

Forum: Social Humanitarian and Cultural Committee (GA3)
Issue: Preventing Enforced Disappearances
Student Officer: Maria-Artemis (Madiana) Pavlidi
Position: Co-Chair

PERSONAL INTRODUCTION

Dear Delegates,

My name is Maria-Artemis (Madianna) Pavlidi, and I am an 11th grade student at Ekpaideutiki Anagennisi. It is a great honour and pleasure to serve as one of the Co-Chairs of the Social Humanitarian & Cultural Committee (GA3) during the upcoming session of PSMUN. After attending multiple conferences, I have come to the realisation that MUN serves as my inspiration for coming out of my shell as well as evolving as a person. By extension, I am extremely passionate about MUN.

As a Student Officer of the Social, Humanitarian and Cultural Committee of the PSMUN conference this year, I have been given the opportunity to analyse the issue of preventing enforced disappearances. Enforced disappearances are inextricably linked to most bodily autonomy issues. Thus, such disappearances must be addressed when it comes to ensuring a secure global environment in which every individual's rights are safeguarded. At the same time, the sense of uncertainty and terror triggered by this practice does not just impact the immediate relatives of the people missing, but also their communities and the general well-being of society.

This study guide examines the subject of "Preventing Enforced Disappearances," which is a pivotal and intriguing topic to learn about. Throughout this guide, you will find information on all aspects of the topic, including definitions, prior attempts to solve the issue, a timeline, and everything else you will need to prepare for and guide yourself throughout the conference debates and discussions. Having said that, you should conduct extensive research on the subject to guarantee a comprehensive understanding of it. Of course, if you have any questions or need further explanations, please contact me at the email address listed below.

madianapvl@icloud.com

Kindest Regards,

Maria-Artemis Pavlidi

INTRODUCTION

As infringements on human rights remain a major concern and the 2030 Agenda time frame approaches more rapidly than ever, a movement for safeguarding all persons' rights is gaining steam. Enforced disappearances, which in the past were sparked primarily in periods of military dictatorships, can now be carried out at any region, period of time, or cultural, social, or political background. Such disappearances occur more frequently in complex internal conflict situations, primarily because they are viewed as a tool of political persecution of opponents. Victims of enforced disappearance are stripped of all of their liberties and are at the mercy of their perpetrators after being removed from the secure domain of the law and "disappearing" from society.

In this context, enforced disappearances refer to the breaches of the right to life, the right to personal integrity, the right to liberty and security of the person, and the right to be recognised as a person before the law. In addition, the anguish and uncertainty suffered by both the missing people and their relatives have been deemed inhuman or degrading treatment by various international human rights bodies. Against this backdrop, the right to truth, justice, compensation, and assurances of non-repetition become critical components of the fight against the impunity of disappearance offenders, avoiding future human rights crimes, and creating a stable and sustainable peace. The UN Secretary-General has urged Member States to fulfil their obligation and provide families, and the overall society with information to know the truth about what happened under international human rights law, according to their responsibility.¹

The forced disappearance of people is a numerous and continuing human rights violation that includes State involvement directly or indirectly. It occurs mostly in humanitarian crises and military wars, totalitarian regimes, or conditions of severe brutality. That being noted, the issue of such disappearances is closely linked to the conference theme "The paradox of progress", a concept representing the contradictory nature of evolution, progress, and the more problems created. More specifically, the topic of disappearances constitutes a great example of the conference's overall idea. Despite the fact that we are living in societies where human rights are ostensibly reserved and protected and politicians are tasked with administering the law, the practice of enforced disappearances unfortunately persists. There is, thus, a clear inconsistency in connection with the efforts of governmental entities to assure the absence of conflict, violence, injustice and prevention of such disappearances, since the percentages of the crime are still at high level. It is, furthermore, contradictory for governmental entities to seemingly make great efforts to assure the absence of conflict, violence, and injustice, and prevention of such

¹ International Day of the victims of enforced disappearances, United Nations, <https://www.un.org/en/observances/victims-enforced-disappearance>

disappearances, yet having the percentages of enforced disappearances stay at a high level. Enforced disappearances, which involve disappearing without justification and being covertly abducted or imprisoned by states, are a vital topic in need of a resolution in order to avoid the philosophy of paradoxes in our society. Considering the aforementioned, it is essential that governments confront crimes via truth, justice, restitution, and non-repetition assurances in peace processes.

DEFINITION OF KEY TERMS

Enforced Disappearance

An enforced disappearance is defined as the capture, imprisonment, abduction, or any other kind of deprivation of liberty by agents of the State or by individuals or groups of individuals acting with the State's authorisation, support, or consent, which is followed by a refusal to recognise the deprivation of liberty or concealment of the condition or whereabouts of the disappeared individual, thereby placing such a person outside the protection of the law.²

Boko Haram

Boko Haram is an Islamic sectarian organisation that was created in North-eastern Nigeria in 2002. The criminal organisation has committed large-scale acts of violence, including enforced disappearances since 2009.³

Combined DNA Index System

The Combined DNA Index System is a computer software program that manages local, state, and national databases of DNA profiles from convicted offenders, unresolved crime scene evidence, and missing individuals.⁴

Due process

Due process is a legal procedure which adheres to norms and principles set in a jurisprudential system for the implementation and protection of private rights.⁵

Self-censorship

Self-censorship is the act of holding back from saying something that could be considered offensive by others (such as an opinion, point of view, or belief). Authoritarian governments are primarily responsible for this since they frequently pressure the media to self-censor in order to control what information and whose version the public hears.

² About enforced disappearance | ohchr, <https://www.ohchr.org/en/special-procedures/wg-disappearances/about-enforced-disappearance>

³ Diagnosing the Boko Haram Conflict: Grievances, motivations, and Institutional Resilience in Northeast Nigeria CAN, <https://www.cna.org/reports/2015/diagnosing-the-boko-haram-conflict>

⁴ Combined DNA index system (CODIS), Combined DNA Index System (CODIS) | Bureau of Justice Statistics, <https://bjs.ojp.gov/taxonomy/term/combined-dna-index-system-codis>

⁵ Due process (2023) Encyclopædia Britannica, <https://www.britannica.com/topic/due-process>

Social ramifications

Social ramifications are the complicated and unexpected results in a society that follow an action or a decision. In the context of this topic, social ramifications refer to the results of enforced disappearances cases in the society as a whole.⁶

Legal precautions

A legal principle called the precautionary principle is concerned with the method by which decisions are made. Its implementation and interpretation must take into account the local legal climate, in particular, the principles of good administration that are in place.⁷

Marginalisation

Marginalisation is an act as well as a condition that restricts individuals or groups from fully participating in social, economic, and political life, leaving the marginalised individuals unable to engage actively and effectively in a society.⁸

Revictimisation

Revictimisation is the process of experiencing abuse again. It can be a repetition of the earlier incident or another kind of abuse.⁹

Night and Fog decree

Night and Fog decree was a law during the Nazi era, directed against those in occupied regions, who were involved in actions that threatened the security of German forces.¹⁰

Non-state actors

Non-state actors have no ties to, are not controlled by, or supported by the government.¹¹

Post-traumatic stress disorder

Post-traumatic stress disorder (PTSD) is a disorder that develops in certain individuals after experiencing a shocking, frightening, or hazardous event.¹²

⁶ "Ramification." Oxford Learner's Dictionaries, Oxford University Press, URL.

⁷ E., Fisher. "Precaution, Law and Principles of Good Administration." *Water Science and Technology : A Journal of the International Association on Water Pollution Research*, U.S. National Library of Medicine, pubmed.ncbi.nlm.nih.gov/16304930/

⁸ "Defining Marginalized: DFID's Leave no one behind agenda." UK Aid Direct, n.d., <https://www.ukaidirect.org/uploads/2017/03/Defining-Marginalised.pdf>.

⁹ "Can Family Members Revictimize Sexual Abuse Survivors?" Psych Central, n.d., <https://psychcentral.com/lib/ways-family-members-revictim>.

¹⁰ "Night and Fog Decree." Holocaust Encyclopedia, United States Holocaust Memorial Museum, n.d., <https://encyclopedia.ushmm.org/content/article/night-and-fog-decree>.

¹¹ "Non-State Actors." ESCR-Net, n.d., <https://www.escr-net.org>.

¹² "Post-Traumatic Stress Disorder (PTSD)." National Institute of Mental Health, n.d., [https://www.nimh.nih.gov/health/topics/post-traumatic-stress-disorder-ptsd#:~:text=Post%2Dtraumatic%20stress%20disorder%20\(PTSD\)%20is%20a%20disorder%20that,%20respond%20to%20potential%20danger](https://www.nimh.nih.gov/health/topics/post-traumatic-stress-disorder-ptsd#:~:text=Post%2Dtraumatic%20stress%20disorder%20(PTSD)%20is%20a%20disorder%20that,%20respond%20to%20potential%20danger).

Individual independence

An individual is independent, when someone they are not influenced or controlled by others in matters of opinion, conduct, etc., they are thinking or acting for themselves. When it comes to victims of enforced disappearances, they are not able to conduct on their personal will.

War on terrorism

The term "war on terrorism" refers to the American-led worldwide counterterrorism initiative introduced in the aftermath of the terrorist attacks of September 11, 2001, which was intended to mark an important turning point in global politics and had significant implications for security, human rights, international law, collaboration, and administration.¹³

BACKGROUND INFORMATION

Historical Background

The concept of enforced disappearances initially originated as a governmental practice during the Nazi era but grew common throughout the 1960s under Latin American military governments. During the Second World War, the German authorities issued the Night and Fog decree, which prohibited those detained from having any sort of interaction with the outside world or being visited by their families; they, thus, "disappeared" into various concentration camps, causing distress and anguish on the part of their relatives.¹⁴ Under Joseph Stalin's direction, the Soviet Union committed numerous violations of human rights during World War II, including enforced disappearances. In order to eliminate perceived political opponents and maintain control, the People's Commissariat for Internal Affairs (NKVD) frequently used various methods, including arresting people who were thought to be political enemies, informants, or traitors, and subjecting them to secret trials. In addition, a large number of political detainees were transferred to the Gulags, a huge system of forced labour camps.

Enforced disappearances also occurred in Cyprus, Turkey, Ukraine, and Spain during the Civil War and the Franco dictatorship, aiming at eradicating political opponents. Secret detentions and "extraordinary renditions" carried out by the United States as part of the "war on terror," with European governments' involvement and/or support, further qualify as enforced disappearances. The practice has been periodically followed in Asia and Africa with Amnesty International, an international human rights

¹³ War on terrorism (2023) Encyclopædia Britannica, <https://www.britannica.com/topic/war-on-terrorism>

¹⁴ United States holocaust memorial museum, <https://encyclopedia.ushmm.org/content/en/article/night-and-fog-decree>

organisation, estimating that there have been "at least 60,000 and as many as 100,000 cases of enforced disappearance" in Sri Lanka during the 1980s.¹⁵

Latin America though is, arguably, the region affected to the greatest extent by enforced disappearances. According to the Guatemalan Commission for Historical Clarification, law enforcement agencies carried out around 45,000 enforced disappearances against anti-government forces and suspected opponents, including members of Mayan communities, between the mid-1960s and the 1996 peace agreement.¹⁶ Argentina, Chile, Uruguay, Paraguay, Bolivia, Brazil, Ecuador, and Peru even went as far as forming a multinational collaboration mechanism known as "Operation Condor" to share knowledge about political dissidents in order to carry out transnational enforced disappearances.

Therefore, the practice of enforced disappearances has at different points in history been adopted by authorities all around the world, with many still engaging in it. Since its creation in 1980, the UN Working Group on Enforced or Involuntary Disappearances has received over 55,000 cases, more than 44,000 of which remain unsolved, impacting over 107 countries.¹⁷ Worldwide, only few nations have not been affected by or participated in any capacity in enforced disappearances such as Canada, Sweden, Switzerland.

Enforced disappearances in armed conflicts and by Non-State actors

Enforced Disappearances as a Universal Denial of Rights and Justice

Enforced disappearances, regardless of the context, are an important infringement of a person's rights as both of them include the arbitrary seizure of an individual's independence, typically followed by abuse or maltreatment, and the denial of their most fundamental liberties. Victims and relatives suffer enormously, given that they remain in a state of insecurity regarding their current and future circumstances, creating mental anguish. At the same time, enforced disappearances generally entail an absence of proper due process and the avoidance of legal precautions, with persons imprisoned without legal explanation, having access to legal representation, fair trial or connection with their relatives, all of which constitute grave violations of national and international law.

Individual perpetrators engaging in enforced disappearances tend to behave with impunity. Responsibility for offenses is difficult to attribute due to

¹⁵ Webber, D. and Sherani, K. Addressing the continuing phenomenon of enforced disappearances, CSIS. <https://www.csis.org/analysis/addressing-continuing-phenomenon-enforced-disappearances>

¹⁶ Webber, D. and Sherani, K. Addressing the continuing phenomenon of enforced disappearances, CSIS. <https://www.csis.org/analysis/addressing-continuing-phenomenon-enforced-disappearances>

¹⁷ The phenomenon of enforced disappearances in transitions to peace, Peace in Progress magazine. <https://www.icip.cat/perlapau/en/article/the-phenomenon-of-enforced-disappearances-in-transitions-to-peace/>

variables such as poor rule of law, restricted investigations, and an inability to prosecute those involved, despite the fact that the practice is generally denounced by the international community. At the same time, enforced disappearances have great societal ramifications, and there is a dire need for the administration of justice and responsibility. If enforced disappearances continue and the people involved are left unpunished people's faith in national authorities may be destroyed, while at the same time fostering a culture of fear and lawlessness.

Enforced Disappearances in Non-State Actor Conflicts: Legal Challenges and Accountability

Forcible disappearances can occur in a variety of scenarios, encompassing situations involving non-state actors and armed conflicts. When it comes to the perpetrators, the distinctions are critical, as non-state actors typically involve organisations or groups that are not associated with the governing body or the armed forces. These can range from rebel groups to criminal organisations, to any other entities functioning beyond state control. State actors include government, military or law enforcement officials, paramilitary groups, or government-sponsored militias. The motivations will also vary since non-state actors may be motivated by extortion, political purposes, intimidation, or criminal activity. Enforced disappearances in armed conflict scenarios specifically can be part of a larger plan to dominate territory, repress resistance, eliminate perceived threats, or achieve a military advantage.

Additionally, non-state actors sometimes fall outside the purview of the principles of international humanitarian law (IHL), considering that they are not universally recognised as sovereign entities and, therefore, may not be considered as parties to international treaties. Non-state actors typically use means such as direct attacks on civilians, capturing persons, and using them as leverage to fulfil their goals, as well as participating in acts of terrorism, bombings, or other types of violence intended against non-combatant populations. Normally, these would constitute violations of IHL principles but there is a very limited ability to enforce them as, technically speaking, non-state actors are not bound by IHL to the same extent as a State actor.

Disappearances that are coerced during armed conflicts are governed by international humanitarian law, namely the Geneva Conventions and Additional Protocols thereto. Such accords set out particular norms and safeguards for those who are not engaged in conflict. Holding non-state actors liable for enforced disappearances is also especially difficult due to the fact that they operate in places with inadequate administration, rendering legal systems difficult to investigate and bring charges against individuals involved.

Accountability systems for armed conflicts such as global criminal justice systems to handle enforced disappearances exist effectively mostly during armed conflict circumstances, in which use of force by government authorities

and/or organised armed groups takes place. At the same time, access to victims and regions under the control of non-state actors is in comparison frequently limited, thereby making it difficult for humanitarian groups and human rights monitors to offer assistance or record violations. However, in armed conflicts, humanitarian access is controlled by international humanitarian law, and humanitarian assistance delivery is, thus, more straightforward.

Target Groups

Enforced disappearances might target various categories of individuals. While no group is exempt from this heinous violation of human rights, marginalised communities are typically more vulnerable. It is critical to underline that enforced disappearances are violations of international human rights law notwithstanding the target group. Preventing and responding to enforced disappearances necessitates adherence to the rule of law, respect for human rights, and responsibility for those guilty, regardless of the names or connections of the victims.

Political Activists

Individuals involved in political endeavours, such as leaders of the opposition, activists, or supporters of opposing political organisations, are a frequently targeted category for enforced disappearances by government authorities or associated political groups. This can sometimes extend to family members of dissidents or activists who are targeted as a form of threat or collective punishment on the principal targets.

Enforced disappearances originated as part of the government's desire to silence the opposition, remove possible risks to the governing system and repressing political dissent and control them, and governments all over the world use them, to this day, to achieve the same effect. It has even been argued that enforced disappearances should be considered as a political issue rather than a legal one.¹⁸

Human Rights Defenders and the youth

Individuals or groups campaigning for human rights, such as attorneys, journalists, and civil society activists, might be targeted to stifle their opinions and discourage their activity. Considering that such individuals frequently address and publicise the corruption of the political system, criticise and raise awareness on issues that may lead to the failure of a political party, there are strong motivations to target them for enforced disappearances as a method of

¹⁸ Enforced disappearances not legal issue but political, Anadolu Ajansı, <https://www.aa.com.tr/en/asia-pacific/enforced-disappearances-not-legal-issue-but-political/1956918>

suppressing them, controlling them, and spreading fear among them. The same applies for young activists and students participating in social or political activities. They are more recurrently targeted in locations where youth-led protests are widespread, as they are enlightening, educating the public on corruption, political, socioeconomic issues.

Journalists

Commonly enough and with the same purpose, the situation worsens when it comes to journalists and media personnel because they are on the frontline of those reporting politically charged topics, corruption, or abuses of power, documenting violations by the state. Thus, these individuals experience enforced disappearances as a way to be suppressed and eliminate investigative reporting. Journalists face everyday risks to their lives and human dignity due to abuses of their human rights, according to a case study carried out by the Central European University¹⁹. A form of human rights abuse journalists may become victims of is the phenomenon of enforced disappearances. States do not take many steps to conduct a quick and efficient search, leaving journalists vulnerable to more severe breaches including torture, cruel treatment, and murder. Despite this, no one is held accountable for the death and disappearance of journalists, and no significant steps are made to stop these human rights breaches. The majority of the incidents that have been reported on include journalistic investigations that have revealed governmental corruption, the activities of organised crime organisations, impunity, and the illegal actions of other key actors.

Vulnerable communities

Communities that are vulnerable are those that are more readily or significantly affected by natural or man-made disasters or disease epidemics. Those from traditionally oppressed populations, such as religious and ethnic minorities, in militarised settings, have been particularly vulnerable to enforced disappearances as retaliation for their activities. Simultaneously, indigenous groups pushing for land and resource rights as a means of standing up to strong interests frequently experience threats, sometimes even in the form of enforced disappearances. When indigenous tribes demand their rights to land and resources, they may encounter a variety of problems and dangers. These threats can come from powerful entities such as governments and companies, who frequently aim to exploit natural resources on indigenous

¹⁹ 11, M.T, Political kidnapping and forced disappearances, – Global Investigative Journalism Network, <https://gijn.org/political-kidnapping-and-forced-disappearances/>

territory. These interests may regard indigenous populations as impediments to their economic or political objectives.

Impact of enforced disappearances on stakeholders

Physical and mental effects

Victims themselves are regularly tormented, while living in constant dread for their lives. The victims are entirely conscious of the fact that their family has no concept of what took place and the possibilities of anyone coming to their rescue are little. After being expelled from the legal system and going missing from society, even if mortality is not the ultimate result and the victim is eventually released from the captors, both the physical and mental effects of this form of marginalisation, as well as the acts of violence and cruelty that often accompany it, remain. These people are not only physically excluded from society, but they are also marginalised in the sense that they are socially excluded, more specifically pushed to the margins, and denied their rights and place within the legal and social structures. Victims of enforced disappearances are frequently subjected to physical injury, mental abuse which is frequently enough permanent, torture, violence while detained. At the same time, the ambiguity, dread, and hopelessness surrounding their future and condition can lead to poor well-being. This psychological anguish can be further worsened because of stress and worry and the deep emotional trauma in sufferers, including severe depressive disorders, anxiety, and post-traumatic stress disorder (PTSD). Even if death is not the case, and the victim at some point manages to return to their family environment, there is constant fear of being under surveillance and an inability to live based on their beliefs and choices.

Gender bias

During armed conflicts, men are the main target of enforced disappearances, as they are more frequently viewed as potential leaders and as members of rival organisations, causing the separation of family members. Yet, the crime significantly affects women not only as the relatives of those who disappeared, but also as victims, who face different consequences because of their gender.

Women who are active or engaged in advocacy for human rights, social justice, or gender equality may face enforced disappearances from authorities or political opponents who see them as dangers to the status quo. Their susceptibility is heightened by their involvement with sexual and reproductive rights, which exposes them to threats and harassment from persons or groups opposed to their advocacy. Women who are compelled to disappear especially in societies with discriminatory social norms and patriarchal power structures face sexual abuse and exploitation, compounding their vulnerability. Especially when the victim is a woman, the situation of violence and abuse escalates, whereas the human rights violations become even more grave. The reason

behind this is the fact that women find themselves at a heightened risk of sexual and other forms of physical assault.

Women are vulnerable to gender-specific vulnerabilities, such as being used as slaves, disappearing while pregnant, unplanned pregnancies as a result of sexual abuse, and a lack of sufficient health care during menstruation or childbirth. These can result in significant health problems and trauma, and they can lead to cases of giving birth in inhumane settings, potentially culminating in the child's death. This results in injuries and impairments.

Relatives and friends

Friends and family members of victims experience emotional distress as they seek to learn whether their loved one is still alive and, if so, where they are being kept, under which circumstances, and in what status. They fluctuate between optimism and despair, questioning and waiting, while knowing that they, too, are endangered, that they may meet the same destiny, and that seeking information could subject them to a much greater risk. The acknowledgment of the grave suffering caused to relatives as a result of the forced disappearance of a loved one is entailed in the Declaration on the Protection of All Persons from Enforced Disappearance as it states that “any act of enforced disappearance places the persons subjected thereto outside the protection of the law and inflicts severe suffering on them and their families.”²⁰.

A very common event in such disappearances can be considered blackmailing, in the form of requesting for funds, further secretive information and in most cases targets to silence the relatives, while often placing them in danger, and bringing them in an even more pressuring financial condition. The family's anguish is usually exacerbated by the financial ramifications of the disappearance. The financial issues arising constitute also a problem, aggravated by the expenditures involved in investigating. When a family member is forced to disappear, their financial contributions to the family are frequently lost as well. In addition to that, the missing individual, which many times contributes significantly to a family's income, can cause financial hardship, resulting from the financial cost along with the emotional toll on afflicted families.

Families of the missing often experience shame and isolation in their communities. They might be unwilling to reveal their experiences in some circumstances owing to fear of retaliation or societal censure. Amnesty International's case study²¹ on enforced disappearances in Pakistan stated that

²⁰ 11, M.T, Political kidnapping and forced disappearances, – Global Investigative Journalism Network, <https://gijn.org/political-kidnapping-and-forced-disappearances/>

²¹ Living Ghosts - Amnesty International, www.amnesty.org/en/wp-content/uploads/2021/11/ASA3349922021ENGLISH.pdf.

relatives of forcibly kidnapped persons are frequently faced with the hard decision of remaining silent in the aftermath of an abduction or risking the loss of their loved one permanently. The intimidation follows them for years after the disappearance and can occasionally last even after the victim is recovered. This can include invasive monitoring, threatening phone calls from banned numbers, and even phishing attempts on personal gadgets.

Communities

Forced disappearances can cause family and social structures to eventually fall apart as a result of the created uncertainty, emotional trauma, economic hardship, social isolation, and mistrust. The unexpected separation of a family member, as well as the consequent psychological turmoil may strain ties and cause splits among communities and households. At the same time, enforced disappearances weaken public faith in law enforcement and political officials.

Communities may grow wary of cooperating with police or reporting crimes, complicating attempts to cope with other breaches of human rights. Compensation for family members of disappeared persons is not just an issue of the law, but also a measure of addressing the broader implications of enforced disappearances. It acknowledges the rights of victims and their families and encourages their recovery, pursuit of truth, and quest for justice and accountability. The fear of being a target of enforced disappearance might lead to societal self-censorship and silence. Dread of reprisal may prevent people from expressing their thoughts or joining activism and political activity. Enforced disappearances have repeatedly been employed in order to cultivate a sense of terror, mistrust and fear throughout communities. The sense of fear created by this practice affects not just the disappeared closest companions, but also their surroundings and society as a whole.

Violation of Human Rights and humanitarian law

Enforced disappearances constitute a serious violation of human rights as they directly violate numerous fundamental rights and concepts that are universally acknowledged. More specifically, they contradict international humanitarian law and human rights in both international and non-international settings. Violations of one set of rights frequently result in violations of the other, as civil and political rights, as well as economic, social, and cultural rights, are inextricably linked. It is also widely acknowledged that the defence of civil and political rights is necessary for the enjoyment of economic, social, and cultural rights, and vice versa. They breach or threaten to violate a number of core customary principles, including the ban on unlawfully depriving people of their liberty, the prohibition on torture and other cruel and inhuman treatment, and the prohibition on murder. The confusion regarding the position and the location of one's relatives does not only put families in a place of severe uncertainty, but it also violates the right to family life, along with the right of families to know what happened to their relative.

Right to life and security

The obligation to guarantee the right to life entails not only the prevention of arbitrary loss of life, but also that states take any necessary measures to safeguard and maintain the right to life. For states, it is part of their duty to guarantee the full and free exercise of the rights of all persons. Enforced disappearances entail the abduction or imprisonment of persons by state officials or organisations operating with governmental assistance. Torture, extrajudicial executions, or other types of ill-treatment are frequently used against victims, violating their right to life and security.

Right to Liberty and Freedom from Arbitrary Arrest

Enforced disappearances include the imprisonment of persons without any legal justification or due process. This breaches their rights to liberty and freedom from arbitrary detention, which are contained in a number of international human rights treaties, notably the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

Right to a Fair Trial and Due Process

Due legal procedure ensures the fulfilment of high principles of truth and justice. In this regard, the independent and impartial administration of justice is a tremendously useful weapon for realizing the right to the truth. Missing individuals are frequently detained in concealed settings, with no access to legal counsel or judicial monitoring. This strips their fundamental rights to a fair trial and due procedure under international legislation. From the standpoint of the right to justice, a fair trial and due process both constitute a requirement for assigning obligations and the first step in the process of compensation.

Right to Humane Treatment and Protection from Torture

The use of torture, brutal, or cruel and inhumane treatment or punishment against victims is routinely used in enforced disappearances. Ergo, they are deprived of their right to ensure their well-being, resulting in a reduced quality of life. Additionally, those who are related must be treated with respect for their dignity and fundamental rights as well as with humanity. To safeguard their physical, psychological, and personal safety as well as their right to privacy, the authorities have to take necessary steps. The investigation often has a significant psychological effect on the family members. In addition to the enduring uncertainty of not knowing if their relative is still alive and secure, the costs of investigations related to victims can be daunting.

Ergo, the authorities must, thus, take the necessary steps to prevent any emerging traumas or revictimisation from being caused by the relatives' participation in the research. International norms and standards include the authorities taking precautions to guard against any attempt or threat of assault, intimidation, abuse, or retaliation against victims' relatives when they report a relative's disappearance, participate in the investigation, or are attacked as a result of the inquiry, even if they are not taking part in it. This responsibility includes taking proactive measures to prevent assaults and threats as well as the duty to guard against them.

Right to Recognition as a Person before the Law

Recognition as a person before the law is necessary for the exercise of all Charter rights, as such rights cannot be invoked by a person inside the domestic legal framework without having a legal existence. That being noted, enforced disappearance creates a situation of lawlessness in which the missing individual is frequently refused recognition as a legal person, rendering those closest to them unable to pursue justice or claim their rights.

Right to Family Life and Psychological Well-being

The right to family life encompasses the ability to enjoy and uphold family relationships. At the same time the right to not be parted from family and to preserve interaction once a family divides, and the right to well-being, which refers to a full range of mental, social, and physical health, are all violated. The right to family life and psychological well-being is violated when a person, a family member is compelled to disappear, causing significant psychological distress and grief to themselves and the victim's family.

Right to Truth and Accountability

The right to the truth includes the relatives' right to know the destiny of loved ones who disappeared during military conflicts, the right to know the ends and whereabouts of missing individuals who were executed in secret, disappeared or were buried in secret. In addition, victims and their relatives are entitled to know the entire and accurate truth about serious human rights violations that have been committed, the circumstances, the identities of those accountable as well as other factors which have influenced the well-being of their loved one. Forcible disappearances obstruct attempts to uncover the truth about human rights breaches and bring perpetrators responsible. This is incompatible with the concepts of justice, truth, and accountability.

Right to Remedy and Reparation

The forcefully disappeared frequently don't succeed in asserting their rights before an independent and impartial court established by law. Their upper goal is guaranteeing that criminals are convicted and imprisoned in a fair trial, and this includes equitable recompense for victims. Family members of people who have disappeared have a right to compensation as well. This is necessitated by the fact that such disappearances affect family members in a

psychologically and financially traumatic manner. This right and the State's responsibility to provide reparations are intertwined. Nonetheless, it is essential to fulfil the duty to offer an adequate remedy, even in the absence of compensation for those whose covenant rights were breached. Victims and their families are often denied the opportunity to seek an effective remedy and receive compensation for the harm they have endured because of forced disappearance.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

China

Forcible disappearances in China have been a cause for worry to foreign observers and rights organisations. Many Chinese human rights advocates, attorneys, and journalists have faced enforced disappearances while speaking out against the government or promoting human rights. In Xinjiang, the Chinese government has been accused of conducting a highly contentious mass incarceration and surveillance programs in the aforementioned target groups. There have also been reports of forced disappearances and arbitrary imprisonment of Ethnic and Religious Minorities, including Uighur Muslims, against who the Chinese government has allegedly committed genocide²². It is vital to emphasise that due to severe government information control and the lack of openness in court procedures, reporting on enforced disappearances in China is often difficult. Meanwhile, international pleas for the Chinese government to ratify the International Convention for the Protection of All Persons from Enforced Disappearance remain unanswered.

Colombia

Colombia has been embroiled in an internal armed struggle for decades, with many parties including unlawful organisations, drug traffickers, and organised criminal gangs. As part of their war strategy, these actors have perpetrated various sorts of brutality on the populace, most notably forced disappearances, as they can exercise influence and keep control over regions when there is an atmosphere of anguish. This violence has resulted in thousands of missing people, fatalities, and unexplained bodies. According to the Truth Commission report, there were approximately 110 thousand enforced disappearances in Colombia²³ during the most violent years of the armed war. Latin America is host to six of the ten nations with the greatest number of enforced disappearances in the world. This circumstance compelled the Colombian government to enact legislation to enhance institutions and assist victims and relatives of enforced disappearances in identifying the deceased and prosecuting the culprits.

²² Magazine, S. (2022) Is China committing genocide against the Uyghurs?, Smithsonian.com, <https://www.smithsonianmag.com/history/is-china-committing-genocide-against-the-uyghurs-180979490/>

²³ ABColombia (2022) Enforced disappearances in Colombia: An ongoing issue., ABColombia., <https://www.abcolombia.org.uk/enforced-disappearances-in-colombia-still-an-ongoing-issue/>

Mexico

Mexico is experiencing a crisis of forced disappearances of people. The number of people who have disappeared or gone missing in Mexico is increasing daily, according to the Mexican government²⁴. In May 2022, Mexico reached the grim milestone of 100,000 victims of disappearances, which highlights the gravity of the situation there²⁵. The organised crime operations that have caused this crisis of disappearances and the participation, assistance, or complicity of official actors in these criminal activities are part of a wider pattern of violent crime in Mexico. With both direct and indirect assistance from government personnel, disappearances routinely take place. These governmental actors might be a part of a macro-criminality web, a large scale of criminality, that serves to further organised crime's objectives. Given the prevalence of organ trafficking in Mexico, while it remains a distinct issue, it can, in certain instances, be linked to enforced disappearances. Someone who is subjected to enforced disappearance, for example, may have their organs forcefully taken for unlawful trafficking. This entails several abuses of human rights, including the right to life, liberty, and personal security, as well as the ban of torture and cruel treatment. Even though the government has established a National Search System that coordinates attempts to locate missing individuals and unidentified bodies, as well as specialised investigative units such as the Special Prosecutor's Office for the Attention of Crimes Committed Against Migrants and Persons in Transit (Fiscalía Especial para la Atención de Delitos Committedos contra Migrantes y Personas en Tránsito), there is still a great deal to be accomplished.

Nigeria

Enforced disappearances have been an issue of worry in Nigeria, with numerous reports and human rights groups documenting incidences of enforced disappearances. There have been reports of coerced disappearances by Nigerian security personnel, particularly during counterinsurgency efforts against Boko Haram²⁶. As a result, there are worries about human rights violations and an absence of transparency. Forced disappearances in Nigeria are frequently related to extrajudicial executions, in which persons are apprehended by law enforcement officials and, then, discovered dead or disappeared. As Nigeria is a country which has seen conflicts, political turmoil, ethnic and religious tensions, the corruption in the government often leads to enforced disappearances as a means of internal rivalry. At the same time, political activists and opposition personalities in Nigeria have alleged assaults, threats, and compelled disappearances, particularly around periods of elections. While reporting the 2023 general elections, 42 journalists were attacked

²⁴ Brewer, S. and Brewer, S. (2022) Mexico: 100,000 disappeared and missing people, WOLA, <https://www.wola.org/analysis/mexico-disappeared-and-missing-people/>

²⁵ Ena Alvarado | January 31, 2023 (2023) Inside the vicious cycle of Mexico's disappearances, Americas Quarterly, <https://www.americasquarterly.org/article/inside-the-vicious-cycle-of-mexicos-disappearances/>

²⁶ Fighting for our lives - center for civilians in conflict, https://civiliansinconflict.org/wp-content/uploads/2021/11/CIVIC_COVID_Report_Web.pdf

and harassed, including being assaulted and denied access to information²⁷. To this day, it is said that state officials continue to persecute, threaten, and assault journalists and internet activists for freely expressing opposing views.

Russian Federation

Since the commencement of the takeover of Crimea in 2014, Russia has been facing an outbreak of enforced disappearances, which is said to have been deployed against Ukrainian human rights advocates and civil society activists, as they can be a means of exposure of corruption and influence for the political as well as economical life. Since the start of its full-scale military operation in Ukraine, this behavior has exploded. According to reports, the Russian military has abducted, forcibly disappeared, and unlawfully detained at least 562 activists and civil rights defenders since February 2022,²⁸ and that while missing, several are facing cruel treatment and torture by Russian forces, in certain instances even to the point of mortality. Common is also the disappearance or assassination of political opponents, as a part of the governments' attempt to silence the opposition party and impose their proposals. Russia has taken various steps to combat enforced disappearances within its borders, such as launching investigations and prosecuting persons implicated in these crimes, including law enforcement authorities. Human rights organisations and foreign observers, however, have frequently questioned the efficiency and scope of these measures.

Syrian Arab Republic

The severe issue of enforced disappearances is at its peak in Syria, with around 82,000 individuals disappearing since 2011.²⁹ The vast majority have disappeared into a network of government detention centres, used to arbitrarily detain people thought to be political opponents, activists, or anyone accused of being involved in activities deemed damaging to the government. Over 2,000 people have gone missing after being held by armed opposition organisations, notably the Islamic State³⁰. Tens of thousands of families have been urgently searching for information on the whereabouts of their missing relatives. The Syrian government verified the deaths of at least 161 persons believed to have been forcefully removed since the beginning of the Syrian conflict in July 2018.³¹

²⁷ Nigeria: Accountability for Human Rights Violations Remains Elusive: Amnesty international submission to the 45th session of the UPR Working Group, January-February 2024 (2023) Amnesty International, <https://www.amnesty.org/en/documents/afr44/6970/2023/en/>

²⁸ Statement: Enforced disappearances as a tool of repression against human rights defenders (2023) Front Line Defenders, <https://www.frontlinedefenders.org/en/statement-report/statement-enforced-disappearances-tool-repression-against-human-rights-defenders>

²⁹ What would you do if state authorities made your loved one disappear? (2023) Amnesty International, <https://www.amnesty.org/en/what-we-do/enforced-disappearances/>

³⁰ Monitor: Nearly 2,000 People Executed by ISIS in Six Months, www.jpost.com/Middle-East/Nearly-2000-people-executed-by-Islamic-State-in-six-months-385976

³¹ Syria: Government must return remains of 161 people confirmed dead after being forcibly disappeared (2021) Amnesty International, <https://www.amnesty.org/en/latest/news/2018/07/syria-government-must-return-remains-of-people-confirmed-dead-after-being-forcibly-disappeared/>

The Committee on Enforced Disappearances (CED)

The Committee on Enforced Disappearances (CED) is a specialised organisation formed under the International Convention to Protect All Persons from Enforced Disappearance. The CED is in charge of overseeing States Parties' adherence to the Convention. The Committee and its Secretariat engage on a daily basis to assist victims, civil society groups, National Human Rights Institutions, and states in their efforts to find and locate missing individuals, eliminate, penalise, and prevent this crime, and restore the harm done to victims. Regarding alleged enforced disappearances, CED receives and evaluates individual correspondence from victims, their relatives, or their representatives. The Committee is also involved in learning more about the steps nations have taken to prevent and redress forced disappearances and to offer recommendations based on the knowledge gained. In addition to its regular meetings and ongoing work on urgent actions, the Committee on Enforced Disappearances renders statements, information notes, and announcements, and participates in and organises a range of events, webinars, and virtual conversations.

International Committee of the Red Cross (ICRC)

The International Committee of the Red Cross, the largest humanitarian network in the world, strives to prevent or halt enforced disappearances. Regular visits to detention centres are one of the primary mechanisms through which the ICRC achieves this goal. This presence is undeniably comforting for inmates, who feel less neglected and abandoned to their fate. Be that as it may, this consolation is solely temporary, lasting only for the period of the visit and the ICRC's presence. The ICRC registration helps to avoid disappearances by allowing one to track people in prison individually and actively hunt for their whereabouts. The ICRC also gets a large number of requests from families seeking for long-lost relatives, and its members undertake all possible efforts to find them, restore the family link, and, in certain circumstances, support families with their unique requirements. It also aims to raise awareness of the tragedy of persons who have gone missing as a result of armed conflict or other types of violence, as well as the grief felt by their relatives. The International Committee of the Red Cross trains and supports appropriate authorities, including military and law enforcement officials, in the correct treatment of prisoners and the prevention of enforced disappearances. While the ICRC does not have the ability to investigate or punish incidents of enforced disappearances, its efforts in promoting the safety and well-being of individuals impacted by enforced disappearances, including prisoners and their relatives, are vital. Its work supports other organisations' and nations' efforts to address this significant human rights violation during armed situations.

Amnesty International

Amnesty International is an international organisation that actively campaigns on behalf of persons who have been victims to enforced disappearances and continues to put pressure on governments to establish the identities and whereabouts of

everyone who were reported missing. The organisation thoroughly investigates and documents situations of enforced disappearances. This involves collecting data on victims, the circumstances of their disappearance, and any suspected participation of government officials or other parties involved, while additionally working on a global scale to support legal structures and methods to prevent unlawful disappearances. They promote the ratification as well as implementation of relevant international agreements and treaties. Amnesty International performs legal and policy analyses to examine governments' and non-state actors' compliance with international human rights and humanitarian law in the context of enforced disappearances. This involves assessing a country's legislative structure, laws, and practices. The analyses and advocacy of Amnesty International are crucial in calling attention to enforced disappearances, seeking justice for victims, and holding the perpetrators accountable. Their efforts are critical in bringing these human rights breaches to the attention of the world community and fighting for reform.

TIMELINE OF EVENTS

| DATE | DESCRIPTION OF EVENT |
|-----------------------------|---|
| 1 September 1939 | Second World War begins. |
| 10 December 1948 | The General Assembly adopts the Universal Declaration of Human Rights. |
| 12 August 1949 | The Third and Fourth Geneva Conventions are enacted. |
| 24 April 1963 | The Vienna Convention on Consular Relations is adopted. |
| 20 December 1980 | The United Nations Working Group on Enforced Disappearances is established. |
| 18 December 1992 | United Nations Declaration on the Protection of All Persons from Enforced Disappearance is ratified. |
| 2 September 1996 | The 1996 Final Peace Agreement is signed in Manila, Philippines. |
| 11 September 2001 | The terrorist attacks by Islamic extremist groups take place in the United States. |
| 2002 | The Boko Haram organisation is formed. |
| 20 February – 26 March 2014 | The takeover of Crimea by the Russian Federation |
| 23 December 2010 | The International Convention for the Protection of All Persons from Enforced Disappearance enters into force. |
| July 2018 | A conflict in Syria sparks once again resulting in a serious humanitarian crisis. |

| | |
|----------|---|
| May 2022 | Mexico reaches 100,000 victims of disappearances. |
|----------|---|

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

UN Declaration on the Protection of All Persons from Enforced Disappearance

The United Nations Declaration on the Protection of All Persons from Enforced Disappearance, ratified by the United Nations General Assembly on December 18, 1992, is a crucial international document that seeks to tackle and avoid enforced disappearances, as well as safeguard victims and prosecute the perpetrators. The Declaration defines and outlaws enforced disappearance and outlines every person's right not to be victimised by enforced disappearance, as well as their rights as victims and the rights of their family. Simultaneously, it advocates for international collaboration in examining and prosecuting enforced disappearances, and it reports on efforts to prevent and resist compelled disappearances. In a nutshell, the UN Declaration on the Protection of All Persons from Enforced Disappearance is a complicated and continuing topic. While it has made a positive impact when it comes to raising awareness, advocating for change, and developing international standards, its efficacy in avoiding and dealing with enforced disappearances at hand ultimately relies on individual nations and the global community's willingness to uphold its values and take action to address this serious human rights violation.

International Convention for the Protection of All Persons from Enforced Disappearance

The International Convention for the Protection of All Persons from Enforced Disappearance, which entered into force in 2010, seeks to prevent unlawful disappearances, discover the truth when they occur, and ensure that survivors and those closest to them get justice, truth, and recompense. The Convention is one of the most powerful human rights accords ever ratified by the United Nations, as it is binding. Unlike other international crimes such as torture, compelled disappearances were not forbidden by a universal legally enforceable document prior to the entry into effect of the Convention in 2010. The Convention defines the crime of enforced disappearance and details the essential official action to both prevent the crime from occurring and to enable for the investigation and punishment of those who commit it.

While it has contributed to beneficial developments in certain regions, like the United States of America, there are still obstacles to overcome before it can fully make use of its capabilities in avoiding and responding to enforced disappearances globally. It provides the international community an opportunity to fill in gaps in the criminalisation of certain activities. To a significant extent, the Convention is successful. It criminalises per se acts of enforced disappearance committed or aided

by state agents and establishes measures to secure individual criminal culpability for these crimes. However, by limiting international criminalisation to enforced disappearances perpetrated or aided by state agents, the Convention establishes an existing gap by allowing non-state agents to avoid international criminal responsibility for acts of enforced disappearance that do not constitute torture or a crime against humanity.

Geneva Conventions

The Third Geneva Convention, which was enacted in 1949, largely covers the rights and safeguards of prisoners of war. Its principles on humane treatment, legal recognition, and notification procedures can all be applied to address enforced disappearances in the context of armed conflicts. Enforced disappearances of captive combatants can be considered a violation of the convention's terms, and a breach of restrictions on the treatment of captured fighters as well. Captured personnel shall be treated humanely and permitted to communicate with their relatives and the International Committee of the Red Cross, according to the treaty. The Geneva Convention also mandates that the power retaining the captives and the ICRC be notified of the seizure of fighters as soon as possible. The treaty forbids any kind of violence, discrimination and concealment of person's locations against POWs who seek to flee or are apprehended.

The Fourth Geneva Convention, enacted in 1949, focuses largely on the protection of civilians in armed combat, particularly on an international level. While the agreement does not address compelled disappearances directly, it does establish essential principles and standards to protect the liberties and well-being of civilians who are not engaged in conflicts. Enforced disappearances, by entailing the abduction or imprisonment of persons by state or non-state forces, frequently violate these safeguards. The agreement forbids arbitrary detention of civilians and specifies the legal processes that must be followed when persons are detained. At the same time, the convention condemns torture, harsh treatment, and violence against civilians, who have rights to due process and the protection of their legal rights. Enforced disappearances include denial of basic rights and abuse, making the treaty applicable in such circumstances.

The Third and Fourth Geneva Conventions have been critical in providing legal and humanitarian safeguards for persons during armed situations, particularly those who may be exposed to enforced disappearances. While the aforementioned conventions fundamental principles for individual protection during armed situations, dealing with enforced disappearances necessitates larger measures. Because the Geneva Conventions primarily apply to conflicts between nations and their military forces, they do not address the issue of non-state actors, over whose influence might be difficult to exert. In modern conflicts, it is not always apparent whether a person is a POW or a civilian, and some people may be caught in a legal limbo. This complication can make it difficult to apply the terms of the treaties.

United Nations Working Group on Enforced Disappearances

The Working Group, established in 1980, aims to aid families in determining the fate or whereabouts of their missing family members. In this humanitarian role, the Working Group acts as a liaison among family members of victims of compelled disappearances and other sources reporting incidents of disappearances, as well as the governments concerned. Simultaneously, it is inextricably tied to the International Convention for the Protection of All Persons from Enforced Disappearance, and it has played an important role in raising awareness about enforced disappearances and fighting for their prevention and resolution over the years. It has also helped to shape worldwide norms and standards in this field.

POSSIBLE SOLUTIONS

Empowering Families and Non-Governmental Organisations (NGOs)

Associations of families of missing people or victims of enforced disappearances are imperative in uncovering the truth and pursuing justice, restitution, and non-recurrence. Cooperation with organisations such as the International Commission on Missing Persons (ICMP) and the International Committee of the Red Cross (ICRC) can help in increasing actions aimed at recording cases, gathering information and, where appropriate, proof, discovering gravesites, and forcing judicial authorities to intervene or bring complaints before the government. International human rights NGOs can assist the work of families of missing people to locate victims of enforced disappearances. The human rights community and Member States from across the globe may work together to promote the universal adoption and implementation of the International Convention for the Protection of All Persons from Enforced Disappearances, and maximise the efforts made to ensure the victims' and their families' rights. It is strongly recommended to educate government officials and civil society groups about the terms and consequences of the convention in order to promote capacity-building measures in nations that are yet to ratify it. In addition, regional activities that support ratification and execution can be extremely important in advancing human rights norms.

Improving documentation and information procedures

Enhancing documentation procedures for cases of enforced disappearance can help overcome high levels of historical sub-registration, particularly in places like Colombia. At the same time, it could lead to accurate and complete information, especially if combined with networks for storing such knowledge such as the Combined DNA Index System. The acquisition of qualifying information is a significant contribution to the creation and expansion of a knowledge base. The reported instances have gained significant potential for inclusion and search for the victims' locations, in places where documentation has occurred successfully, contributing to the preservation of victims' rights recognised in international treaties. Documentation workshops can also occur with victims and social leaders to encourage the gathering, organisation, and systematisation of cases of enforced disappearance, which, when paired with

research, can also contribute to prior data estimation in every region. Local coordinators can also take place from each group to participate in the preparation, tracking, and assessment stages. Given the potential expense of this network, nations should also be able to use their resources appropriately, engage in global operations, and form alliances with for-profit organisations such as research and technology centres.

Establishing a global DNA Database for finding Missing Persons

The creation of a database with worldwide access for information to be provided and for efforts to reach a worldwide level can be used to match the genetic profiles of forensic evidence obtained from crime sites and victims reported. Such a measure can assist in identifying the perpetrator of the crime and linking related incidents in a serial crime. The ultimate objective though is to locate missing persons. As the DNA profiles of unidentified human remains gathered from necropsies are also recorded in the database, these profiles can be compared to the DNA of missing people's relatives. However, the utilisation of DNA data raises difficult ethical and legal issues. When considering creating a global DNA database to locate missing people, concerns include the possibility of abuse, discrimination, and the requirement for strong legal safeguards and oversight, careful planning, strong ethical principles, strong data security measures, and clear legal frameworks.

Instituting an independent body

The establishment of an independent authority to oversee military personnel's training on enforced disappearances topics, with the objective of guaranteeing safety and assistance during crises is an important possible solution. Such an assistance body can consist of legal and military experts, and even conflict resolution specialists and educators, all of which can contribute to its overall success. Military personnel could participate in regular training sessions that address international humanitarian law and provisions under which armed conflict ought to take place with the assistance of advising services, to aid in the prevention of enforced disappearances. Developing such training exercises, as well as presentations and advice on preventative measures, can help to avoid the recurrence of the situation. During a conflict, the operation of such organisations in protection and support programs can contribute to the prevention of enforced disappearances simply through their active presence. Such organisations should also routinely register those in danger, in order to motivate the aggressors to treat these individuals more respectfully and ensure that they are aware of the occurrence of such registration.

Authorising centralised Communication Network for Missing Persons

The impact enforced disappearances have on the families of victims is also an important issue to address. Ideally, a network for the sharing of news must be established with the goal of restoring touch with relatives from whom they have been separated. Given the system's unique and centralised character, it can boost the probability of messages reaching their intended recipients, and that information on the senders of such messages might afterwards aid in the hunt for missing individuals.

These communication networks can also be useful for exchanging information and providing the authorities with future knowledge to prevent such disappearances. However, collecting and exchanging personal information via a centralised network may create privacy issues since they might be exposed to security breaches, exposing sensitive information. Establishing and upholding a centralised communication network can also be demanding when it comes to funding, infrastructure, data storage, people, and cybersecurity expenditures. Therefore, Member States should also make use of the proportionate national budget allocation, crowdsourcing methods, and financing for joint initiatives.

BIBLIOGRAPHY

PeaceRep. “Why We Need Gender-Specific Provisions on Enforced Disappearances in Africa.” *PeaceRep*, 19 Dec. 2022, peacerep.org/2022/08/16/gender-specific-provisions-enforced-disappearances-africa/.

Taylor, Paul M. “Article 16: Recognition as a Person before the Law - A Commentary on the International Covenant on Civil and Political Rights.” *Cambridge Core*, Cambridge University Press, www.cambridge.org/core/books/abs/commentary-on-the-international-covenant-on-civil-and-political-rights/article-16-recognition-as-a-person-before-the-law/0F6C912D4A6A55514B31D0ACE177584A.

“Enforced Disappearances Not Legal Issue but Political.” *Anadolu Ajansı*, www.aa.com.tr/en/asia-pacific/enforced-disappearances-not-legal-issue-but-political/1956918.

“Civil Society Call to End Enforced Disappearances in China.” *Front Line Defenders*, 8 Sept. 2022, www.frontlinedefenders.org/en/statement-report/civil-society-call-end-enforced-disappearances-china.

“Statement: Enforced Disappearances as a Tool of Repression against Human Rights Defenders.” *Front Line Defenders*, 30 Aug. 2023, www.frontlinedefenders.org/en/statement-report/statement-enforced-disappearances-tool-repression-against-human-rights-defenders.

“Working Group on Enforced or Involuntary Disappearances.” *OHCHR*, 30 Aug. 2023, www.ohchr.org/en/special-procedures/wg-disappearances.

“Activities.” *OHCHR*, www.ohchr.org/en/treaty-bodies/ced/activities.

Author links open overlay panel Carlos Martín Molina a b, et al. “Forced Disappearances and Missing People in Colombia, South America.” *Forensic Science International: Reports*, Elsevier, 30 July 2022, www.sciencedirect.com/science/article/pii/S2665910722000330.

“Nigeria: Accountability for Human Rights Violations Remains Elusive: Amnesty International Submission to the 45th Session of the UPR Working Group, January-February 2024.” *Amnesty International*, 12 July 2023, www.amnesty.org/en/documents/afr44/6970/2023/en/.

“What Would You Do If State Authorities Made Your Loved One Disappear?” *Amnesty International*, 16 June 2023, www.amnesty.org/en/what-we-do/enforced-disappearances/#:~:text=Many%20victims%20of%20enforced%20disappearance,wit hout%20a%20warrant%20of%20arrest.&text=A%20disappeared%20person%20is%20also,the%20protection%20of%20the%20law.

Missing Persons and Victims of Enforced Disappearance in Europe, rm.coe.int/missing-persons-and-victims-of-enforced-disappearance-in-europe-issue-/16806daa1c.

“New Strategies Needed to Combat Enforced Disappearances, Says UN Expert Group | UN News.” *United Nations*, news.un.org/en/story/2013/07/445132.

1 Regarding the Management of Human Remains and of Information on the DE AD, www.icrc.org/en/doc/assets/files/other/icrc_themissing_012003_en_10.pdf.

About enforced disappearance | ohchr. <https://www.ohchr.org/en/special-procedures/wg-disappearances/about-enforced-disappearance>

Diagnosing the Boko Haram Conflict: Grievances, motivations, and Institutional Resilience in Northeast Nigeria CNA. <https://www.cna.org/reports/2015/diagnosing-the-boko-haram-conflict>

Combined DNA index system (CODIS) Combined DNA Index System (CODIS) | Bureau of Justice Statistics. <https://bjs.ojp.gov/taxonomy/term/combined-dna-index-system-codis>

War on terrorism (2023) Encyclopædia Britannica. <https://www.britannica.com/topic/war-on-terrorism>

Due process (2023) Encyclopædia Britannica. <https://www.britannica.com/topic/due-process>

"Non-State Actors." *ESCR-Net*, n.d., <https://www.escr-net.org>.

"Post-Traumatic Stress Disorder (PTSD)." *National Institute of Mental Health*, n.d., [https://www.nimh.nih.gov/health/topics/post-traumatic-stress-disorder-ptsd#:~:text=Post%2Dtraumatic%20stress%20disorder%20\(PTSD\)%20is%20a%20disorder%20that,or%20respond%20to%20potential%20danger.](https://www.nimh.nih.gov/health/topics/post-traumatic-stress-disorder-ptsd#:~:text=Post%2Dtraumatic%20stress%20disorder%20(PTSD)%20is%20a%20disorder%20that,or%20respond%20to%20potential%20danger.)

United States Holocaust Memorial Museum,
<https://encyclopedia.ushmm.org/content/en/article/night-and-fog-decree>

The phenomenon of enforced disappearances in transitions to peace, *Peace in Progress magazine*, <https://www.icip.cat/perlapau/en/article/the-phenomenon-of-enforced-disappearances-in-transitions-to-peace/>

Webber, D. and Sherani, K, *Addressing the continuing phenomenon of enforced disappearances*, CSIS, <https://www.csis.org/analysis/addressing-continuing-phenomenon-enforced-disappearances>

Enforced disappearances not legal issue but political, *Anadolu Ajansı*,
<https://www.aa.com.tr/en/asia-pacific/enforced-disappearances-not-legal-issue-but-political/1956918>

11, M.T, *Political kidnapping and forced disappearances*, – *Global Investigative Journalism Network*. <https://gijn.org/political-kidnapping-and-forced-disappearances/>

Magazine, S. (2022) *Is China committing genocide against the Uyghurs?*, *Smithsonian.com*, <https://www.smithsonianmag.com/history/is-china-committing-genocide-against-the-uyghurs-180979490/>

ABColumbia (2022) *Enforced disappearances in Colombia: An ongoing issue.*, *ABColumbia*, <https://www.abcolombia.org.uk/enforced-disappearances-in-colombia-still-an-ongoing-issue/>

Ena Alvarado | January 31, 2023 (2023) *Inside the vicious cycle of Mexico's disappearances*, *Americas Quarterly*,
<https://www.americasquarterly.org/article/inside-the-vicious-cycle-of-mexicos-disappearances/>

Fighting for our lives - center for civilians in conflict, https://civiliansinconflict.org/wp-content/uploads/2021/11/CIVIC_COVID_Report_Web.pdf

Nigeria: Accountability for Human Rights Violations Remains Elusive: Amnesty international submission to the 45th session of the UPR Working Group, January-February 2024 (2023) *Amnesty International*,
<https://www.amnesty.org/en/documents/afr44/6970/2023/en/>

Statement: Enforced disappearances as a tool of repression against human rights defenders (2023) *Front Line Defenders*.
<https://www.frontlinedefenders.org/en/statement-report/statement-enforced-disappearances-tool-repression-against-human-rights-defenders>

What would you do if state authorities made your loved one disappear? (2023) *Amnesty International*, <https://www.amnesty.org/en/what-we-do/enforced-disappearances/>

Syria: Government must return remains of 161 people confirmed dead after being forcibly disappeared (2021) *Amnesty International*,
<https://www.amnesty.org/en/latest/news/2018/07/syria-government-must-return-remains-of-people-confirmed-dead-after-being-forcibly-disappeared/>

Monitor: Nearly 2,000 People Executed by ISIS in Six Months, www.jpost.com/Middle-East/Nearly-2000-people-executed-by-Islamic-State-in-six-months-385976