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Ending enforced disappearances on the territory of the Council of Europe

Reply to Recommendation¹: Recommendation 2223 (2022)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation [2223 \(2022\)](#) on “Ending enforced disappearances on the territory of the Council of Europe” and forwarded it to the Steering Committee on Human Rights (CDDH) for information and possible comments. The Committee of Ministers agrees that enforced disappearances represent a particularly serious and cruel violation of the human rights of not only the immediate victims but also their families, and may in certain circumstances be considered a crime against humanity.
2. With this in mind, the Committee of Ministers encourages ratification by all Council of Europe member States of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), along with transposition of the relevant measures into national law and consideration of recognition of the full competence of the Committee on Enforced Disappearances (paragraph 2.1 of the Assembly’s recommendation).
3. As concerns the Assembly’s proposals in paragraphs 2.2 to 2.6 of the recommendation, the Committee invites the CDDH to consider these aspects for possible inclusion in its future work programme, in co-operation with other pertinent Council of Europe sectors as well as with external partners, including relevant UN bodies and civil society. Any provision of technical assistance to interested States to help them implement the ICPPED should build on experience under the European Convention on Human Rights and the supervision of execution of judgments of the European Court of Human Rights in cases involving enforced disappearance.
4. The Committee recalls, in this context, its 2011 Guidelines on the eradication of impunity for serious human rights violations, which include enforced disappearances, in particular their Section IV on safeguards to protect persons deprived of their liberty from serious human rights violations, as well as the recommendations of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The CDDH is further invited to reflect on the need for additional specific non-binding instruments to assist member States with the implementation of relevant legal obligations in this area.
5. Furthermore, as regards documented cases of enforced disappearance of civilians by [Russian](#) forces in [Ukraine](#) and their illegal transfer to the Russia Federation, the Committee recalls that at its 132nd Ministerial Session (Turin, 20 May 2022), it called on the Russian Federation to immediately cease the aggression, withdraw completely and unconditionally its occupation forces from the territory of Ukraine, and release all abducted civilians, including those forcibly transferred to the territory of the Russian Federation against their will. “Priority adjustments to the Council of Europe Action Plan for Ukraine 2018-2022” were adopted, including support for documenting human rights violations. Furthermore, the new Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026 contains a section on protecting the rights of children in the war and a post war context, with a specific proposed action on providing support in ending all forms of violence against children, including abduction.

1. Adopted at the 1458th meeting of the Ministers’ Deputies (1 March 2023).

