The guiding principles for the search for disappeared persons
Let’s dive in

Presentation of the guiding principles: questions and answers
About the guiding principles

- Issued by the Committee
- Not a new treaty or a protocol
- Soft law instrument
- Based on the Convention
- Guidance for all those involved in search processes
  - State authorities/institutions
  - Victims
- Draw from good practices and lessons learned
- Respond to existing gaps
The guiding principles in the work of the Committee

- Pertinent with respect to States parties’ obligations under the Convention:
  - To search for disappeared persons and to cooperate for such purposes (arts. 15 and 24 (3))
  - To investigate (arts. 3, 12 and 24 (6))

- The Committee takes into account and refers to the guiding principles:
  - Examination of States parties’ reports under article 29
  - Urgent actions under article 30
Promotion of the guiding principles

- Key for the application of the guiding principles by:
  - Public officials
  - Other actors

- Steps to be taken
  - Wide dissemination
  - Translation, where needed

- Cooperation with national human rights institutions, civil society organizations and international organizations
Let’s look at the guiding principles

Please move into your breakout session (30 minutes):

- Appoint a rapporteur who will present the main points.
- Discuss and identify the requirements (by answering the questions) for the following as set out in the guiding principles:

  **Group 1:** Victims’ participation in the search
  **Group 2:** Authorities/institutions involved in the search
  **Group 3:** Public policies concerning the search
  **Group 4:** Collection and management of data and information in the search
  **Group 5:** Start and end of the search, its effectiveness and other factors
Victims’ participation in the search

The search should

- Respect human dignity (principle 2)
- Follow a differential approach (principle 4)
- Respect the right to participation (principle 5)
- Be carried out safely (principle 14)
Authorities and institutions involved in the search

The search should be

- Coordinated (principle 12)
- Linked to the criminal investigation (principle 13)
- Independent and impartial (principle 15)
- Governed by public protocols (principle 16)
Public policies concerning the search

The search should:

- Be conducted under the presumption that the disappeared person is alive (principle 1)
- Be governed by a public policy (principle 3)
- Be conducted on the basis of a comprehensive strategy (principle 8)
- Take into account the particular vulnerability of migrants (principle 9)
Collection and management of data and information in the search

- The search should:
  - Allow the authorities responsible for the search to have unrestricted access to all information and data (principle 10 (4))
  - Use information in an appropriate manner (principle 11)
Start and end of the search, its effectiveness and other factors

- The search should begin without delay (principle 6)
- The search is a continuing obligation (principle 7)
- The search should be organized efficiently (principle 10)
Let’s wrap-up – key messages

- The nature and importance of the guiding principles
- The aim of the guiding principles
- The guiding principles in the work of the Committee
- Content of the guiding principles
- Promotion of the guiding principles