

CONVENTION FOR THE PROTECTION OF ALL PERSONS FROM ENFORCED DISAPPEARANCE (CPED)

PURPOSE

The Convention is intended to prevent and prohibit all forms of enforced disappearance - no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.

DEFINITIONS

"Enforced disappearance" is considered to be the arrest, detention, 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, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law (Article 2)

STATE OBLIGATIONS

- investigate acts of enforced disappearance and bring those responsible to justice;
- ensure that enforced disappearance constitutes an offence under its criminal law;
- establish jurisdiction over the offence of enforced disappearance when the alleged offender is within its territory, even if they are not a citizen or resident;
- cooperate with other states in ensuring that offenders are prosecuted or extradited, and to assist the victims of enforced disappearance or locate and return their remains;
- respect minimum legal standards around the deprivation of liberty, including the right for imprisonment to be challenged before the courts;
- ensure that victims of enforced disappearance or those directly affected by it have a right to obtain reparation and compensation. (Article 24. 4)
- the right to obtain reparation covers material and dangers and, where appropriate, other forms of reparation such as; a) Restitution. b) Rehabilitation. c) Satisfaction, including restoration of dignity and reparation. d) Guarantee of non-repetition. (Article 24. 5)

CPED OPERATIONAL STRUCTURE

