



Enforced Disappearance

26 November 2010

The International Convention for the Protection of all Persons From Enforced Disappearances Enters Into Force on 23 December 2010

On 23 November 2010, the Republic of Iraq deposited the 20th instrument of ratification for the International Convention for the Protection of All Persons from Enforced Disappearances to the Secretary General of the United Nations. Iraq becomes the 20th State to ratify this treaty. Its historic accession means that the Convention will enter into force on 23 December 2010, 30 days after the 20th accession or ratification.

This development has profound meaning for all families of the disappeared and to the International Coalition Against Enforced Disappearances (ICAED) and all other organisations and individuals who have worked so hard to make this possible. The Committee Against Disappearances to be established to monitor the compliance by State-parties of the provisions of this Convention is expected to be a powerful international means of protection against enforced disappearances in the near future.

The coming into force of the Convention is a historic step on the road to ensuring that no person will ever again be subjected to the crime of enforced disappearances. This Convention also recognises the right of all the victims to know the truth about the circumstances of cases of enforced disappearances and has strong provisions on justice, redress, reparation, reconstruction of historical memory and guarantees of non-repetition.

This development in the international arena is indeed a reason for celebration. It equally requires redoubling of commitment of all parties to end this despicable crime against humanity. Its value is concrete and practical and depends largely on the sustained efforts of victims' families, NGOs, governments, the UN and its new committee to use the instrument to hold violators accountable, to prevent recurrence and to deter future violations.

As the ICAED expresses profound gratitude to all State-parties, it likewise calls on all of them to:

- Recognize enforced disappearance in their penal codes as a criminal offence and that all sectors of the justice system are educated to enforce it.
- Make sure to provide access to remedy and reparation, in law and practice, to the victims including family members of the disappeared.
- Recognise the Committee against Enforced Disappearances for those cases in which the ratification did not include the recognition of its competence.

Finally the ICAED also calls on all states that have not yet ratified the Convention to do it as soon as possible.

Finally, the ICAED wishes to thank all the relatives of disappeared persons; their associations; all the member organisations of the Coalition as well as all the other organisations and human rights defenders which contributed to this historical achievement. Let us celebrate this success, prepare for the entry into force of the treaty on 23 December 2010 and sustain the work for more ratifications so that universal implementation be ensured.

<http://www.fidh.org/The-International-Convention-for-the-Protection>