

# Promo-LEX: The Convention on Enforced Disappearance of Persons Must Be Ratified

30<sup>th</sup> of August marks the International Day of Forcibly Disappeared Persons, according to the United Nations' calendar of events. On 21 December 2010, in its Resolution 65/209, the UN General Assembly expressed its profound concern with the rise of forced or involuntary disappearances of persons in different parts of the world, including arrests, detention, abductions, and harassment of witnesses or relatives of the disappeared persons. In the same Resolution, the Assembly encouraged states to adopt and ratify the International Convention for the Protection of Persons From Enforced Disappearance, adopted in New York on 20 December 2006.

The Convention provides a number of guarantees for victims of forced disappearances and their close relatives. It also established the obligation of States to condemn forced disappearance, ensure timely, thorough and unbiased investigations, take urgent action and measures to find those disappeared, identify those responsible, protect victims, witnesses and relatives against ill-treatments and intimidations, etc.

Moldova signed the Convention on 6 February 2007, but hasn't ratified it to this day although the country has been confronting with similar problems. To date, family members of over 40 persons forcibly disappeared during the war on Nistru do not know the circumstances of their disappearance, those responsible for these disappearances have not been identified and punished for their deeds, the victims have not been rehabilitated, and the relatives continue to suffer from post-traumatic stress.

Valeriu Mițul, a former combatant during the war and chairman of the Association of War Veterans "Corjova 1992", says that the actions of the separatists and Cossacks at the time were aimed at spreading terror among the locals. "Fifty six civilians – people who had nothing to do with the fighting during the war – disappeared in Corjova, and their bodies were later found in cellars, hidden in bags, thrown in the Nistru River. To date, 2 persons from the community remain disappeared, and their relatives live without news about their loved ones. They were known and respected for their activism and resistance to the separatist regime: professor Afanasie Coțofan, and Nicolae Zavtur. This is how [the local authorities] planted and maintain fear in people's hearts".

A mixed commission to investigate such cases, formed under the Joint Control Commission, functioned until recently. At this moment, the JCC does not do any work on that topic. The cases of disappeared persons examined by the JCC are not public. The public opinion is also unaware of any criminal proceedings started based on the materials of those cases.

According to Ion Manole, Executive Director of Promo-LEX, given the unresolved conflict on the territory of the Republic of Moldova and the presence of foreign troops on its land, contrary to the will of constitutional authorities, the ratification of this Convention, which could provide much needed guarantees to the victims of forced disappearances, is an imperative.

Promo-LEX Association