

URGENT ACTIONS

COMMITTEE ON ENFORCED DISAPPEARANCES

What is the Committee on Enforced Disappearances?

The Committee is the organ created by the International Convention for the Protection of All Persons from Enforced Disappearance that supervises the compliance of the Convention by the ratifying States parties. The Committee is composed of 10 independent experts recognized as competent in the field of human rights and of different nationalities, who are elected by the States parties.

Who is the victim?

The person that has disappeared and every individual who has suffered harm as a direct result of an enforced disappearance.

Who can present a petition for an Urgent Action?

The relatives of a disappeared person, their legal representatives, their counsel or any person authorized by them, as well as any person having a legitimate interest in searching and locating the disappeared person.

Urgent Action requests must be submitted in writing and cannot be anonymous. However, the identity of the person(s) submitting the urgent action request always remains confidential.

WHAT IS AN URGENT ACTION?

An Urgent Action is a request from the Committee to the State party to immediately take all necessary measures to search and locate a disappeared person and investigate his or her disappearance.



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What admissibility criteria are applied?

In order for the Committee to register an Urgent Action:

1. The disappearance must have occurred after the entry into force of the Convention for the State Party concerned.
2. The disappearance must have been presented to a competent national authority, such as those authorized to undertake investigations, where such a possibility exists. If the authors of the petition consider that such a possibility does not exist, they must explain why.
3. An Urgent Action must not have been registered by the Working Group on Enforced or Involuntary Disappearances on the same disappearance.

How long does the Committee take to register an Urgent Action?

Generally, the Committee registers petitions for Urgent Actions within 48 hours and transmits them to the State in order for the State to take urgent measures necessary to search for and locate the disappeared person, and to provide the Committee with any information available as to the current status of the disappeared person.

What information should be included in a petition for an Urgent Action?

The petition for an Urgent Action should include all available information about the disappearance. The petition must contain at a minimum:

1. The identity of the disappeared person.
2. The date and circumstances of the disappearance and, if available, information on the alleged perpetrators.
3. The steps that have been taken to report the disappearance to the competent authorities of the State.

What happens following the petition for an Urgent Action?

The State has three weeks to inform the Committee about the current status of the disappeared person and about the measures taken to search for and locate him or her. The Committee shares that information with the persons who submitted the petition for an Urgent Action for their comments, and to enable them to provide any update on the progress of the search and investigation.

Considering the information provided by the State party and the persons who submitted the Urgent Action, the Committee formulates recommendations to the State party in relation to i) the search for and location of the disappeared person, and ii) the investigation of the person's disappearance, which can be key in locating the disappeared person.

The Committee informs the persons who submitted the petition for Urgent Action about the recommendations to the State party and continues its efforts to work with them and the State Party while the fate of the disappeared person remains unresolved.



POSITIVE RESULTS

1. Location of some disappeared persons.
2. Progress of the investigations by State parties in relation to cases of enforced disappearances.
3. Greater attention paid by States parties to cases of enforced disappearances.
4. Increased visibility of the magnitude of the phenomenon.

INTERIM MEASURES OF PROTECTION

In case of there being a risk of irreparable harm, the Committee can ask the State party to adopt interim measures of protection for:

- The complainants and witnesses to the disappearance;
- The families and relatives of the disappeared persons and their representatives or counsel;
- All persons participating in the investigation;
- Any element or pieces of evidence that can help locate the disappeared person.

WHERE TO SEND AN URGENT ACTION REQUEST?

petitions@ohchr.org

Petitions and Inquiries Section/
Committee on Enforced Disappearances
Office of the United Nations High Commissioner for Human Rights
Office of the United Nations in Geneva
1211 Geneva 10 Switzerland

MORE INFORMATION

- Guidelines for the submission of Urgent Action requests to the Committee:

http://tbineternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CED/C/4

- List of registered Urgent Actions:

<http://www.ohchr.org/EN/HRBodies/CED/Pages/CEDIndex.aspx>