحة الانتهاك المرتكب لحقوق الإنسان (مثل مدة الاختفاء أو ظروف الاحتجاز) ومع معاناة الضحية وأسرتها^(٢٧).

٥٨- ويشدد الفريق العامل أيضاً على أن التعويض النقدي يتعين تطبيقه بالمعنى العام ويجب أن يُمنح عن أي ضرر ينتج عن الاختفاء القسري، مثل الضرر البدني أو العقلي^(٢٨)، والفرص الضائعة^(٢٩)، والأضرار المادية وخسائر الإيرادات، والضرر بالسمعة، والتكاليف المطلوبة للمساعدة القانونية أو مساعدة الخبراء^(٣٠). ويؤكد الفريق العامل كذلك على أن مرور الوقت يجب ألا يشكل عقبة أمام تقدم المطالبات المدنية من خلال تطبيق قانون التقادم، بما أن المسؤولية المدنية للدولة تنشأ عن مدى خطورة جريمة الاختفاء القسري^(٣١).

٣- إعادة التأهيل

٥٩- تعتبر إعادة التأهيل عنصراً أساسياً من عناصر الجبر. وتشير المادة ١٩ من الإعلان إلى إعادة تأهيل ضحايا الاختفاء القسري وأسرتهم "على أكمل وجه ممكن". ويتعين وضع تدابير وبرامج لإعادة التأهيل يسهل على الضحايا وأسرتهم الاستفادة منها.

(٢٧) A/HRC/16/48/Add.1، الفقرة ٤٥.

(٢٨) طورت محكمة البلدان الأمريكية لحقوق الإنسان مفهوم التعويضات غير النقدية ليشمل "ما يلحق بالضحايا المباشرين وأقرب أقربائهم من معاناة وألم، والحرمان من القيم البالغة الأهمية للفرد، والتغيرات الأخرى ذات الطابع غير النقدي في الظروف المعيشية للضحايا أو أقرب أقربائهم". انظر كونتريراس وآخرون ضد السلفادور (انظر الحاشية رقم ٢٥)، الفقرة ٢٢٧. وانظر أيضاً قضية "أطفال الشوارع" (فيلانغران موراليس وآخرون ضد غواتيمالا)، الجبر والتكاليف، الحكم الصادر في ٢٦ أيار/مايو ٢٠٠١، الفقرة ٨٤.

(٢٩) انظر على سبيل المثال محكمة البلدان الأمريكية لحقوق الإنسان، قضية خيلمان ضد أوروغواي، الحكم الصادر في ٢٤ شباط/فبراير ٢٠١١، الفقرة ٢٩٣، حيث أقرت المحكمة بخسارة الضحية للدخل، وكانت طالبة جامعية عمرها ١٩ عاماً فقط وقت اختفائها.

(٣٠) A/HRC/19/58/Add.1، الفقرة ٦٣.

(٣١) A/HRC/22/45/Add.1، الفقرة ٤٧.

٦٠- وتنص المبادئ الأساسية والمبادئ التوجيهية بشأن الحق في الانتصاف والجرير لضحايا الانتهاكات الجسيمة للقانون الدولي لحقوق الإنسان والانتهاكات الخطيرة للقانون الإنساني الدولي على أنه "ينبغي لإعادة التأهيل أن تشمل الرعاية الطبية والنفسية فضلاً عن الخدمات القانونية والاجتماعية"^(٣٢). ويجب مراعاة الظروف والاحتياجات الخاصة بكل ضحية عند تقديم العلاج النفسي أو العقلي. ويجوز أن يكون العلاج فردياً أو جماعياً أو أسرياً^(٣٣).

٦١- وشدد الفريق العامل أيضاً على ضرورة اتخاذ تدابير لضمان أحقية أفراد أسر الأشخاص المختفين في الاستحقاقات الاجتماعية وغير ذلك من تدابير الدعم الاجتماعي بصرف النظر عن مكان إقامتهم، بما يشمل الرعاية الصحية وبرامج التعليم الخاص والمساعدة النفسية^(٣٤).

٤- الترضية و ضمانات عدم التكرار

٦٢- من بين المبادئ الأساسية والمبادئ التوجيهية المذكورة أعلاه، فإن المبدأ ٢٢ المتعلق بتدابير الترضية يشير بشكل خاص إلى تدابير متعلقة بالاختفاء القسري وهي "البحث عن مكان المفقودين وهوية الأطفال المخطوفين وحث الذين قتلوا، والمساعدة في استعادة الجثث والتعرف على هويتها وإعادة دفنها وفقاً لرغبات الضحايا الصريحة أو المفترضة، أو وفقاً للممارسات الثقافية للأسر والمجتمعات". ويشدد الفريق العامل على أن البحث عن الحقيقة، بما يشمل الالتزام بالتحقيق في الوقائع وتحديد المسؤولين ومقاضاتهم، ومعاقبتهم عند الاقتضاء، يعد أيضاً أحد أشكال الترضية للضحايا^(٣٥). كما يشدد على أن الحقوق الإجرائية في التحقيق ومعرفة الحقيقة وإقامة العدل لها نفس الأهمية المحورية في تصور الضحايا للجرير. فمعرفة الحقيقة وعملية إقامة العدل يمكن بالفعل في بعض الحالات أن تشكل في حد ذاتها شكلاً من أشكال الجبر.

(٣٢) المبدأ ٢١. في قضية باريوس ألتوس (تشومبيوما أغيري وآخرون ضد بيرو)، ٢٠٠١، الفقرة ٤٠، أقرت محكمة البلدان الأمريكية لحقوق الإنسان الاتفاق الذي وقته الدولة والضحايا واعترفت فيه الدولة بالتزامها بتوفير "إجراءات تشخيصية، وأدوية، ومساعدة متخصصة، ورعاية بالمستشفى، وعمليات جراحية، وعمليات ولادة، وإعادة تأهيل من الصدمات، ورعاية في مجال الصحة العقلية".

(٣٣) انظر كونتريراس وآخرون ضد السلفادور (انظر الحاشية رقم ٢٥)، الفقرة ٢٠٠.

(٣٤) A/HRC/16/48/Add.1، الفقرة ٨٤(ج).

(٣٥) انظر على سبيل المثال: A/HRC/16/48/Add.2، الفقرة ٨. ينص المبدأ ٤ من المجموعة المستوفاة من المبادئ المتعلقة بحماية حقوق الإنسان وتعزيزها من خلال اتخاذ إجراءات لمكافحة الإفلات من العقاب (E/CN.4/2005/102/Add.1) على ما يلي: "للضحايا ولأسرهم، بغض النظر عن أي إجراءات قضائية، حق غير قابل للتقادم في معرفة الحقيقة بخصوص الظروف التي ارتكبت فيها الانتهاكات وبخصوص مصير الضحية في حالة الوفاة أو الاختفاء".

٦٣- وتتضمن الأشكال الأخرى لترضية ضحايا الاختفاء القسري وأسرههم إصدار إعلان رسمي أو قرار قضائي^(٣٦) يعيد الكرامة والسمة وحقوق الضحية والأشخاص الذين تربطهم بها صلة وثيقة؛ وتقديم اعتذار علني، بما في ذلك الاعتراف بالوقائع وقبول المسؤولية، مثلاً من خلال حفل أو إجراء علني؛ وإحياء ذكرى الضحايا وتكريمهم. ويجوز أن تشمل التدابير الخاصة المتعلقة بالاختفاء القسري إنشاء وحدات متخصصة للاضطلاع بالتحقيقات في شكاوى الانتهاكات الخطيرة لحقوق الإنسان بما فيها الاختفاء القسري؛ ووضع بروتوكول لجمع الرفات وتحديد هوية أصحابها؛ وإنشاء برنامج للمساعدة النفسية للأفراد الذين يتم العثور عليهم ولذويهم، ولأقارب من يبقوا مختفين؛ وإتاحة إمكانية الاطلاع على الملفات والمحفوظات الحكومية التي تضم المعلومات ذات الصلة^(٣٧).

٦٤- ويرى الفريق العامل أن إنشاء مواقع ومعالم تذكارية يساهم في الاعتراف الجماعي في المجتمع بما وقع من انتهاكات، وكذلك في رفض ونبذ تلك الانتهاكات حيث يمكن أن يكون ذلك أيضاً بمثابة تدبير وقائي^(٣٨). ويشدد الفريق العامل على أن الدول يتعين عليها اعتماد إطار قانوني شامل لبرامج الجبر، بما يشمل النصب التذكارية، بهدف تجنب وقوع ضحايا مرة أخرى وتجنب المزيد من انتهاكات الحق في الكرامة. ويتعين أن تنص التشريعات على المعايير والعمليات الخاصة بإنشاء تلك النصب التذكارية، مع مراعاة أوجه الجدل المحتملة التي قد تنشأ عن وجود ذاكرات متعارضة من مجموعات مختلفة في المجتمع^(٣٩). وتقع مسؤولية إنشاء وصيانة المواقع التذكارية على عاتق الدولة، مع المشاركة الوثيقة لأقارب المختفين وغيرهم من الأطراف المعنية^(٤٠).

٦٥- وفيما يتعلق بضمانات عدم التكرار، ثمة تدابير يتعين اتخاذها لمنع إعادة تكرار حالات الاختفاء القسري في المستقبل. ويشير المبدأ ٢٣(هـ) من المبادئ الأساسية والمبادئ التوجيهية المذكورة أعلاه إلى ضمانات متنوعة ممكنة لعدم التكرار، مثل توفير التقييد في ميدان حقوق الإنسان والقانون الإنساني الدولي لجميع قطاعات المجتمع، والتدريب للموظفين المكلفين بإنفاذ

(٣٦) في حالة القرارات القضائية، يعد نشر وتعميم القرار أيضاً أحد أشكال الترضية.

(٣٧) انظر كوتنبراس وآخرون ضد السلفادور (انظر الحاشية رقم ٢٥)، الفقرات ٢١١-٢١٤؛ وقضية خيلمان ضد أوروغواي (الحاشية ٢٩)، الفقرات ٢٧٢-٢٨٢.

(٣٨) انظر: A/HRC/19/58/Add.3، الفقرة ١٠١(ج)؛ E/CN.4/2006/56/Add.1، الفقرة ١١٥؛ A/HRC/10/9/Add.1، الفقرة ٦٥.

(٣٩) انظر أيضاً A/HRC/16/48/Add.1، الفقرتان ٤٨ و ٨٤(ز).

(٤٠) في شبلي على سبيل المثال، بينما تدعم الدولة إنشاء وصيانة عدة نصب تذكارية واتخاذ مبادرات ثقافية متنوعة، فإن أعمال الإنشاء والصيانة المتزايدة للنصب التذكارية الهادفة إلى صون الذاكرة التاريخية نتجت أساساً عن مبادرات المجتمع المدني، ومنظمات أقارب الضحايا بالدرجة الأولى، لا عن سياسة عامة بدأها الدولة. انظر A/HRC/22/45/Add.1، الفقرة ٥٠.

القوانين، فضلاً عن القوات المسلحة وقوات الأمن، وذلك على سبيل الأولوية وعلى أساس مستمر؛ واستحداث آليات لمنع ورصد النزاعات الاجتماعية وإيجاد حلول لها؛ ومراجعة وإصلاح القوانين التي تسهم في وقوع الانتهاكات الجسيمة للقانون الدولي لحقوق الإنسان والانتهاكات الخطيرة للقانون الإنساني الدولي أو تفسح المجال أمام وقوع هذه الانتهاكات^(٤١). ومن بين التدابير المهمة الأخرى لعدم التكرار استحداث بروتوكولات و ضمانات محددة وتعزيز إصلاحات قطاعي القضاء والأمن. ويشدد الفريق العامل كذلك على أن الأعمال الكاملة للحق في معرفة الحقيقة وإقامة العدل يعد من العناصر الأساسية لضمان عدم التكرار.

جيم - الجبر الفردي والجماعي

٦٦- يرحب الفريق العامل بما يشهده القانون الدولي لحقوق الإنسان من تزايد الاعتراف بأن الجبر يجوز منحه على أساس فردي أو جماعي سواء بسواء^(٤٢). ويجوز منح الجبر الفردي والجماعي بشكل مترام، فأحدهما لا يمنع الآخر، نظراً لاختلاف ما ينطوي عليه الاثنان من جوهر ومقصد^(٤٣). فالجبر الجماعي يعوض عن الضرر الجماعي أو الضرر للمجتمع ككل. ومن الأشكال الممكنة للجبر الجماعي الاعتذار العلني أو القبول العلني للمسؤولية وكذلك إنشاء المعالم أو النصب التذكارية لضحايا الاختفاء القسري.

دال - المنظور الجنساني والجبر المراعي للاعتبارات الثقافية

٦٧- يشدد الفريق العامل على ضرورة اتباع نهج مراعي للاعتبارات الجنسانية والثقافية على السواء في تحديد أشكال وطرائق الجبر^(٤٤). ويورد إعلان نيروبي المتعلق بحق النساء

(٤١) من بين الضمانات الأخرى المذكورة في المبدأ ٢٣ ما يلي: (أ) ضمان فرض رقابة مدنية فعالة على القوات المسلحة وقوات الأمن؛ (ب) ضمان التزام جميع الإجراءات المدنية والعسكرية بالمعايير الدولية للمحاكمة حسب الأصول والإنصاف والنزاهة؛ (ج) تعزيز استقلال السلطة القضائية؛ (د) حماية الأشخاص العاملين في المهن القانونية والطبية والصحية ووسائط الإعلام وغيرها من المهن ذات الصلة، والمدافعين عن حقوق الإنسان؛ (و) التشجيع على التزام موظفي الدولة، ومنهم الموظفون المكلفون بإنفاذ القوانين وموظفو السجون ووسائط الإعلام والخدمات الطبية والنفسية والاجتماعية والأفراد العسكريين، فضلاً عن المؤسسات الاقتصادية، بمدونات قواعد السلوك والمعايير الأخلاقية، ولا سيما المعايير الدولية.

(٤٢) انظر القاعدة ٩٧(١) من القواعد الإجرائية وقواعد الإثبات للمحكمة الجنائية الدولية. انظر أيضاً: المادتان ٢٥(١) و ٥٠ من الاتفاقية الأوروبية لحقوق الإنسان، والمادتان ٤٤ و ٦٣ من الاتفاقية الأمريكية لحقوق الإنسان.

(٤٣) انظر: A/HRC/13/31/Add.1، الفقرات ٥٦-٦٦. وأقر بذلك أيضاً في الاجتهاد القضائي لمحكمة البلدان الأمريكية لحقوق الإنسان. انظر على سبيل المثال قضية مجتمع مويوانا ضد سورينام، الدفع الابتدائية، الأساس الموضوعي، الجبر والتكاليف، الحكم الصادر في ١٥ حزيران/يونيه ٢٠٠٥، الفقرتان ١٩٤ و ٢٠١.

(٤٤) انظر: A/HRC/19/58/Add.1، الفقرة ٦٤. وانظر أيضاً: A/HRC/16/48/Add.1، الفقرة ٤٤.

والفتيات في الانتصاف والجبر^(٤٥) على وجه الخصوص اعتبارات جنسانية فيما يخص صياغة وتنفيذ الجبر، مشدداً على جوانب إضافية هامة في عملية الحصول على الجبر، بما في ذلك إزالة الحواجز المحتملة أمامهن في المطالبة بحقوقهن وإمكانية اللجوء إلى القضاء. ويبرز الإعلان الأهمية الجوهرية لوجود عملية تشاورية تمكن النساء أنفسهن من تحديد أنسب أشكال الجبر لحالتهم. ويتعين اتخاذ تدابير خاصة لتمكين النساء وإتاحة مشاركتهن في جميع مراحل عملية الجبر التي تخصهن. كما يشدد الفريق العامل على ضرورة أن تراعي تدابير الجبر العديد من العوامل ولا سيما منظور الضحايا وظروف الحالة، نظراً لأن ما يمكن أن يشكل تدبير جبر مناسب في حالة ما قد يكون غير مناسب أو حتى يعوق تحقيق الهدف في حالة أخرى.

٦٨- ويشدد الفريق العامل كذلك على أن إمكانية الحصول على الجبر يجب ضمانها بأسلوب مراعى للاعتبارات الثقافية. فيتعين تيسير الاطلاع على المعلومات المتعلقة بعمليات وتدبير الجبر باللغات المحلية إذا لزم الأمر، وينبغي تصميم خطط أو آليات الجبر بمشاركة المجتمعات المتضررة ومع مراعاة احتياجاتها. ويشدد الفريق العامل أيضاً على أن توفير الخدمات الاجتماعية للضحايا يتعين ألا يعتبر بديلاً عن حقهم في الحصول على الجبر.

رابعاً- المعلومات المتعلقة بحالات الاختفاء القسري أو غير الطوعي في مختلف الدول والأقاليم التي استعرضها الفريق العامل

٦٩- ترد المعلومات المتعلقة بحالات الاختفاء القسري أو غير الطوعي في مختلف الدول والأقاليم التي استعرضها الفريق العامل في المرفق الأول بهذا التقرير، وهي مقسمة إلى ٩٦ فرعاً، فرع واحد لكل بلد. ويلخص كل واحد من هذه الفروع الأنشطة التي اضطلع بها الفريق العامل أثناء الفترة المشمولة بالتقرير بخصوص البلد المعني. وتُقدم هذه المعلومات في جدول لكل بلد، متبوعاً بنص تفصيلي يشرح مجالات النشاط ذات الصلة. وفي حال عدم ورود أية معلومات من الحكومات أو المصادر، رغم التذكير السنوي الذي يبعثه الفريق العامل فيما يتعلق بالحالات التي لم يُبت فيها بعد، يكتفي التقرير بتقديم الجدول والإشارة إلى التقرير السابق الذي تناول تلك الحالات.

٧٠- وبهذا الخصوص، تتعلق الفروع الواردة في المرفق الأول بالبلدان التالية: الاتحاد الروسي، إثيوبيا، أذربيجان، الأرجنتين، الأردن، أرمينيا، إريتريا، إسبانيا، إسرائيل، أفغانستان، إكوادور، ألبانيا، الإمارات العربية المتحدة، إندونيسيا، أوروغواي، أوزبكستان، أوغندا، أوكرانيا، إيران (جمهورية - الإسلامية)، آيرلندا، باكستان، البحرين، البرازيل،

(٤٥) اعتمد في الاجتماع الدولي المعني بحق النساء والفتيات في الانتصاف والجبر، الذي عقد في نيروبي في الفترة من ١٩ إلى ٢١ آذار/مارس ٢٠٠٧. انظر الموقع الشبكي التالي:
www.fidh.org/IMG/pdf/NAIROBI_DECLARATIONeng.pdf

بنغلاديش، بوتان، بروندي، البوسنة والهرسك، بوليفيا (دولة - المتعددة القوميات)، بيرو، بيلاروس، تايلند، تركمانستان، تركيا، تشاد، توغو، تونس، تيمور - ليشتي، الجزائر، جمهورية أفريقيا الوسطى، الجمهورية التشيكية، الجمهورية الدومينيكية، الجمهورية العربية السورية، جمهورية كوريا، جمهورية كوريا الشعبية الديمقراطية، جمهورية الكونغو الديمقراطية، جمهورية لاو الديمقراطية الشعبية، جمهورية مقدونيا اليوغوسلافية السابقة، جنوب السودان، جورجيا، الدانمرك، رواندا، زمبابوي، سري لانكا، السلفادور، السودان، سويسرا، سيشيل، شيلي، صربيا، الصومال، الصين، طاجيكستان، العراق، غامبيا، غواتيمالا، غينيا، غينيا الاستوائية، فرنسا، الفلبين، فتويلا (جمهورية - البوليفارية)، فييت نام، قيرغيزستان، الكاميرون، كولومبيا، الكونغو، الكويت، كينيا، لبنان، ليبيا، ليتوانيا، مالي، مصر، المغرب، المكسيك، المملكة العربية السعودية، موريتانيا، موزامبيق، ميانمار، ناميبيا، نيبال، نيكاراغوا، هايتي، الهند، هندوراس، اليابان، اليمن، اليونان، دولة فلسطين.

خامساً - القرارات التي اتخذها الفريق العامل بشأن الحالات الفردية أثناء الفترة المشمولة بالتقرير والحالات التي لم يُبت فيها بعد، حسب البلدان

البلدان	الحالات التي يدعى حدوثها أثناء الفترة المشمولة بالتقرير	الإجراءات العاجلة		الحالات العادية		المشمولة بالتقرير		التوضيح من جانب:	الحالات التي توقفت التي أغلقت	الحالات التي توقفت التي أُغلقت	الحالات التي لم يُبت فيها بعد
		الإجراءات العاجلة	الحالات العادية	المشمولة بالتقرير	المشمولة بالتقرير	المصادر غير الحكومية	الحالات التي أُغلقت				
الاتحاد الروسي	صفر	صفر	صفر	٤	صفر	صفر	صفر	صفر	صفر	صفر	٤٧١
إثيوبيا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١١٢
الأرجنتين	صفر	صفر	صفر	صفر	١٤	صفر	صفر	صفر	صفر	صفر	٣ ٢٧١
الأردن	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٢
إريتريا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٥٤
إسبانيا	صفر	صفر	صفر	صفر	١	صفر	صفر	صفر	صفر	صفر	٣
إسرائيل	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٢
أفغانستان	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٣
إكوادور	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٤
ألبانيا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١
الإمارات العربية المتحدة	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٥
إندونيسيا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١٦٢
أوروغواي	صفر	صفر	صفر	صفر	١	صفر	صفر	صفر	صفر	صفر	١٩
أوزبكستان	١	١	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٨
أوغندا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١٥

البلدان	الحالات التي يدعى حدوثها أثناء الفترة المشمولة بالتقرير	الحالات التي أُحيلت إلى الحكومة أثناء الفترة المشمولة بالتقرير		التوضيح من جانب:		الحالات التي توقفت النظر فيها	الحالات التي لم يُبت فيها بعد
		الإجراءات العاجلة	الحالات العادية	الحكومة	المصادر غير الحكومية		
أوكرانيا	١	١	صفر	صفر	صفر	صفر	٤
إيران (جمهورية - الإسلامية)	صفر	صفر	١	صفر	صفر	صفر	٥١٨
باكستان	٣	٢	٦	١٤	٢	صفر	٩٩
البحرين	صفر	صفر	صفر	صفر	صفر	صفر	١
البرازيل	صفر	صفر	صفر	صفر	صفر	صفر	١٣
بنغلاديش	٤	٢	٣	صفر	صفر	صفر	١١
بوتان	صفر	صفر	صفر	صفر	صفر	صفر	٥
بوروندي	صفر	صفر	صفر	صفر	صفر	صفر	٥٢
بوليفيا (دولة - المتعددة القوميات)	صفر	صفر	صفر	صفر	صفر	صفر	٢٨
بيرو	صفر	صفر	صفر	صفر	صفر	صفر	٢٣٧١
بيلاروس	صفر	صفر	صفر	صفر	صفر	صفر	٣
تايلند	١	١	١٥	صفر	صفر	صفر	٧١
تركمستان	صفر	صفر	صفر	صفر	صفر	صفر	١
تركيا	صفر	صفر	صفر	صفر	صفر	صفر	٦٠
تشاد	صفر	صفر	صفر	صفر	صفر	صفر	٢٣
توغو	صفر	صفر	صفر	صفر	صفر	صفر	١٠
تونس	صفر	صفر	صفر	صفر	صفر	صفر	٢
تيمور - ليشتي	صفر	صفر	صفر	صفر	صفر	صفر	٤٢٨
الجزائر	١	١	٤٥	صفر	١	صفر	٣٠٠٥
جمهورية أفريقيا الوسطى	٣	٣	صفر	صفر	صفر	صفر	٣
الجمهورية الدومينيكية	صفر	صفر	صفر	صفر	صفر	صفر	١
الجمهورية العربية السورية	١٧	٣٠	٩	١	٧	صفر	٧٢
جمهورية الكونغو الديمقراطية	صفر	صفر	صفر	صفر	صفر	صفر	٤٤
جمهورية كوريا الشعبية الديمقراطية	صفر	صفر	٤	صفر	صفر	صفر	٢٠
جمهورية لاو الديمقراطية الشعبية	صفر	صفر	صفر	صفر	صفر	صفر	١
جنوب السودان	صفر	صفر	صفر	صفر	صفر	صفر	١
جورجيا	صفر	صفر	صفر	صفر	صفر	صفر	١

البلدان	الحالات التي أُحيلت إلى الحكومة أثناء الفترة المشمولة بالتقرير						
	الحالات التي يدعى حدوثها أثناء الفترة المشمولة بالتقرير	التوضيح من جانب:		المشمولة بالتقرير		الإجراءات العاجلة	الحالات العادية
		الحالات التي أُغلقت	الحالات التي توقفت النظر فيها	المصادر غير الحكومية	الحكومة		
دولة فلسطين	صفر	صفر	صفر	صفر	صفر	صفر	صفر
رواندا	صفر	صفر	صفر	صفر	صفر	صفر	صفر
زمبابوي	صفر	صفر	صفر	صفر	صفر	صفر	صفر
سري لانكا	٤	صفر	صفر	صفر	٩	٤	٥ ٦٧٦
السلفادور	صفر	صفر	صفر	صفر	صفر	صفر	٢ ٢٧١
السودان	صفر	صفر	صفر	صفر	صفر	صفر	١٧٣
سويسرا	صفر	صفر	صفر	صفر	١	صفر	١
سيشيل	صفر	صفر	صفر	صفر	صفر	صفر	٣
شيلي	صفر	صفر	صفر	٥	صفر	صفر	٨٠١
الصومال	صفر	صفر	صفر	صفر	صفر	صفر	١
الصين	صفر	صفر	صفر	صفر	صفر	صفر	٣٠
طاجيكستان	١	صفر	صفر	٣	صفر	١	٤
العراق	صفر	صفر	صفر	٩	صفر	صفر	١٦ ٤٠١
غامبيا	صفر	صفر	صفر	صفر	صفر	صفر	١
غواتيمالا	صفر	صفر	صفر	صفر	صفر	صفر	٢ ٨٩٩
غينيا	صفر	صفر	صفر	صفر	صفر	صفر	٢١
غينيا الاستوائية	صفر	صفر	صفر	صفر	صفر	صفر	٨
فرنسا	صفر	صفر	صفر	صفر	صفر	صفر	١
الفلبين	صفر	صفر	صفر	صفر	صفر	صفر	٦٢١
فيتوويلا (جمهورية - البوليفارية)	صفر	صفر	صفر	صفر	صفر	صفر	١٠
فييت نام	صفر	صفر	صفر	صفر	صفر	صفر	١
الكاميرون	صفر	صفر	صفر	صفر	صفر	صفر	١٤
كولومبيا	صفر	صفر	صفر	٢	١	صفر	٩٦٩
الكونغو	صفر	صفر	صفر	صفر	صفر	صفر	٨٨
الكويت	صفر	صفر	صفر	صفر	صفر	صفر	١
كينيا	صفر	صفر	صفر	صفر	٤٠	صفر	٤٠
لبنان	صفر	صفر	صفر	صفر	صفر	صفر	٣١٣
ليبيا	صفر	صفر	١	صفر	١	صفر	٩
مصر	صفر	صفر	٢	١	٣	صفر	٤١
المغرب	صفر	صفر	صفر	٩	١	صفر	٥٣
المكسيك	١١	صفر	صفر	صفر	٦	١١	٣٢٧

البلدان	الحالات التي يدعى حدوثها أثناء الفترة المشمولة بالتقرير	المشمولة بالتقرير		التوضيح من جانب:		الحالات التي أُغلقت التي أُغلقت	الحالات التي توقفت النظر فيها	الحالات التي لم يُبت فيها بعد
		الإجراءات العاجلة	الحالات العادية	الحكومة	المصادر غير الحكومية			
المملكة العربية السعودية	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٤
موريتانيا	صفر	٢	صفر	صفر	صفر	صفر	صفر	٣
موزامبيق	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٢
ميانمار	صفر	صفر	صفر	١	صفر	صفر	صفر	١
ناميبيا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٣
نيبال	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٤٥٨
نيكاراغوا	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١٠٣
هايتي	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٣٨
الهند	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٣٥٣
هندوراس	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١٢٩
اليمن	صفر	صفر	صفر	صفر	صفر	صفر	صفر	٢
اليونان	صفر	صفر	صفر	صفر	صفر	صفر	صفر	١

سادساً - الاستنتاجات والتوصيات

ألف - ملاحظات عامة

٧١- في عام ٢٠١٢، أحال الفريق العامل ٢٠٨ حالات اختفاء أُبلغ عنها حديثاً إلى ٢١ دولة. واستخدم الفريق العامل إجراء التصرف العاجل في ٥٩ من هذه الحالات التي ادّعي أنها حدثت خلال الأشهر الثلاثة السابقة لتلقي الفريق العامل التقرير. وخلال الفترة المشمولة بالتقرير، تمكن الفريق العامل من توضيح ٧٤ حالة اختفاء قسري.

٧٢- وما زالت أكثر من ٤٠.٠٠٠ حالة لم يوضح الفريق العامل ملامستها بعد، ويرجع الكثير منها إلى عقود مضت. وبالرغم من هذا العدد الكبير، لا يزال عدم الإبلاغ يمثل مشكلة كبرى. تُعزى إلى أسباب شتى منها الخوف من الانتقام، وضعف نظم إقامة العدل، وعدم فعالية قنوات الإبلاغ، والنظم المؤسسية للإفلات من العقاب، والفقر، والأمية، وحوجز اللغة، والتزام الصمت، ووجود قيود على عمل المجتمع المدني. وينبغي تقديم مزيد من المساعدة للأسر وللمجتمع المدني كي يتمكنوا من إبلاغ الفريق العامل عن حالات الاختفاء القسري.

٧٣- وما فتئ الفريق العامل يلاحظ نمطاً من أعمال التهديد والتخويف والانتقام التي تستهدف ضحايا الاختفاء القسري، بمن فيهم أفراد أسرهم والشهود والمدافعون عن

حقوق الإنسان الذين يعنون بهذه الحالات. ويدعوا الفريق العامل الدول إلى اتخاذ تدابير محددة لمنع هذه الأعمال. وحماية المعينين بحالات الاختفاء القسري ومعاقبة الجناة، وفقاً للفقرتين ١ و ٣ من المادة ١٣ من الإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري. وينبغي لمجلس حقوق الإنسان اتخاذ تدابير تكفل استجابة أكثر منهجية لمكافحة عمليات الانتقام الموجهة للأشخاص الذي يتعاونون مع الأمم المتحدة.

٧٤- ويعرب الفريق العامل عن امتنانه للتعاون الذي لقيه من عدد من الدول، فلا غنى عن هذا التعاون للكشف عن مصير الأشخاص المختفين أو أماكن وجودهم في جميع أنحاء المعمورة. بيد أن الفريق العامل لا يزال قلقاً لأن بعض الدول، من بين الدول الـ ٨٤ التي توجد فيها حالات غير مثبتة فيها، لم ترد قط على رسائل الفريق العامل، ولأن بعض الدول الأخرى تقدم ردوداً لا تحتوي على معلومات ذات جدوى. ويحث الفريق العامل جميع الدول على الوفاء بالتزاماتها بموجب الإعلان، وقرارات الجمعية العامة، ومجلس حقوق الإنسان.

٧٥- وتشكل الزيارات القطرية جزءاً لا يتجزأ من الوفاء بولاية الفريق العامل. وهي تتيح له تسليط الأضواء على ممارسات البلدان في مواجهة حالات الاختفاء القسري، ومساعدة الدول على الحد من العراقيل التي تعوق تنفيذ الإعلان، وضمان الاتصال المباشر بأسر الضحايا. ومع ذلك، فإن عدداً من الدول التي طلب منها الفريق العامل أن تدعوه إلى زيارتها لم تتجاوب مع طلبه. وهناك دول أخرى وجهت دعوات غير رسمية و/أو أكدت الدعوات التي وجهتها، ولكن لم يتفق على تواريخ محددة لزيارتها. ولذلك يناشد الفريق العامل جميع الدول التي لديها طلبات زيارة لم يُبت فيها بعد، أن ترد على نحو إيجابي عليها على ضوء قرار مجلس حقوق الإنسان ٤/٢١، والدول التي وافقت على الزيارات أن ترد في أقرب وقت ممكن مع تحديد تواريخ معينة لتلك الزيارات.

٧٦- ويدعو الفريق العامل من جديد الحكومات التي لم توقع و/أو لم تصدق على الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري أن تفعل ذلك في أقرب وقت ممكن، وأن تقبل باختصاص اللجنة المعنية بحالات الاختفاء القسري في تلقي البلاغات الفردية، بموجب المادة ٣١، وشكاوى الدول في إطار المادة ٣٢ من الاتفاقية.

٧٧- ويعرب الفريق العامل عن امتنانه لحكومتَي الأرجنتين وفرنسا على مساهمتهما المالية وبالموارد البشرية التي شكلت دعماً قوياً للفريق العامل. ويُذكر الفريق العامل الأمم المتحدة بمحدودية الميزانية العادية المتاحة له، ويدعو جميع الدول إلى زيادة المساعدة المقدمة له حتى يتسنى له إنجاز ولايته.

٧٨- ويساور الفريق العامل القلق لأن بلاغات كثيرة ما تزال لا تترجم في الوقت المناسب، مما يؤخر نظر الفريق العامل فيها ويحد من ولايته الإنسانية. كما يعرب الفريق العامل عن أسفه لأنه في وقت اعتماد هذا التقرير (تشرين الثاني/نوفمبر ٢٠١٢) لم يكن تقرير الفريق العامل لعام ٢٠١١ (A/HRC/19/58/Rev.1) قد تُرجم إلا إلى اللغة العربية فقط.

باء- الجبر وحالات الاختفاء القسري

٧٩- يشدد الفريق العامل على أن لضحايا حالات الاختفاء القسري الحق في الجبر. ويستتبع مفهوم الجبر عن حالة الاختفاء القسري، رد الحقوق وإعادة التأهيل، والتعويض، والترضية والضمانات بعدم التكرار. ويوصي الفريق العامل الدول الأعضاء بما يلي:

(أ) كفالة حق ضحايا الاختفاء القسري في الحصول على جبر، وتعويض سريع وعادل وملائم؛

(ب) تضمين نظمها القانونية أحكاماً تكفل لضحايا الاختفاء القسري أو أسرهم الحصول على جبر عادل وسريع وملائم؛

(ج) اعتماد تعريف واسع للضحية، لأغراض الجبر، يشمل كل من تخلق بهم أضرار نتيجة للاختفاء؛

(د) ضمان الحق في معرفة الحقيقة وإحقاق العدالة كعنصرين أساسيين في كفالة عدم تكرار جريمة الاختفاء؛

(هـ) ضمان إمكانية منح جبر فردي وجماعي على السواء، نظراً لاختلاف عُرض كل منهما وعدم استبعاد أحدهما للآخر؛

(و) اعتماد نهج يراعي الاعتبارات الجنسانية في صياغة وتنفيذ برامج الجبر، وضمان مشاركة النساء وتمكينهن ليُحددن بأنفسهن أشكال الجبر الأنسب لوضعهن؛

(ز) توفير تدابير جبر محددة في حالات الاختفاء القسري، بما في ذلك اعتماد خطة وطنية للبحث عن الأشخاص المختفين؛ وإنشاء وحدات متخصصة للتحقيق في حالات الاختفاء القسري؛ ووضع بروتوكول لجمع رفات الضحايا والتعرف على هوية أصحابها؛ وإنشاء برنامج للمساعدة النفسية الاجتماعية للأفراد الذين يتم العثور عليهم ولأقاربهم ولأقارب من لا يزالون مختفين؛ وكفالة وصول الجمهور إلى ملفات ومحفوظات الدولة التي تتضمن معلومات ذات صلة؛ وتوفير التثقيف والتدريب في مجال حقوق الإنسان للموظفين المكلفين بإنفاذ القوانين، فضلاً عن قوات الجيش والأمن؛

(ح) النظر في اتخاذ تدابير رمزية من مثل إقامة مواقع تذكارية وعقد لقاءات لتخليد الذكرى تعبيراً عن الإدراك لمعاناة الضحايا واستعادة ما لهم من كرامة وسمعة؛

(ط) تعزيز تدابير الوقاية كشكل من أشكال الجبر، بما في ذلك اعتماد تدابير تشريعية أو إدارية أو قضائية أو تدابير أخرى لمنع أعمال الاختفاء القسري ومعاقبة مرتكبيها والقضاء عليها.

جيم- الذكرى السنوية العشرون للإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري

٨٠- كان الإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري أول صك يصف جميع أفعال الاختفاء القسري للأشخاص باعتبارها "جرائم بالغة الخطورة"، ويُحدد معايير ترمي إلى معاقبة مرتكبيها ومنع ارتكابها. وقالت الجمعية العامة قبل ٢٠ عاماً عند اعتمادها الإعلان إنه "يساورها بالغ القلق لما يجري في بلدان عديدة، وعلى نحو مستمر في كثير من الأحيان، من حالات اختفاء قسري". ويعرب الفريق العامل عن أسفه لأنه بعد ٢٠ عاماً، لا تزال ممارسة الاختفاء القسري مستمرة في بلدان كثيرة، لا سيما في حالات النزاع أو الاضطراب الداخلي أو كأداة لمكافحة الإرهاب أو الجريمة المنظمة. ويذكر الفريق العامل في هذا الخصوص بالمادة ٧ من الإعلان التي تنص على أنه لا يجوز اتخاذ أي ظروف مهما كانت، سواء تعلق الأمر بالتهديد باندلاع حرب أو قيام حالة حرب أو عدم الاستقرار السياسي الداخلي أو أي حالة استثنائية أخرى، ذريعة لتبرير أعمال الاختفاء القسري.

٨١- ويوصي الفريق العامل الدول بزيادة التركيز على تدابير منع الاختفاء القسري، بما في ذلك من خلال الاحتفاظ بسجلات يمكن الوصول إليها ومحدثة عن السجناء في جميع أماكن الاحتجاز؛ وضمان إمكانية حصول الأقارب والمحامين على المعلومات الملائمة وإمكانية وصولهم إلى جميع هذه الأماكن؛ وتقديم الأشخاص المقبوض عليهم، سريعاً إلى سلطة قضائية.

٨٢- ويدعو الفريق العامل في الذكرى السنوية العشرين لإنشائه، جميع الدول إلى تجديد التزامها بمبادئ الإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري، وبوجه خاص إلى إعادة التأكيد بقوة على أن "يعتبر كل عمل من أعمال الاختفاء القسري جريمة ضد الكرامة الإنسانية ويُدان بوصفه إنكاراً لمقاصد ميثاق الأمم المتحدة وانتهاكاً خطيراً وصارخاً لحقوق الإنسان والحريات الأساسية التي وردت في الإعلان العالمي لحقوق الإنسان". ويشجع الفريق العامل جميع الدول والمجتمع المدني على ترجمة الإعلان إلى جميع اللغات واللهجات بدون تمييز، لأنها جميعاً تخدم الغرض المتمثل في المساعدة في نشر الإعلان على النطاق العالمي وتحقيق الهدف النهائي المتمثل في منع حدوث حالات الاختفاء القسري.

٨٣- وقد وجهت أسر الأشخاص المختفين أنظار المجتمع الدولي على مر السنوات إلى المدى الذي تبلغه هذه الجريمة الشنعاء. وأمكن إلى حد كبير بفضل جهودهم بدء نفاذ الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري في ٢٣ كانون الأول/ديسمبر ٢٠١٠. وعقب دخول الاتفاقية حيز النفاذ، أنشئت اللجنة المعنية بحالات الاختفاء القسري. ومثلما هو الحال بالنسبة لكثير من المسائل المواضيعية الأخرى الخاصة بحقوق الإنسان من مثل التعذيب، والتمييز العنصري، والتمييز ضد المرأة، وحقوق الطفل، ومجموعة من الحقوق المدنية والثقافية والاقتصادية والسياسية والاجتماعية،

تتعايش اللجنة والفريق العامل جنباً إلى جنب وتتعاونان في الكفاح لمنع حالات الاختفاء القسري والقضاء عليها حيثما تحدث في كافة أنحاء العالم. وبنفس الروح، يعزز الإعلان والاتفاقية بعضهما بعضاً لخلق إطار قانوني أكثر فعالية لمكافحة ممارسة الاختفاء القسري.

٨٤- ويشكر الفريق العامل الدول التي تتعاون بصفة منتظمة معه، ويذكر بأنه يظل على استعداد لتقديم المساعدة الملائمة إلى جميع الدول من أجل تنفيذ الإعلان.

دال- النساء المتضررات من حالات الاختفاء القسري

٨٥- اعتمد الفريق العامل في دورته الثامنة والتسعين تعليقاً عاماً بشأن النساء المتأثرات المتضررات من حالات الاختفاء القسري.

٨٦- ويشدد الفريق العامل على أنه لمعالجة حالات الاختفاء القسري، ينبغي للدول اتباع منظور يراعي الاعتبارات الجنسانية في جميع التدابير المتخذة سواء كانت تشريعية أو إدارية أو قضائية أو غيرها. فال مساواة بين الجنسين فيما يتعلق بحالات الاختفاء القسري تتطلب في المقام الأول أن يتمتع جميع الأفراد، بغض النظر عن جنسهم أو نوع جنسهم، وبدون تمييز، بالحقوق المكرسة في الإعلان.

٨٧- ويدرك الفريق العامل أن المرأة تلعب دوراً أساسياً في تأمين حقوق المختفين والتهوض بها. وبوجه خاص، يدرك الفريق العامل تجربته أن المرأة تكون غالباً في طليعة الكفاح ضد الاختفاء القسري. وغالباً ما تشكل منظمات ورابطات تسعى إلى معرفة ظروف الاختفاء القسري ومصير الأشخاص المختفين ومساعدة الضحايا أنفسهم.

٨٨- وتتضرر النساء والفتيات غالباً بحالات الاختفاء القسري باعتبارهن أشخاصاً مختفين، ولكن أيضاً باعتبارهن أقارب أو أشخاص يعانون من الضرر نتيجة لاختفاء قسري. وتعاني النساء من آثار حالات الاختفاء القسري بطرق مختلفة بسبب أدوار الجنسين المتجذرة في التاريخ والتقاليد والدين والثقافة. والمساواة بين الجنسين وتمكين المرأة أدواتان أساسيتان للتصدي للحالة التي تواجهها النساء ضحايا الاختفاء القسري. وبغية منع حالات الاختفاء القسري للنساء واستتصال شأفتها بصورة فعالة، يُسَلَّم الفريق العامل بأهمية وضع الدول سياسة وطنية شاملة من منظور جنساني على أساس مبادئ تعميم مراعاة المساواة بين الجنسين. ويشجع الفريق العامل الدول على الاستفادة من التعليق العام بشأن النساء المتضررات من حالات الاختفاء القسري كأداة لتوفير المساواة بين الجنسين وتمكين المرأة.

هاء- الأطفال وحالات الاختفاء القسري

٨٩- في عام ٢٠١٢، اعتمد الفريق العامل التعليق العام بشأن الأطفال وحالات الاختفاء القسري.

٩٠- ويشكل الاختفاء القسري للطفل تفاقماً لانتهاك الحقوق المتعددة التي يحميها الإعلان المتعلق بحماية جميع الأشخاص من الاختفاء القسري، وشكلاً متطرفاً للعنف ضد الأطفال^(٤٦).

٩١- فمراحل تطور الأطفال البدني ونضوجهم العقلي، فضلاً عن اعتمادهم على الكبار، يجعلهم في وضع يتسم بضعف كبير. وعليه، فإن الطبيعة الخاصة لانتهاك حقوق الأطفال ضحايا الاختفاء القسري، والالتزامات الخاصة التي تقع على عاتق الدولة في حالات هؤلاء الأطفال، يجب فهمها والتأكيد عليها على نحو سليم.

٩٢- ويُقر الفريق العامل بأن الأطفال يجب أن يحصلوا على حماية خاصة، ويُسلم بالأهمية البالغة للأدوات الملائمة التي تتصدى على وجه التحديد للعنف ضد الأطفال.

٩٣- ونظراً لأن الاختفاء القسري جريمة مستمرة، فإن آثاره المحددة على الطفل يمكن أن تستمر حتى بعد بلوغه سن الرشد. ولذلك، يشير الفريق العامل إلى أن التزامات الدولة التي تنشأ عندما يكون عمر الطفل أقل من ١٨ سنة، تستمر طالما لم يتم الامتثال الكامل لها.

٩٤- ويرى الفريق العامل أن الدولة ينبغي لها لدى معالجة حالات الاختفاء القسري تناول التحديات والاحتياجات المختلفة التي تواجهها الفتيات والفتيان، والمراهقون والأطفال الصغار، والأطفال اللاجئون والمشردون داخلياً، والأطفال المجندون في القوات والجماعات المسلحة، والأطفال من مختلف الأديان، والأصول الإثنية والعرقية، والأطفال ذوو الإعاقة. وينبغي أن يشمل النهج الذي يراعي الاعتبارات الجنسية التركيز على حماية حقوق الفتيات وتلبية احتياجاتهن الخاصة.

(٤٦) انظر A/61/299.

Annexes

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 Mekhalfa, 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

^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.

reported that no information regarding prisoners' whereabouts is provided to friends, 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

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 3		Cases clarified during the period under review: 3		Number of outstanding cases at the end of the year under review
	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	
41	0	3	1	2	41
Number of cases on which the Government has replied	Multiple replies on some cases		Number of cases of possible clarification by Government (6-month rule)		
0	N/A		0		
Urgent appeal	N/A		Government response		N/A
General allegation	Yes (2011)		Government response		Yes
Prompt intervention letter	N/A		Government response		N/A
Working Group request for a visit	Yes		Invitation extended		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>	
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	

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>	
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	

^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>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	

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>	
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>		
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

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>	
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	

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[§]

<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.

[§] 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

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

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>	<i>Yes</i>		<i>Government response</i>	<i>No</i>	
<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 Domínguez**, **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>	<i>Yes</i>		<i>Invitation extended</i>	<i>No</i>	

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

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 8		Cases clarified during the period under review: 16		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	
107	2	6	14	2	99
Number of cases on which the Government has replied	Multiple replies on some cases		Number of cases of possible clarification by Government (6-month rule)		
2	Yes		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	

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 2012.¹

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

ⁱ A/HRC/19/58/Rev.1, para. 22.

for witnesses. Witness protection is rarely provided and, where it is provided, the protection 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>		
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>	No

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. **Ilmi 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

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

Number of outstanding cases at the beginning of the period under review	Cases transmitted to the Government during the period under review: 16		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	
55	1	15	0	0	71
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	No		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	Yes		Invitation extended	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 **Wae-so 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>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 Saaed Al Kindi**, and Mr. **Khamis Saaed 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.

Annex II

[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	-	-	-	-	-	-	-	-
Ethiopia	119	2	112	1	3	4	2	5	-	-	-	-

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								
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	-	-	-	-
Malaysia	2	-	-	-	-	1	-	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								
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	-	-	-	-	-	-	-	-	-
Spain	5	-	3	-	2	-	-	-	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							
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)

