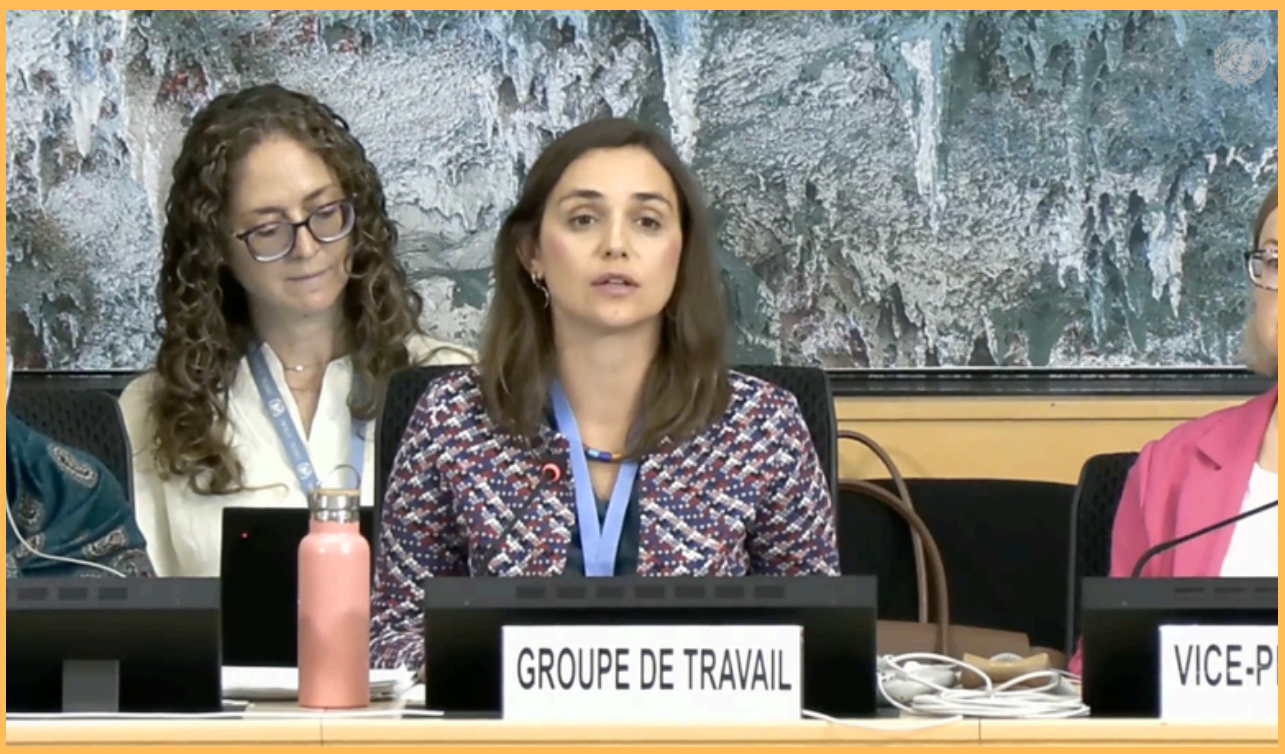
Geneva International Centre for Justice

63rd Session of the Human Rights Council

ENFORCED DISAPPEARANCES: A VICIOUS CYCLE IN TRUTH-SEEKING



By Niñanette Banal / GICJ

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I. Executive Summary

On 15 September 2026, the Human Rights Council held an interactive dialogue with the Working Group on Enforced or Involuntary Disappearances at its 63rd session. The Working Group presented the main annual report (A/HRC/63/28), alongside thematic agenda on memorialisation (A/HRC/63/28/Add.1) and follow-up on Uruguay (A/HRC/63/28/Add.2). Delegates cited current cases of enforced disappearances, expressed pressing concerns, and posed questions to the Working Group.

The Chair-Rapporteur of the Working Group highlighted the alarming rise in enforced disappearances, contemporary challenges, states' obligations to provide memorialisation, and the importance of state cooperation with its mandate. She further discussed Uruguay's follow-up report, noting the country's cooperation and notable actions in addressing enforced disappearances.

The delegate of the concerned state, Uruguay, highlighted the importance of cooperating with the Working Group and encouraged all states to do the same. She underscored Uruguay's continued dedication in addressing enforced disappearances and to further strengthen their contribution to memorialisation, justice, and truth.

An overwhelming majority of delegates commended the Working Group for its work and called for continued support for its mandate. They cited numerous enforced disappearance cases across the globe and expressed concern regarding the rapid rise in enforced disappearance cases, reprisals, transnational repression, and the practice of impunity. They called upon states to act promptly regarding enforced disappearance reports, determine the fate and whereabouts of victims, hold perpetrators accountable, provide reparations to victims, and protect the victims, families, human rights defenders, and civil society organisations from reprisals.

However, a few delegates questioned the credibility of the Working Group. They claimed that the Working Group was biased and lacked impartiality in preparing the report. In her concluding statement, the Chair-Rapporteur addressed these allegations of bias, maintaining

that the Working Group carries out its functions in good faith and in accordance with its humanitarian mandate.

Geneva International Centre for Justice (GICJ) supports the Working Group's thematic studies on enforced disappearance, memorialisation, and the situation in Uruguay. GICJ expresses grave concern regarding the alarming rise in enforced disappearances, the ongoing impunity, and widespread reports of reprisals against victims, their families, human rights defenders and civil society. GICJ urges states to promptly search for disappeared persons, carry out impartial and independent investigations, hold perpetrators accountable, provide reparations to victims and their families, and fully cooperate with the Working Group to establish the fate and whereabouts of the disappeared persons.

II. Background

On 18 December 1992, the Declaration on the Protection of All Persons from Enforced Disappearance (hereinafter referred to as the "Declaration") was adopted by the UN General Assembly. On 23 December 2010, the International Convention for the Protection of All Persons from Enforced Disappearance (hereinafter referred to as the "International Convention") took effect. The Declaration and the International Convention were adopted to address the widespread and systemic cases of enforced disappearances across many countries.

Article 2 of the International Convention defines an enforced disappearance as the "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."

The Working Group on Enforced or Involuntary Disappearances is an independent fact-finding body operating under the United Nations Human Rights Council. Its mandate is to assist families to determine the fate and whereabouts of their disappeared relatives. The Working Group receives reports from families, examines them, and transmits them to the Government concerned for prompt investigation. It acts as a channel of communication between families and the states concerned. In addition, the Working Group conducts official country visits and provides advisory services at the request of states. In 2019, the Working Group expanded its mandate to address acts tantamount to enforced disappearances committed by non-state actors.

Pursuant to its mandate, the Working Group submitted its annual report (A/HRC/63/28), a thematic addendum on memorialisation (A/HRC/63/28/Add.1) and a follow-up report on Uruguay (A/HRC/63/28/Add.2) to the Human Rights Council. The follow-up report assesses progress on the recommendations made in report A/HRC/54/22/Add.1 in 2022 following the Working Group's official visit to Uruguay from 7 to 14 July 2022, which examined enforced disappearances occurring between 1968 and 1985. Between November 2025 to June 2026,

the Working Group and the Government of Uruguay engaged in consultations regarding the implementation progress.

These reports served as the foundation for the interactive dialogue held on 15 September 2026 among the Working Group, the state concerned, member states, and civil society organisations.

III. Exhaustive Summary of the Working Group's Reports: A/HRC/63/28, A/HRC/63/28/Add.1 and A/HRC/63/28/Add.2

1. Working Group's Report on Enforced or Involuntary Disappearances: A/HRC/63/28

The report analyses trends in enforced disappearances, highlighting a surge in similar acts committed by non-state actors. Amid the rise in enforced disappearances, the report emphasises the increasing obstacles faced by survivors in their pursuit of justice due to systemic legal and structural barriers. Victims, their families, lawyers, human rights defenders, and civil society actors face frequent reprisals, which further exacerbate their suffering. Country-specific observations across various states demonstrate that enforced disappearances involve grave violations of human rights and are often weaponised as political tools to exact reprisals, silence dissenters, instil fear, or advance political agendas. Contemporary challenges further undermining truth and justice include repressive measures, transnational repression, and harassment of civil society organisations.

To fulfil its mandate, the Working Group stresses the importance of cooperation and dialogue. It expresses concern over states that are unwilling to cooperate, reminding them that failure to cooperate breaches their obligation to engage in good faith with the Human Rights Council's Special Procedures.

The Working Group therefore recommends and urges states to uphold their international obligations by adopting comprehensive measures to address the root causes of enforced disappearances; conducting effective searches for victims; investigating reported cases promptly, independently and thoroughly; holding perpetrators accountable; establishing a safe environment for victims free from reprisals; upholding their non-refoulement obligations; and fully cooperating and engaging in good faith with the Woking Group.

2. Addendum Report on Enforced Disappearances and Memorialisation: A/HRC/63/28/Add.1

Memorialisation serves to acknowledge and preserve historical truth while safeguarding it from erasure and distortion. It upholds truth, justice, reparation, and guarantees of non-recurrence.

The Working Group notes that both the Declaration and the International Convention recognise memorialisation as a form of reparation. States are therefore under an obligation to adopt and implement measures that ensure memorialisation for victims of enforced disappearance and their relatives. While memorialisation serves as a vital form of symbolic reparation for the harm and suffering inflicted on the victims and their families, it can never replace criminal accountability. The report emphasises that no form of reparation, including memorialisation, may be used to foster impunity.

Key challenges to memorialisation include limited access to archives, lack of inclusion for vulnerable groups, the political instrumentalisation of memorialisation, ongoing conflict and violence, and the complexities of cross-border context, including transnational transfers or repression.

The Working Group therefore encourages states to adopt domestic legal frameworks on reparation programs, including memorialisation initiatives in close consultation with victims, relatives, and civil society.

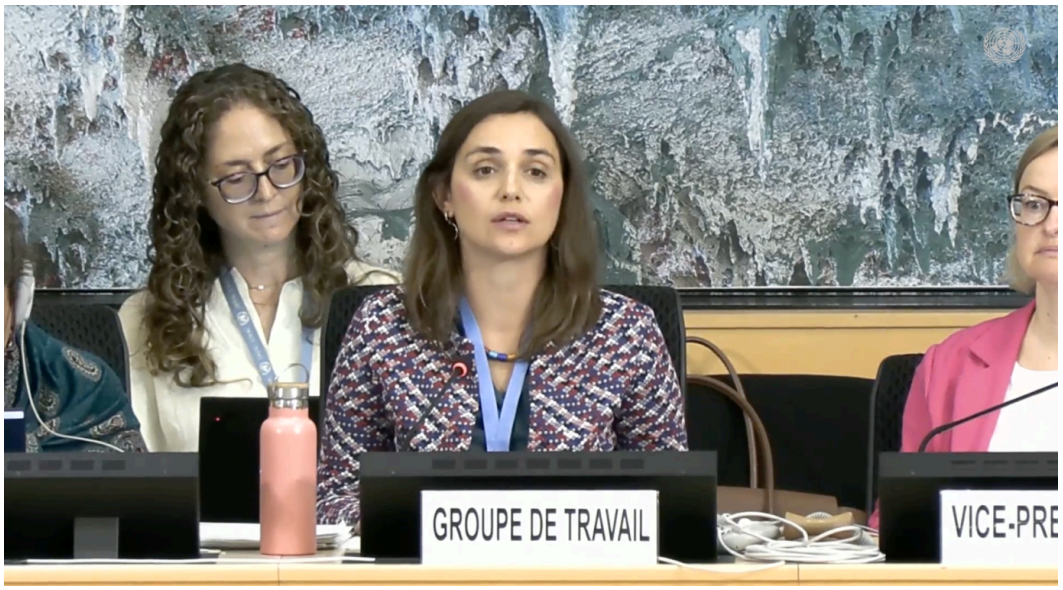
3. Addendum Report on Follow-up visit to Uruguay: A/HRC/63/28/Add.2

The Working Group welcomes the significant progress made by the Government of Uruguay in implementing its recommendations outlined in its previous country visit report. The follow-up report also highlights ongoing concerns that require continued state action and implementation. The Working Group commends the state for its efforts to adopt and implement its recommendations, particularly regarding education, memorialisation, legal accountability, victim support, and international and security reforms.

Nevertheless, structural challenges and concerns remain, including the lack of access to information, institutional and budgetary constraints, the absence of a comprehensive reparation policy, and contradictory and statements of denial from public officials.

IV. Exhaustive Summary of the Interactive Dialogue

1. Opening Statement by the Working Group



The Chair-Rapporteur of the Working Group began her statement by reaffirming the Working Group's solidarity with all victims of enforced disappearance and their families. She mentioned that "enforced disappearance is not confined to the moment when the person is taken. Its consequences continue for as long as the truth remains concealed and families are denied answers and justice."

She noted that case numbers for this reporting period were the highest recorded over the past decade. However, she explained that these numbers do not reflect the actual number of cases of enforced disappearance considering that most cases remain unreported due to a lack of access or fear of reprisal. She highlighted enforced disappearance cases across different regions, noting the use of enforced disappearance in armed conflicts in Ukraine, Gaza, and Sudan, as well as unlawful cross-border transfers, transnational repression, deportation and involuntary returns involving Tanzania, Kenya, the United States of America, and Thailand. Furthermore, she reported how governments in Egypt, Pakistan and Sri Lanka utilise counter-terrorism frameworks to conceal detainees' fate, and cited similar abuses during suspended democratic guarantees in El Salvador and Nicaragua.

Regarding the study on memorialisation, she highlighted that it must be grounded in international human rights law, and developed in close cooperation with victims, families, and civil society.

Turning to the follow-up report on Uruguay, she welcomed the Government's cooperation and highlighted its efforts to locate and identify disappeared persons. While acknowledging that challenges persist, she encouraged Uruguay to continue advancing truth, justice, memory, and reparation.

On a positive note, she highlighted Estonia's accession to the International Convention and expressed gratitude to those states that support its mandate, including those that extended invitations. However, due to the UN's liquidity crisis rather than lack of cooperation, the intended visits could not materialise. Nonetheless, the Working Group remains committed to fulfil its mandate with dedication and professionalism.

Lastly, the Chair called upon all states to cooperate fully and promptly with the Working Group, to investigate all allegations of enforced disappearance, to protect victims, relatives, lawyers, human rights defenders and civil society organisations from reprisal and harassment, to uphold non-refoulement obligations, to support reparation and memorialisation, and to ratify the International Convention.

2. Statement by the Concerned Country, the Oriental Republic of Uruguay



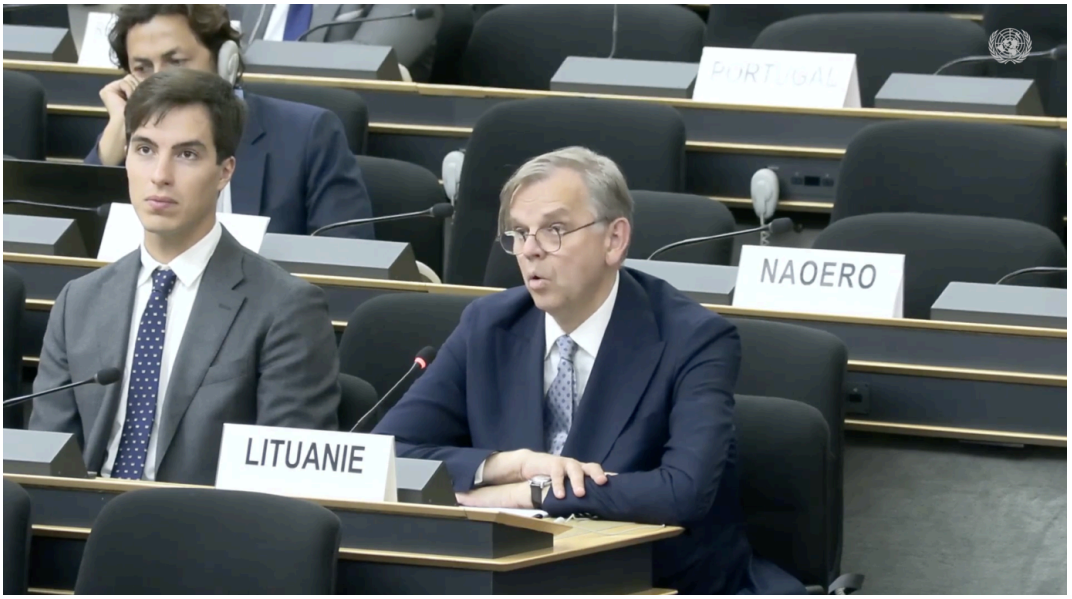
The representative for the Oriental Republic of Uruguay commended the humanitarian work of the Working Group and highlighted the importance of its mandate. She underscored the Working Group's excellent cooperation during its country visit in 2022 and encouraged all states to accept its requests for country visits.

She highlighted the country's progress in addressing crimes against humanity committed during the covered period based on the legal framework established in September 2009. Furthermore, she noted the ongoing efforts to digitalise police archives and the subsequent plans to digitalise military archives.

In an act of historic reparation, she reported the transfer of the expropriated property of Elena Quinteros Almeida to the Ministry of Education and Culture, to be handed over to the Elena Quinteros Foundation. She recognised the plight of victims, their families, and society awaiting answers for over four decades and acknowledged that the state's action had long been insufficient. Nevertheless, she affirmed the current administration's commitment to delivering concrete results and strengthening the country's contribution to memorialisation, justice, and truth.

3. Statements by Group of States

The Republic of Lithuania, on behalf of a group of countries



The representative for the Republic of Lithuania expressed gratitude for the important work of the Working Group. He noted concerns about the continued use of enforced disappearances in the context of armed conflicts and the reprisals against victims, their families, and human rights defenders. He stressed states' obligations to determine the fate and whereabouts of missing persons, ensure accountability, and ensure safe conditions for victims and reparation for wrongful acts. Furthermore, he recognised the importance of memorialisation and that it cannot substitute justice and accountability.

He recognised that the Working Group's mandate relies on states' timely and substantive cooperation. Thus, he called upon all states to respond to its requests and to address accountability gaps mentioned in the report. He concluded his remarks by requesting the Chair-Rapporteur's views on how states could increase their cooperation with the Working Group.

The European Union



The representative for the European Union noted that enforced disappearances remain a matter of concern, highlighting alarming reports of reprisals against direct victims and acts of transnational repression. She further highlighted the importance of the Working Group's contribution to combating impunity and reaffirmed the European Union's unwavering commitment to fight enforced disappearances. She stated that the European Union condemned enforced disappearances whether committed by state or private actors, and underscored that reparations serve to preserve memory, restore dignity, and combat denial.

She concluded by calling upon all states to cooperate with the Working Group and to ratify the International Convention.

The Republic of Iraq on behalf of Arab States



The representative for the Republic of Iraq expressed gratitude to the Working Group and underscored the fact that enforced disappearances bring harm to the human rights defenders.

He also highlighted the situations in Palestine, Lebanon and Syria. He emphasised that the disappearance of men, women and children form an integral component of the genocidal war waged by the occupying power targeting Palestinian population. He further underscored the right of Palestinian families to know the fate of their loved ones. He concluded his remarks by emphasising the importance of shedding light on the fate of victims to end impunity.

The Republic of Kenya on behalf of the African Group



The representative for Kenya expressed gratitude to the Working Group for its report and its engagement with states and Regional Human Rights mechanisms. She acknowledged that the profound and long-lasting pain of enforced disappearance affects victims, their families, and communities. She emphasised that measures to address enforced disappearances must be victim-centered, ensuring access to truth, justice, reparations, and guarantees of non-recurrence.

She highlighted that memorialisation should remain an integral part of transitional justice processes and concluded by encouraging constructive dialogue among the Working Group, African States, and regional institutions.

Ukraine on behalf of group of countries



The representative for Ukraine, speaking on behalf of a group of countries, expressed gratitude to the Working Group for its efforts in addressing enforced disappearances and establishing the fate and whereabouts of disappeared persons. He clarified that International Humanitarian Law and International Human Rights Law both prohibit enforced disappearances and guarantee the right to truth. He highlighted the situation of Ukrainian prisoners of war held by Russia and unlawful acts against the Ukrainian population, and expressed concern about prolonged uncertainty, unacknowledged detention, and deliberate concealment of information.

He called upon the Working Group to focus on prisoners of war, missing service persons, and disappeared civilians and children.

4. Relevant Statements by Other Delegations

The United Republic of Tanzania



The representative for the United Republic of Tanzania rejected the Working Group's factual accounts of the October 2025 general election, asserting that its findings were biased and unsubstantiated. He emphasised that any conclusions must be based on precise, verifiable, and independent evidence.

He further stressed that the violence surrounding the election was unprecedented and noted that an investigation remains ongoing. Thus, drawing conclusions at this stage is premature and undermines truth, accountability, due process, and public confidence.

He concluded by affirming the country's commitment to human rights, constitutional governance, the rule of law, and protection of all persons.

The Republic of the Sudan



The representative for the Republic of the Sudan highlighted the crimes being committed by rebel militias in the country, using enforced disappearance to terrorise its citizens.

He reported that there are over 15,000 cases of enforced disappearances according to the Commission of Inquiry, targeting journalists, human rights activists, women and girls. The victims have been subjected to torture, sexual violence, and other inhumane treatment. The families of the victims remain uninformed about their fate and whereabouts.

He concluded by urging the Working Group and the Human Rights Council to press rebel militias to release all detainees, respect the International Convention, and cooperate with the Working Group.

The Democratic People's Republic of Korea



The representative for the Democratic People's Republic of Korea (DPRK) rejected all allegations concerning DPRK in the Working Group's report and claimed that the report included information that was false, fabricated, and biased. He asserted that "certain forces" were fabricating information about the country based on dubious sources and biased allegations. However, he emphasised that such falsehoods would never replace the truth.

In light of this, he questioned the Working Group's credibility for including these unfounded allegations in its report, arguing that it misleads the public and portrays DPRK as having human rights concerns. He stressed that the "Human Rights Council is not a stage for politically motivated slander". He highlighted that the international community must recognise the true motives of those forces spreading falsehood against the DPRK, using human rights concerns to defame the nation and violate its sovereignty.

He concluded by reiterating his position rejecting allegations concerning DPRK.

The Republic of Yemen



The representative for the Republic of Yemen reported the existence of the Houthi militia in the country, which uses enforced disappearance to terrorise society and target politicians, journalists, activists, United Nations staff, and humanitarian workers. The disappeared persons have no means to communicate with their families and legal representatives.

He further highlighted the government of the Republic of Yemen's continued commitment to enforcing the rule of law, maintaining full judicial oversight, closing all detention centers operating outside state authority, and collaborating closely with international mechanisms.

He concluded by calling upon the Human Rights Council to press the militia to clarify the fate and whereabouts of all disappeared persons and to release them.

5. Statements by Civil Society

Civil Society actors include non-government organisations and families of victims of enforced disappearances.

Delivering a joint statement on behalf of victims' families, the representative highlighted the situation in the Philippines. She outlined key challenges, including low government prioritisation, insufficient funding, zero convictions after the law on enforced disappearance was enacted, delayed action on reports, and the spread of counter-narratives. She urged the Human Rights Council to call on the Philippine Government to implement the anti-enforced disappearance law, promptly address cases, hold perpetrators accountable, protect victims, families, and human rights defenders, provide reparation, cooperate with the Working Group, and ratify the International Convention.

Additionally, the delegates of non-government organisations cited numerous reports of enforced disappearances across Colombia, Pakistan, China, Mexico, Palestine, Kenya, Burundi, and India. The most common challenges highlighted were states' failures to act promptly on reports, conduct impartial investigations, clarify facts, guarantee fair trials, hold perpetrators accountable, and protect victims and their families from reprisals.

Furthermore, the delegates recognised the vital role of memorialisation as a form of reparation. They emphasised its importance in preserving the truth, combating historical distortion, and serving as a guarantee of non-recurrence.

Finally, the delegates requested the Human Rights Council to call upon states to act immediately on reports of enforced disappearances, disclose the fate and whereabouts of the disappeared persons, and end impunity.

V. Concluding Remarks

The Chair-Rapporteur's concluding remarks addressed key topics raised by participating states and civil society, focusing on support for the Working Group, technical cooperation, non-state actors, allegations of bias, and memorialisation.

Addressing how states can support the Working Group, she highlighted that its mandate is to act as a communication channel between the victims' families and the states concerned. Thus, she called on states to engage with the Working Group and to encourage non-responsive states to do the same.

The Chair-Rapporteur also underscored that financial contributions would be invaluable given the current liquidity crisis. Regarding technical cooperation, she noted that such assistance must be tailored to regional needs, citing a past Working Group initiative in Peru that resulted in a positive outcome. Furthermore, she addressed concerns regarding the commission of enforced disappearances by non-state actors. She emphasised that the Working Group has maintained a specific procedure to address acts tantamount to enforced disappearance by non-state actors since 2019.

Addressing the allegations of lack of impartiality, she emphasised that the Working Group carries out its functions in good faith and in accordance with its humanitarian mandate. Turning to memorialisation, she addressed delegates' concerns regarding transitional justice, accountability, and victim participation. She stressed that these elements are complementary, emphasising that search, investigation, and memorialisation are all essential in cases of enforced disappearances. Ultimately, she highlighted that meaningful memorialisation requires both involvement of families and the support of the state. Finally, she reiterated that for the Working Group to fully execute its mandate, states must continue to support it.

VI. Position of the Geneva International Centre for Justice

Geneva International Centre for Justice (GICJ) supports the Working Group's thematic studies on enforced disappearance, memorialisation, and the situation in Uruguay. GICJ expresses grave concern regarding the alarming rise in enforced disappearances, the ongoing practice of impunity by states, and widespread reports of reprisals against victims, their families, human rights defenders, and civil society. GICJ is concerned regarding states' lack of urgency in conducting searches of missing persons and thoroughly investigating enforced disappearance cases.

GICJ is deeply alarmed by the use of enforced disappearance within the contexts of armed conflict, counter-terrorism, and national security. GICJ echoes the Working Group's stance that any deprivation of liberty with the concealment of the person's fate and whereabouts amounts to enforced disappearance. Contemporary challenges, particularly the regressive measure and transnational repression, are profoundly disturbing. GICJ strongly supports the Working Group's call for states to uphold their non-refoulement obligations under Article 8 of the Declaration and Article 16 of the International Convention.

Serving as a vital channel of communication between victims' families and the states concerned, the Working Group performs crucial work in determining the fate and whereabouts of the disappeared and in providing technical assistance to states. GICJ is deeply concerned by the failure of certain states to cooperate, communicate, and engage with the Working Group, which constitutes a clear breach of their international obligations. Regarding acts tantamount to enforced disappearance committed by non-state actors, GICJ is alarmed by current global trends and stresses the need for urgent state action.

With respect to reparation in the form of memorialisation, GICJ commends states that recognise memorialisation as an essential form of reparation and incorporate it into their legal frameworks. GICJ emphasises, however, that memorialisation must not serve as a substitute for accountability and justice.

GICJ calls on states to:

- Fully cooperate with the Working Group by responding to its communications, accepting invitations for country visits, engaging in constructive dialogues, and encouraging non-cooperating states to do the same;
- Provide full support to the Working Group's mandate through various means, including financial contributions;
- Urgently conduct effective searches of disappeared persons, carry out impartial, independent, and thorough investigations into enforced disappearances or acts tantamount thereto, and bring perpetrators to justice;
- Protect victims, their families, human rights defenders, and civil society organisations from reprisals, intimidation, harassment and violence;
- Uphold their international non-refoulement obligations as enshrined in Article 8 of the Declaration on the Protection of All Persons from Enforced Disappearance and Article 16 of the International Convention for the Protection of All Persons from Enforced Disappearance;
- Enact legal frameworks designed to address the root causes of enforced disappearances;
- Develop and adopt comprehensive memorialisation mechanisms in close consultation with victims' families and civil society, while actively supporting existing community-led memorialisation initiatives; and
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and align domestic legislation with international human rights standards.



@geneva4justice

Geneva International Centre for Justice

info@gicj.org

https://www.gicj.org/

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