

# Human Rights Council

**Combatting state-supported enforced disappearances within conflict zones**



<b>Forum:</b>	Human Rights Council
<b>Issue:</b>	Combatting state-supported enforced disappearances within conflict zones
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<b>Position:</b>	President, Deputy President

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## Introduction

Human rights are a topic which has been widely discussed in our time, especially since the end of World War 2. The right to speak, get education, healthcare, and have free will have ever since been practiced in numerous countries around the world. For many countries, the well-being of its citizens has been improving while giving its citizens a safe and protected life. Unfortunately, this cannot be said for all people across the globe.

For a long time, especially in conflict zones, a topic has arisen called enforced disappearances. Enforced disappearances revolve around a perpetrator depriving an individual through the government without the free will of the individual. In simpler terms, it is when state officials take someone without any legal reason while going against the laws and rights of a human being. Victims to this torture are usually human rights defenders, politicians, and lawyers who cause distress against the government's values.

Enforced disappearances have been common in multiple countries for the last few decades and while many organizations have been forming to raise awareness against the repression of the poor individuals whose families at home suffer from fear and peril, the situation is showing little improvement and will need a lot more attention devoted towards it to protect all public figures in the future. It is believed that once the victim has been captured, they get stored in detention centers owned by the government, however, not much is disclosed as often the government usually supports the enforced disappearance, making the situation all the more corrupt and terrifying for rising figures.

## Key Terms

### Perpetrators

A perpetrator is someone who commits a crime, usually involving the effecting of other people.

### Enforced Disappearances

When someone gets arrested, abducted, or suddenly disappears from authorities in the government, this will be recognized as an enforced disappearance.

### State Officials

Authorities working for the government in the legislative, executive, and judiciary fields.

### Arbitrary Detention

Arbitrary detention is the process of getting arrested, abducted, or taken from someone's home without any legal basis. This type of detention is usually supported by state officials. However, the legal laws do not apply, making this an unfair type of detention without the accepted trials and human rights.

### Repression

Repression is the term used to describe downcasting or silencing someone. This can be in the form of physical force, or through legal means like used in enforced disappearances.

### Political Opponents

Political opponents are the rivals in politics. In terms of enforced disappearances, political opponents can be the ones who support enforced disappearances against their rivals so that they get higher chances of winning elections and arguments.

### Impunity

Impunity is the exception against punishments for crimes committed that go against the laws set by the judiciary system. It could mean not getting the acceptable sentence for a crime or not getting a sentence at all.

## General Overview

This general overview aims to highlight and go into depth regarding the topic that will be debated in this committee. Current-day implications as well as more depth on specific cases in entities have been explained in this section and hope to give you as a delegate, more of a base and support on your research and resolution writing.

### Enforced Disappearances

Enforced disappearances, as previously mentioned, are the abduction, arrest, or kidnapping of individuals supported by state officials or the government. People can either be taken away because the government feels threatened by their presence in the country or because they go against the agenda of a government. In most cases, the government would be corrupt as it goes completely against the set human rights that every human being has. Rights such as free will, trial, and the right to speak get taken away from individuals who, unfortunately, have to go through traumatic experiences which makes this experience all the more unsettling.

Right from the beginning, the disappeared are known to be held in detention centers owned by the government and at the cost of their human rights, they usually get tortured for information or threats to spread fear from preventing the individual from continuing the way they are. The main purpose of the repression, however, is also to agonize families and society and give a warning as to the consequences that individuals can face if they go against the state.

### Countries of Occurrence

Since the arbitrary detention of the enforced disappearances are out of the judiciary system of a country, this gives perpetrators free will against the kidnapped which makes the situation all the more terrifying and agonizing for entire communities. In some countries, however, this is no longer as uncommon. Countries like Syria, Sri Lanka, Argentina and Zimbabwe face astonishing results when it comes to the number of cases regarding unlawful abduction. Considering that they all face economic or social struggles, this proves that this is a common way to scare society which is going against the rules of the government.

For example, Syrian authorities are trying to make the country and Islamic State which many go against. Therefore, around 80,000 citizens have been abducted in only the past decade of which 161 have been confirmed dead under the captivity of the perpetrators, most likely the pro-Islamic parties. Similarly, countries like Zimbabwe, Argentina (which used to be a dictatorship), and Sri Lanka have also faced state struggles leading to higher case rates of missing individuals whose families are trying to locate them with the help of multiple organizations.

### **People's Effect**

Considering the abnormal case rates in these countries, it would be hard to imagine that only a few specific categories of people are actually illegally detained. This would usually be the human rights defendants, political opponents who go against the main statement of the authorities, and relatives of the already detained. In Zimbabwe, for example, a few years ago a peaceful journalist and activist by the name of Itai Dzamara went missing on the streets of Harare. Being illegally detained, no official statement from the government has passed leading his family to be answerless and waiting for the return of their dear husband and father. This is a similar situation to many women around the world whose husbands get detained. With the illegal abduction of the money-maker in the family, many fall into the cycle of poverty and this spreads more fear through the community, creating a sad ending for many.

## Major Parties Involved

### WGEID

The Working Group on Enforced Involuntary Disappearances is held accountable for supporting families, locating the bodies of the arrested, and making sure that the public is aware of the wrongdoings of many corrupt governments. Established in 1980 by the United Nations Human Rights Council, this group has been an active and important committee.

### United Nations

The United Nations is involved in all situations going on in the world including this one. They created the most powerful convention stated below and have ever since been raising awareness against the wrong actions taken by governments to eliminate stronger oppositions.

### ICPPED

International Convention for the protection of all Persons from enforced disappearance  
This convention is one of the most powerful conventions ever signed by the UN as it indulges into the illegalities of using a country's power incorrectly by ripping families apart and unfairly abducting and arresting individuals. The convention aims to prevent disappearances and reveal the truth.

### Syria

Unfortunately, Syria is one of the most affected countries having around 82,000 cases of enforced disappearances. This gives Syria one of the highest rates of enforced disappearances. Having struggled for years with their civil war, the corrupt Syrian government constantly goes against individuals who stand against their values of what they believe should be the Islamic state.

### Sri Lanka

Sri Lanka also has one of the highest rates in enforced disappearances. In the past 45 years, more than 60,000 people have vanished leading to a human rights crisis in the country. Although they are trying their best to reduce the astonishing statistics against their government, the ones who are targeted most are the ones who go against their country by surrendering during armed conflicts.

## Timeline of Key Events

<b>Date</b>	<b>Description of event</b>
<b>1800s</b>	Regimes begin utilizing disappearances as a tool
<b>1930s-1940s</b>	The Nazi regime implements large-scale disappearances
<b>1950s</b>	Disappearances are frequent, but there is limited awareness
<b>1960s-1970s</b>	In Latin America, disappearances become a common tool for oppression
<b>1980</b>	The WGEID is established
<b>1983-2009</b>	Sri Lanka's civil war results in numerous forced disappearances
<b>1995</b>	The ICTY is established, addressing crimes during the Yugoslav Wars
<b>1998</b>	The Rome Statute of the ICC is adopted, making disappearances a crime against humanity
<b>2006</b>	The International Convention for the Protection of All Persons from Enforced Disappearance is adopted
<b>2009</b>	The Convention enters into force after enough ratifications
<b>2011</b>	The CED is established
<b>2014-2018</b>	Conflicts in Syria and Yemen see large-scale enforced disappearances
<b>2023</b>	The UN Special Rapporteur on Enforced Disappearances calls for increased global action

## UN Involvement and Other Treaties

- Commission on Human Rights resolution 20 (XXXVI) of 29 February 1980
- Security Council, 25 May 1993, S/RES/827(1993)
- International Convention for the Protection of All Persons from Enforced Disappearance, (A/RES/47/133)
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol 1), 8 June 1977



## Previous Attempts to solve the Issue

This topic has been discussed many times by various councils and committees. However, this is not enough. The International Convention for the Protection of All Persons from Enforced Disappearance is worth notice because it mainly started legislation on the topic. This convention does a plethora of things, but some main things are making forced disappearances illegal and creating a universal definition of these disappearances. This convention, sadly, is not universally recognised and does therefore not fulfill its main goal of protecting all persons from enforced disappearance.

The creation of the WGEID (by resolution 20 of the Commission on Human Rights) was also a very important step. Originally, the WGEID was a five-person working group that would exist for one year. This group would examine questions related to disappearances. The goals of this group were expanded over time to also include the monitoring of states in fulfilling their part of A/RES/47/133.

## Possible Solutions

Delegates must attempt to solve this issue primarily through a diplomatic route. Unfortunately, countries in which these disappearances occur frequently, cannot simply be forced to stop their malpractice. It is of vital importance that any resolutions are endorsed by as many countries as possible, to show a united front.

One important side of this issue is the lack of transparency. After all, it is very difficult to pinpoint the exact details of the disappearances without having some information. Delegates could focus on creating or extending upon the existing framework for international monitoring agencies. This way, the committee gets more data, making it easier to find further solutions. Other means of creating more transparency such as the use of satellites are also viable solutions.

Another thing delegates must work towards is increased ratification for the Committee on Enforced Disappearances and its resolutions. This committee has put forth many great options for decreasing the number of disappearances such as Article 42. This article calls upon states with a dispute regarding this topic to refer this to the International Court of Justice. As of now, only 73 countries have signed this treaty. However, this clause especially would also be a good step towards a solution. 42 on its own might be too radical for some countries, but delegates are definitely encouraged to find a consensus.

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## Appendix

- Amnesty International, [Amnesty International](#)
- United Nations, [United Nations](#)
- United Nations Office of the High Commissioner, [previous resolutions on forced disappearances](#).