



General Assembly

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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*

113th session (11 – 15 September 2017)

I. Communications

1. Between its 112th and 113th sessions, the Working Group transmitted 91 cases under its urgent action procedure to Bahrain (1), Bangladesh (2), China (1), the Democratic People's Republic of Korea (1), Egypt (52), Iran (Islamic Republic of) (4), Jordan (1), Libya (2), Pakistan (21), Saudi Arabia (3), the Syrian Arab Republic (1), Turkey (1) and Yemen (1).
2. At its 113th session, the Working Group decided to transmit 198 newly reported cases of enforced disappearance to 25 States: Algeria (17), Bangladesh (4), Bhutan (1), Burundi (4), the Democratic People's Republic of Korea (26), Egypt (6), the Gambia (8), India (8), Indonesia (1), Iran (Islamic Republic of) (3), Iraq (2), Lebanon (1), Libya (3), Malaysia (1), Mexico (2), Morocco (8), Nepal (10), Pakistan (32), Saudi Arabia (1), South Africa (1), South Sudan (1), Sri Lanka (44), the Syrian Arab Republic (8), Thailand (4), Turkmenistan (1) and the United States of America (1).
3. The Working Group also clarified 50 cases, in China (1), Egypt (38), Jordan (1), Pakistan (4), Saudi Arabia (2) and Turkey (4). Thirty-four cases were clarified on the basis of information provided by the Governments and 16 on the basis of information provided by sources.
4. Between its 112th and 113th sessions, the Working Group also transmitted 14 communications, either individually or jointly with other special procedure mechanisms: four urgent appeals, to China, Egypt, Mexico and Saudi Arabia; three allegation letters, to Kenya, Mexico and Uganda; four prompt intervention letters, to Egypt, Guatemala, Iran (Islamic Republic of) and Pakistan; and three "other letters" to Argentina, Chad and Nepal.
5. At its 113th session, the Working Group reviewed and adopted four general allegations, concerning Colombia, Egypt, Mexico and Pakistan.

II. Other activities

6. At its 113th session, the Members appointed Bernard Duhaime as Chair-Rapporteur of the Working Group and Tae-Ung Baik as its Vice-President.

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



Clarification based on information from sources

31. On the basis of the information provided by sources, the Working Group decided to clarify the case of Li Heping (A/HRC/WGEID/107/1, para. 24). The individual was reportedly released from detention.

Reply to a joint urgent appeal

32. On 18 May 2017, the Government of China transmitted a reply to the joint urgent appeal sent on 13 April 2017 concerning the impending forced repatriation of 31 individuals from the Democratic People's Republic of Korea. In its response, the Government claimed that the said individuals had crossed the border into China for economic reasons and had violated relevant Chinese laws. In its reply, the Government also stated that a number of non-governmental organizations, religious groups and individuals carried out and organized actions to smuggle people from the Democratic Republic of North Korea into China under the pretence of humanitarian action, with the aim of monetary gain, and that China would continue to crack down on such activity in accordance with its laws.¹

Observation

33. The Working Group wishes to recall its concern expressed in its annual report with regard to the continued practice of repatriating individuals who have been detained by the Chinese authorities after fleeing the Democratic People's Republic of Korea (A/HRC/36/39, para. 72). Persons returned to the Democratic People's Republic of Korea risk being subject to gross human rights violations, including enforced disappearance (see A/HRC/WGEID/112/1, para. 29). The Working Group recalls article 8 (1) of the Declaration on the Protection of All Persons from Enforced Disappearance, according to which no State shall expel, return (*refouler*) or extradite a person to another State where there are substantial grounds to believe that he or she would be in danger of enforced disappearance.

Colombia**General allegation**

34. The Working Group received information from credible sources alleging obstacles to the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in Colombia. A general allegation was transmitted to the Government of Colombia on 12 October 2017, focusing primarily on some concerns regarding the scope and mandate of the Search Unit for Disappeared Persons (see annex I).

Democratic People's Republic of Korea**Urgent action**

35. On 23 August 2017, the Working Group, under its urgent action procedure, transmitted to the Government of the Democratic People's Republic of Korea the case of Jin Woo Ham, a journalist allegedly abducted by the authorities of the Democratic People's Republic of Korea on 29 May 2017 at the border between the Yanbian Korean Autonomous Prefecture in China and the Democratic People's Republic of Korea.

36. In accordance with its methods of work, the Working Group transmitted a copy of the case also to the Government of China.

Standard procedure

37. The Working Group transmitted 26 cases to the Government (see annex II).

¹ See <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=60326>.

38. In accordance with the methods of work of the Working Group, the Government of the Republic of Korea also received a copy of 20 case files involving its nationals.

Information from the Government

39. On 1 May 2017, the Government of the Republic of Korea transmitted information concerning 18 outstanding cases. The information provided was considered insufficient to lead to a clarification.

40. On 5 September 2017, the Government of the Democratic People's Republic of Korea transmitted information concerning one outstanding case. The information provided was considered insufficient to lead to a clarification.

Observation

41. The Working Group remains concerned about the fact that the Government of the Democratic People's Republic of Korea, 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 of being involved in an alleged political plot against the Democratic People's Republic of Korea. The Working Group firmly emphasizes that it operates with the highest levels of objectivity, independence and impartiality, and strongly calls upon the Government to cooperate.

Ecuador

Information from the Government

42. On 12 June 2017, the Government of Ecuador transmitted information concerning one outstanding case. The information provided was considered insufficient to lead to a clarification.

Egypt

Urgent action

43. The Working Group, under its urgent action procedure, transmitted 52 cases to the Government (see annex III).

Standard procedure

44. The Working Group transmitted six cases to the Government under its standard procedure, concerning:

(a) Islam Mohamed Abdelhamid Orabi Oraby, allegedly arrested on 25 October 2016 from his home by plain-clothed members of the National Security;

(b) Mohamed Gomaa Youssef Afifi, allegedly arrested on 27 December 2015 from his home by members of the police force of the Ministry of Interior and the Egyptian military;

(c) Abdelrahman Mahmoud Abd Annabi Alsayed, allegedly abducted on 10 September 2014 in the area of Abu Zabal, El Khanka, Al Qalyubiya Governorate, by members of the Egyptian Homeland Security or police officers;

(d) Abdul-Malik Qasem Mohammed Yadem, allegedly arrested on 12 April 2017 by uniformed and plain-clothed agents of the police and the national security forces;

(e) Zobayda Ibrahim Ahmed Yunes Ahmed, allegedly arrested on 8 April 2017 in front of her home in Hassan Al-Sawaf Street by uniformed agents of the national security forces;

(f) Mohammad Adel Ali Mohammad, allegedly arrested on 10 May 2017 from his home by uniformed and plain-clothed agents of the police and the national security forces.

Annex II

Standard procedure cases

Democratic People's Republic of Korea

1. The Working Group transmitted 26 cases to the Government, concerning:
 - (a) Mr So Sung-kun, allegedly arrested from his home in the Republic of Korea by staff members of the State Political Security Department of the Democratic People's Republic of Korea, in July 1950.
 - (b) Mr. Lee Hyung-ho, allegedly abducted from his home in Seoul, Republic of Korea on 6 July 1950, by the North Korean Security Bureau.
 - (c) Mr. Hong Man-sik, allegedly abducted from the street in Seoul, Republic of Korea by the North Korean military authorities, in late July 1950.
 - (d) Ms. Choi Geum Sil, allegedly abducted from her home by the National Security Agency of the Democratic People's Republic of Korea (DPRK), in the summer of 1996.
 - (e) Mr. Choi Young Deok, allegedly abducted from his home in the winter of 2009, by the Hamheung City Security Agency.
 - (f) Ms. Kim Oak Choon, allegedly repatriated from China and abducted by Yanggang Provincial Security Agency in the spring of 2008.
 - (g) Mr. Kim Sung-il, allegedly abducted following his interrogation by the Jongsung Security Agency of the Democratic People's Republic of Korea, in August 1992.
 - (h) Ms. Lim Geum Sun, allegedly abducted from her home by the Defense Security Command of the Democratic People's Republic of Korea, in the summer of 2009.
 - (i) Mr. Park Myeong Il, allegedly abducted from his home by the Yoosun Regional Security Agency of the Democratic People's Republic of Korea, in the winter of 2000.
 - (j) Mr. Ahn Jongbok, allegedly abducted from his home in the Republic of Korea, by North Korean soldiers, in late July 1950.
 - (k) Mr. Known Doo-han, allegedly taken by force from his house in Seoul, Republic of Korea on 30 June 1950, by officers of the Korean People's Army (KPA).
 - (l) Mr. Choi Hwi, allegedly abducted from his home in Seoul, Republic of Korea on 27 July 1950, by the North Korean People's Army.
 - (m) Mr. Choi Jin, allegedly abducted from his home in Seoul, Republic of Korea by the North Korean People's Army, in July 1950.
 - (n) Mr. Na Sung-yu, allegedly abducted from his home in Seoul, Republic of Korea on 14 August 1950, by a squad of the Korean People's Army.
 - (o) Mr. Chung Hee Geun, allegedly taken from his house by agents of the National Security Agency of the DPRK, in the summer of 1975.
 - (p) Mr. Yeong Cheol Lee, allegedly abducted from his home in June 2016, by security agents of the Yanggang Province State Security Department.
 - (q) Mr. Min Hyo-sik, allegedly taken from his residence in Seoul, Republic of Korea in July 1950, by North Korean police officers.
 - (r) Mr. Lim Won-taek, allegedly abducted in June 1950 by members of the North Korean Communist party.
 - (s) Mr. Kim Gil-won, allegedly abducted in Seoul, Republic of Korea, on 9 August 1950, by soldiers from the Democratic People's Republic of Korea.

(t) Mr. Lee Jong-gak, allegedly abducted by a North Korean soldier on 27 September 1950.

(u) Mr. Kim Nosung, allegedly abducted from his home in Seoul, Republic of Korea on 6 August 1950.

(v) Mr. Kim Yong-jin, allegedly abducted from his home in the Republic of Korea, in August, 1950, by soldiers from the Democratic People's Republic of Korea.

(w) Mr. Kwong Hae-yong, allegedly abducted from his home in Seoul, Republic of Korea on 25 August 1950, by policemen from the Democratic People's Republic of Korea.

(x) Mr. Lee Dong-sik, allegedly last seen being held in custody by soldiers from the Democratic People's Republic of Korea, in September 1950.

(y) Mr. Lee Kag-ui, allegedly abducted from his home in the Republic of Korea, in December 1950, by North Korean agents.

(z) Mr. An Ho-cheol, allegedly abducted from his home in the Republic of Korea, on 17 August 1950, by North Korean soldiers.

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

Pakistan

3. The Working Group transmitted 32 cases to the Government, concerning:

(a) Mr. Riaz Khan, allegedly last seen in August 2016, at the Chakdara Army Detention Centre located in Dir Lower, Khyber Pakhtunkhwa, after having initially been abducted by army officials in 2013.

(b) Mr. Abdul Ghafoor, allegedly abducted from Memon Goth, Karachi, on 22 February 2015, by members of an intelligence agency.

(c) Mr. Muhammad Umer Tahir, allegedly abducted from Muzaffargarh, on 29 December 2015, by members of an intelligence agency.

(d) Mr. Muhammad Hassan, allegedly abducted from his home on 18 October 2015, by army officials.

(e) Mr. Mujeeb Rehman, from his home in Warah City District, Quambar Shahdadkot, on 29 July 2016, by Pakistani rangers.

(f) Mr. Majid Aslam, allegedly abducted on 21 May 2016, by members of the Pakistan army at the military camp in Gajjar, Mashkey District, Awaran.

(g) Mr. Taimoor Naeem, allegedly abducted on 21 May 2016, by members of the Pakistan army at the military camp in Gajjar, Mashkey District, Awaran.

(h) Mr. Latif Abdul, allegedly abducted in September 2016, by members of the Pakistan army and the Frontier Corps.

(i) Mr. Anwar Hussain, allegedly abducted from his home on 12 May 2016, by members of the Frontier Corps and plain clothed agents of an intelligence agency.

(j) Mr. Imran Wali Muhammad, allegedly abducted on 18 March 2016, by members of the Frontier Corps (FC) at a farm in Tump, District Kech, Balochistan.

(k) Mr. Muhammad Muavia Azam Muhammad Ahsan, allegedly arrested on 21 February 2016, in District Tando Allahayr, Sindh, by a group of armed persons who introduced themselves as officials of the Counter Terrorism Department.

(l) Mr. Navaid Muhammad, allegedly arrested from in Karachi, on 30 May 2015, South, by ranger officials.