



**PERMANENT DELEGATION  
OF NORWAY TO THE OSCE**

JOINT STATEMENT FROM THE NETHERLANDS, NORWAY AND FRANCE,

presenting the main conclusions of the side-event  
organized on « enforced disappearances in the OSCE region »

As delivered by Ambassador Robert Kvile, Norway,  
to the 2014 Human Dimension Implementation Meeting, Warsaw 24 September, 2014.  
Working Session 4

The Netherlands, Norway and France co-organized this morning a side-event on enforced disappearances in the OSCE region, which was also co-sponsored by the European Union, Iceland, Albania, Moldova and Bosnia-Herzegovina. Participants had the opportunity to listen to the terrible experiences of two victims of enforced disappearance (in Turkmenistan and in Crimea) and to reflect on the international instruments which are at the disposal of participating states in the fight against this inhumane practice, as well as their international obligations in this regard. Given the importance of this topic for our Organization, we would like to share with you the following main conclusions:

- (1) Enforced disappearance is the 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, for political reasons, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, placing the disappeared person outside the protection of the law.
- (2) Enforced disappearance still continues to occur in our OSCE area. It often leads to torture and other ill-treatment. It is not only directed against the disappeared persons but equally harms their families, friends and the society they live in. Such disappearances, which go both unsolved and unpunished, constitute serious violations of human rights that are prohibited under international law, as well as by OSCE commitments such as the right to life, the right to freedom from torture or cruel, inhuman, or degrading treatment, the right to a fair trial and the right of all detained people to be treated with humanity.

- (3) All OSCE participating states adopted the UN Declaration on the protection of All persons from enforced disappearance at the UNGA in 1992. They inter alia committed not to “practice, permit or tolerate enforced disappearances” and “to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction”. In addition, 33 OSCE participating states have signed the international convention for the protection of all persons from enforced disappearance that entered into force in 2010. This Convention is a key tool in the fight against impunity and the protection of missing persons and their families and strengthens the guarantees of the rule of law.
- (4) The lack of specific OSCE commitments to prevent and combat enforced disappearances is a serious gap that should be addressed without delay. The topic of the prevention of torture which is on the agenda of the ministerial council this year is an opportunity to close this gap. We are confident that the OSCE participating states will all assume their responsibility and adopt a strong ministerial decision encompassing all relevant aspects of prevention of torture in the OSCE area, including enforced disappearance. It is high time we updated our human dimension commitments in this regard, in accordance with international obligations.