

The establishment of robust and accessible mechanisms on missing persons must be a priority

On this International Day of the Disappeared, Diakonia International Humanitarian Law Centre calls upon State and non-State actors in armed conflicts to live up to their legal obligations under international law to put an end to enforced disappearances, including by seeking the necessary support of international organisations.

While international humanitarian and human rights law seek to ensure that people do not go missing as a result of arbitrary arrests and other violations occurring during detention and captivity, the reality of today's conflicts, including in Syria, Iraq, and Yemen, is that many families have been living for years in the limbo of not knowing the whereabouts or fate of their relatives.

Lack of access to places of detention, unreliable records and uncooperative authorities, and collapsed state structures make it virtually impossible to accurately estimate the number of missing persons. The Office of the High Commissioner for Human Rights recently [stated](#) that “[w]hile the exact number is unknown, at least tens of thousands of Syrian men, women and children have been forcibly disappeared, detained, abducted or gone missing [...] in Syria since the outbreak of conflict in 2011.” According to reliable sources [cited](#) by the UN Committee on Enforced Disappearances, since 2003, between 500,000 and 1 million persons have disappeared in Iraq. In February 2021, the UN-appointed Group of Eminent Experts on Yemen [reported](#) that “[w]omen, holding photographs of their disappeared relatives, have become an enduring image of suffering in Yemen. An image that speaks volumes about the gravity of the violation of enforced disappearance [...]”

Disappearances inflict deep wounds and devastating long-term impacts upon families, communities and the society as a whole. The heaviest toll is endured by women, children, the elderly and persons with disabilities, who not only live in anguish and fear but are also suddenly deprived of their emotional and economic support and exposed to marginalisation and violence.

Under international law, the families and loved ones of those disappeared have the right to truth, the right to be reunited with their relatives and to a closure to the relentless state of uncertainty that disappearances inflict upon them. They also have the right to reparations and justice; those responsible must be held accountable.

Echoing the [words](#) of the Chairperson of the UN Commission of Inquiry on Syria, Paulo Pinheiro, on the urgency of the matter, the Centre calls for the establishment of genuine, robust, sustainable and accessible mechanisms in order to locate missing persons, facilitate family reunion or the return of the remains to families. The centrepiece of these mechanisms must be the right of victims and their participation.

States must investigate all cases of enforced disappearance, address the systemic failures that allow these violations to be committed and prosecute those responsible, also with a view to preventing these abuses from re-occurring.

The international diplomatic community needs to step up its efforts to ensure wider ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. International technical assistance programmes should be established and adequately resourced to support the enactment of legislation and enforcement mechanisms to prevent enforced disappearances, and to grant victims legal recourse and redress.

The issue of disappearances is a humanitarian priority that must be depoliticised and addressed with strong political will and cooperation. In the absence of such an approach post-conflict reconciliation, justice and social healing – and therefore long-term peace – will remain elusive.