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Human Rights Council Working Group on Enforced or Involuntary Disappearances

Communications, cases examined, observations and other activities conducted by the Working Group on Enforced or Involuntary Disappearances*

112th session (8-17 May 2017)

I. Introduction

1. The present document reflects the communications and cases examined and other activities carried out by the Working Group on Enforced or Involuntary Disappearances at its 112th session, held in Geneva.

II. Communications

2. Between its 111th and 112th sessions, the Working Group transmitted 68 cases under its urgent action procedure, to: Bahrain (2), China (1), Egypt (45), Malaysia (1), Pakistan (12), the Sudan (1), the Syrian Arab Republic (2), Turkey (1), Turkmenistan (1), Venezuela (Bolivarian Republic of) (1) and the State of Palestine (1).

3. At its 112th session, the Working Group decided to transmit 290 newly reported cases of enforced disappearance to 13 States. It clarified 21 cases, in Argentina (1), Bahrain (1), Bangladesh (1), Egypt (10), the Lao People's Democratic Republic (3), Nigeria (1), the Sudan (2), Turkey (1) and the State of Palestine (1). Fourteen cases were clarified on the basis of information provided by the Governments and seven on the basis of information provided by sources.

4. Between its 111th and 112th sessions, the Working Group also transmitted 16 communications jointly with other special procedure mechanisms: six urgent appeals, to China (2), the Democratic Republic of the Congo (1), Iran (Islamic Republic of) (1), Italy (1) and the United Arab Emirates (1); two joint allegation letters, to Algeria (1) and Turkey (1); four prompt intervention letters, to Egypt (1), El Salvador (1), Sri Lanka (1) and Uruguay (1); and four "other letters", to Bolivia (Plurinational State of) (1), Colombia (1) and Nigeria (1) and to the European Union (1).

5. Between its 111th and 112th sessions, the Working Group also transmitted an intersessional general allegation to Mexico. At its 112th session, the Working Group reviewed and adopted three general allegations, concerning Kenya, Mexico and Myanmar.

* The annexes to the present document are reproduced as received, in the languages of submission only.



Joint urgent appeals

28. On 22 March 2017, the Working Group transmitted, jointly with two other special procedure mechanisms, a joint urgent appeal concerning allegations of arbitrary arrest, short-term disappearance, prolonged incommunicado detention and torture and other cruel, inhuman or degrading treatment relating to the detention of four human rights defenders and lawyers, in particular while under “residential surveillance at a designated location”. The four alleged victims are Xie Yang, Li Heping, Wang Quanzhang and Jiang Tianyong. Concern was also expressed about the fact that the charges against them might be related to their activities as human rights defenders.

29. On 13 April 2017, the Working Group transmitted, jointly with three other special procedure mechanisms, a joint urgent appeal concerning the impending forced repatriation of 31 individuals from the Democratic People’s Republic of Korea, who were under the custody of Chinese authorities in different prisons throughout the country. If returned to the Democratic People’s Republic of Korea, these individuals would be at risk of suffering gross human rights violations, including imprisonment, forced labour and possibly enforced disappearance, as well as torture and other forms of cruel, inhuman and degrading treatment or punishment, in violation of the principle of non-refoulement.

Colombia

Information from the Government

30. On 13 February 2017, the Government of Colombia transmitted information concerning three outstanding cases. The information provided was considered insufficient to lead to a clarification.

Other letter

31. On 8 March 2017, the Working Group transmitted, jointly with another special procedure mechanism, a joint “other letter” concerning the legislative debate on the creation of a unit for the search of missing persons, envisaged as part of the comprehensive system of truth, justice, reparation and non-repetition agreed to under the peace process in Colombia.

Democratic People’s Republic of Korea

Standard procedure

32. The Working Group transmitted 23 cases to the Government. A summary of these cases is included in annex II.

33. In accordance with the methods of work of the Working Group, the Government of the Republic of Korea and the Government of Japan also received a copy of the files of the cases involving their nationals.

Information from the Government

34. On 21 October 2016, the Government of the Democratic People’s Republic of Korea transmitted information concerning 34 outstanding cases. The information provided was considered insufficient to lead to a clarification.

Observation

35. The Working Group remains concerned about the fact that the Government, instead of cooperating with the Working Group in relation to very serious allegations of grave and systematic enforced disappearances in the country, accuses it of being partial and being involved in an alleged political plot against the Democratic People’s Republic of Korea. The Working Group would like to firmly reiterate that it operates with the highest levels of objectivity, independence and impartiality.

Annex II

Standard procedure cases

Democratic People's Republic of Korea

1. The Working Group transmitted 23 cases to the Government, concerning:
 - (a) Baek Beom-gi, allegedly abducted from his house in Seoul on 18 September 1950, by the head of the Mincheong Committee and an agent from the Department of Internal Affairs.
 - (b) Kim Gyeong-hee, allegedly abducted from his house in Seoul on 28 July 1950, by the head of the Mincheong Committee, and an agent from the Department of internal Affairs.
 - (c) Kim Jae-bong, allegedly kidnapped on 20 August 1950 by North Korean soldiers.
 - (d) Kim Jeong-Dae, allegedly taken from his house in August 1950, by soldiers of the North Korean People's Army.
 - (e) Kim Ju-hyeon, allegedly arrested from his house in Ganghwa-gun on 17 September 1950, by soldiers of the North Korean People's Army.
 - (f) Kim Ki-Jeong, allegedly abducted from his home in Seoul in September 1950, by officers from the Internal Bureau.
 - (g) Kim Myeong-hyeok, allegedly abducted by members of the North Korean People's Army in mid-August 1950.
 - (h) Kim Yu-Yon, allegedly arrested from his home on 23 August 1950, by agents from the political Security Bureau.
 - (i) Kim Wu-jong, allegedly arrested from his workplace on 4 August 1950, by armed North Korean soldiers.
 - (j) Kim Wu-soon, allegedly abducted on 3 September 1950 by agents of the Security Bureau.
 - (k) Kwon Tae-sul, allegedly arrested on 8 August 1950, by an agent from the political Security Bureau and an armed soldier.
 - (l) Lee Jae-Gwan, allegedly arrested at his workplace in July 1950, by an officer of the Department of Internal Affairs.
 - (m) Lee Bong-woo, allegedly abducted on 21 August 1950, by members of the Political Bureau.
 - (n) Lee Chae-deok, allegedly detained in July 1950 by five men from the North Korean Army.
 - (o) Lee Gil-yong, allegedly abducted on 17 July 1950, by agents of the North Korean Political Security Bureau.
 - (p) Oh Heon-sik, allegedly abducted from his home on 1 August 1950, by two agents presumably from the Political Security Department or the Department of Internal Affairs.
 - (q) Seo Byeong-ho, allegedly abducted on 14 July 1950, by policemen from the North Korean regime.
 - (r) Yun Tae Kyong, allegedly abducted on 1 September 1950, by two persons believed to have links with the North Korean regime.

(s) Kim Kun II, a Japanese national allegedly arrested from his home in October 1982, by agents of the National Security Agency.

(t) Hye Kyung allegedly arrested in early October 1997, by agents of the National Security Agency.

(u) Kim Jang Ho allegedly arrested from his home in July 1996, by the Hoiryung City Security Agency.

(v) Lee Ho Rim, allegedly arrested from his home in July or August 1980, by agents from the National Security Agency.

(w) Young Nam Park, allegedly arrested in August 2002, by agents of the National Security Agency.

2. In accordance with the methods of work of the Working Group, the Government of the Republic of Korea received a copy of the files of the cases involving nationals of the Republic of Korea.

Egypt

3. The Working Group transmitted 19 cases to the Government, concerning:

(a) Yehia Mansour Ahmed EL Sharkawy, allegedly arrested on 9 July 2016 when he was travelling from Cairo to Aswan, by police officers;

(b) Fakhr El Din Youssef Zaki Abou El Azm, allegedly abducted on 9 June 2016 outside the hospital of 6th October university, by police officers;

(c) Ahmed Ramadan Abdel Salem El Ansary, allegedly abducted on 1 of July 2016 from his house in 15 Awlad el Sagheir street, Imbabah, Giza, by national security investigation forces;

(d) Mohamed Mostafa Mohamed Mohamed, allegedly arrested on 29 July 2016 from his apartment in a student residence in Al Zaria, El Hamra, by police forces in civilian clothes;

(e) Taher Ahmed Gamal El Dein Mohamed, allegedly abducted on 21 September 2016 in an ambush in Cairo, by police officers;

(f) Haitham Fathey Ahmed Al Shandeney, allegedly abducted on 9 September 2016 from his workplace in Nacr city, by police officers;

(g) Shahat Abu Al Hassan Hagag Mahmud, allegedly arrested on 31 August 2016, in the street next to his house in Al Siel Aswan, by police officers;

(h) Wasel Omar Mohamed Mohamed Wasel, allegedly abducted on 19 September 2016 from the "Shebin car position", next to the Shebin El Koum level crossing, by police officers;

(i) Mouslim Moaz Mohamed, allegedly arrested on 21 September 2016 at the Cairo international airport by security officers;

(j) Zaky Mohamed Sayed, allegedly arrested on 9 April 2016 from a restaurant in El Arish street, Faical, Giza, during a police raid;

(k) Sohaib Said Khedr Abdual Motagaly, allegedly abducted on 8 October 2016 from Dayrout court, after his trial during which he was sentenced to one-year imprisonment, by police officers;

(l) Reda Fathey AbdualBaky Ebrahim, allegedly arrested on 10 September 2016 at his home in El Karasy tour, El Mustafa, House No. 4, by security forces;

(m) Atieto Ali Saied Atieto, allegedly abducted on 20 September 2016 from a rented chalet floor on Azza Street, El Buseet area, MarsaMatrouh, by police officers;