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COMMISSION ON HUMAN RIGHTS
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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:
QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES

Report of the Working Group on Enforced or Involuntary Disappearances

Addendum

1. The Working Group on Enforced or Involuntary Disappearances presents to the Commission on Human Rights in this second addendum to its report information from the Governments of Indonesia and Nicaragua received after the adoption on 8 February 1984 of the first addendum. The full text of the information provided by the Governments is on file with the Secretariat and available for consultation by members of the Commission.

Indonesia

2. In a letter dated 21 February 1984, the Permanent Mission of the Republic of Indonesia to the United Nations Office at Geneva provided information on matters referred to in paragraph 76 of the Working Group's report to the Commission (E/CN.4/1984/21). The Government stated that the suspension of the activities of the International Committee of the Red Cross (ICRC) on the main island of East Timor was temporary and had been necessary in order to ensure the safety of ICRC personnel. The suspension of ICRC's activities was in fact confined solely to relief operations on the main island and in no way affected any other ICRC activities on the mainland or in Atauro island, such as programmes concerning family reunion and repatriation, tracing and mailing. The Government further stated that with the improved security conditions in East Timor a series of understandings had been reached between the Government and ICRC. With regard to protection activities on the main island, the Government reported that the terms of the understanding included visits by ICRC representatives to detention facilities on the main island of East Timor; initially, starting in February 1984, the visits would be to places of detention and detainees in Dili, and subsequently they would cover detention facilities and detainees outside Dili as well in agreed stages between February and October 1984. With regard to ICRC relief and aid activities on the main island of East Timor, the Government stated that it had been agreed that such aid would henceforth be provided by the Indonesian Red Cross and the Provincial Government of East Timor; ICRC had been duly informed regarding the programmes which would be implemented by the local authorities in East Timor and had expressed its appreciation of the envisaged programmes. The Government further informed the Working Group that the ICRC programmes on protection, food and medical aid in co-operation with the Indonesian Red Cross on Atauro Island had continued uninterrupted and included regular visits by ICRC representatives. With regard to tracing and mailing, the Government reported that tracing would be kept under the responsibility of ICRC, but its implementation would be channelled through the Indonesian Red Cross; mailing was being processed directly between the National Societies concerned (Portuguese Red Cross, Australian Red Cross and Indonesian Red Cross). The Government said that while mailing procedures would be kept under the responsibility of the Indonesian Red Cross, ICRC would assist and have access to all aspects of the programme whenever required.

Nicaragua

3. By a note verbale dated 13 February 1984, the Permanent Mission of Nicaragua to the United Nations Office at Geneva transmitted information on 22 reports of enforced or involuntary disappearances in Nicaragua; in five cases the Government states that the persons are at liberty; in 11 cases it has no records of arrest; one person is in detention; in three cases an investigation is continuing; in one case the Government reports that the person was killed by a border guard who is now being prosecuted; one person was arrested but escaped from the prison and is now being sought.

4. In a note verbale dated 21 February 1984, the Permanent Mission of Nicaragua to the United Nations Office at Geneva stated that many of the reported cases of disappearances presented to the Government by the Working Group supposedly took place in parts of the country currently subjected to terrorist incursions originating beyond the northern border of Nicaragua. The displacement of the civilian population in those areas make investigation and verification of the information received difficult. The Government stated that the sovereign legal measures taken by the Government to defend the Nicaraguan people against foreign aggression resulting from the well-known policy of covert warfare did not violate the human rights recognized in international human rights instruments or Nicaraguan law. The Government of Nicaragua asked the Working Group to take into account the Government's deep concern regarding the disappearances in that region of hundreds of Nicaraguan peasants, including women and children, kidnapped by counter-revolutionary forces and carried into Honduran territory. The Government formally requested the Working Group to use its good offices in order that appropriate investigations might be carried out. The Government further stated, with regard to the information concerning Nicaragua in the Working Group's report, that it was counter-productive and unnecessary to repeat mechanically the allegations and cases referred to in previous years.