



# Charter

of the

## International Coalition against Enforced Disappearances

### ***Preamble***

Family member organisations, human rights NGO's, experts and a number of States laboured for 25 years to reach the adoption of the Convention for the Protection of all Persons from Enforced Disappearances by the UN General Assembly.

The road to the adoption of the Convention was long and arduous. In 1981 the Human Rights Institute of the Paris Bar Association convened a colloquium to discuss the promotion of an international convention on disappearances. The families of disappeared in Latin America developed a text for a convention in the years 1980-1983 that was presented to the UN. A first draft was prepared by the then Sub-Commission on the Prevention of Discrimination and the Protection of Minorities in 1988. In 1992 UN the General Assembly adopted the Declaration to Protect all Persons from Enforced Disappearances. In 2001 the former Human Rights Commission instigated the negotiations in an intersessional open ended working group to draft the text of a Convention.

It all came together on September 23 2005 in room 12 of 'Palais des Nations' in Geneva. The French Ambassador Bernard Kessedjian, chairman/rapporteur of the open ended working group to draft a legally binding instrument for the protection of all persons from enforced disappearance during three years, asked for the approval of the text of the Convention. No State objected and the text of the new Convention was approved.

The text was subsequently approved with consensus by the Human Rights Council (June 2006), the Third Committee of the General Assembly (November 2006) and the General Assembly itself (December 20, 2006). 103 States co-sponsored the text in the General Assembly.

After the adoption of the text by the General Assembly the new goal became early ratification and implementation of the Convention by as many countries as possible. And in spite of the approval by the General Assembly with consensus and 103 co-sponsors the position of many States towards the Convention remains ambiguous.

For that reason, civil society organisations looking for quick ratification will have to maximise their impact to make the Convention into an effective instrument against disappearances.

All those concerned with the success of the Convention and the eradication of enforced disappearances realise that power lies in numbers and legitimacy and credibility of campaign activities is increased by a collective manifestation of strength.

Therefore the International Coalition against Enforced Disappearances is established

This Coalition will focus its efforts in the beginning on the promotion of the ratification and implementation of the Convention but can decide to broaden its scope to other issues concerning the eradication of enforced disappearances in the future.

### **1. Purpose of the Coalition**

The purpose of the Coalition is to establish a global network of organisations of families of disappeared and NGO's working in a non-violent manner against the practice of enforced disappearances at the local, national and international level.

The Coalition will offer the opportunity for its members to gather and exchange experiences, combine the different skills and expertise, coordinate projects, make effective use of resources and identify and carry out possible joint actions.

### **2. Objectives of the Coalition**

The principal objective of the Coalition is maximising impact of the activities carried out by its members in favour of an early ratification and effective implementation of the Convention for the Protection of all Persons from Enforced Disappearances. Other objectives related to the purpose of the Coalition may be added in a later stage.

Short term objectives

- Signing of the Convention by as many States without delay;
- Ratification of the Convention by 20 States at the earliest possible date to ensure entry into force of the Convention;
- Declarations by States recognising the competence of the Committee on Enforced Disappearances;
- No reservations that are contrary to the object and purpose of the Convention
- High-quality members of the Committee on Enforced Disappearance.

Middle-term objectives

- Effective cooperation with the Committee;
- Ensuring effective national legislation.

Long term objectives

- Universal ratification;
- Preparing review conference.

### **3. Nature of the Coalition**

The Coalition is ad hoc in nature and will not become a 'superstructure'. It shall never be a goal in itself but only exists to strengthen the campaign activities of its members for the Convention. The Coalition shall not have legal personality. It is an open and flexible network of organizations where each member is able to maximize its individual impact. The family members and their organisations will play a central role in the Coalition. The Coalition adjusts its objectives, functioning and organizational structure to the needs, opportunities and threats that arise.

### **4. Common values of Coalition members**

All members of the Coalition respect human rights and human dignity, as recognized in the Universal Declaration on Human Rights of 1948 and the other universal international instruments. All members are autonomous and operate on equal footing in a transparent manner. All members have the opportunity to be heard. Every member recognizes the equal importance of the issue of disappearances in each country. Each member respects the diversity of the members. Each member respects other members' autonomy and independence. All members are committed to contribute to the work of the Coalition. Each member has to respect the objectives and the common values of the Coalition while communicating on behalf of the Coalition. Each member is free to carry out its activities independent of the Coalition.

### **5. Membership**

Membership is open to all organizations of family members of disappeared and independent non-governmental organisations concerned with human rights and the struggle against disappearances. Membership is institutional and not personal. Organisations subscribing to the Charter can become members of the Coalition. Organisations can send a form to the focal point requesting membership. The focal point will send the list of organisations to the SC first for approval before accepting members.

#### **6. Experts and likeminded states**

Without interfering with the independence of the Coalition and individual members the Coalition at all times can enter into a dialogue and cooperate with experts, representatives of likeminded States and others concerned with the issue of disappearances.

#### **7. Organisational Structure**

The organisational structure shall be flexible and adjust to the needs of the cooperation. A steering committee and a focal point are seen as imperative for an effective cooperation.

##### *Steering Committee*

The Coalition is headed by a steering committee consisting of permanent seats for the regional and subregional organizations of families of disappearances and of a maximum of 8 representatives of NGOs which will be elected by the members of the Coalition for a mandate of two years. The first election will take place in September 2008. Those NGOs will have a track record in the field of human rights and the issue of enforced disappearances. The steering committee has an informal status with no legal or financial responsibilities. The principal tasks are to define the guidelines for the Coalition and develop strategies and policies aimed at reaching the objectives of the Coalition. The steering committee decides on membership. The steering committee is also responsible for reviewing the overall functioning of the coalition and the supervision of the activities of the focal point. The steering committee supervises and coordinates all fundraising activities of the focal point. The steering committee helps the focal point with fundraising contacts. Members of the steering committee convene at regular intervals. The SC convenes at least 2 times per year.

##### *Focal Point / Secretariat*

The functioning of the Coalition is facilitated by a focal point which in time might grow into a secretariat. The focal point is based at one of the member organisations. The main goal of the focal point is to enable other organisations in reaching the objectives of the Coalition in a more effective and coordinated manner. The focal point can speak on behalf of the Coalition after approval of the SC. Primary tasks of the focal point are facilitation of information exchange, report on the activities of the members of the Coalition, identification of potential new members of the Coalition, raising funds under the supervision of the steering committee and coordinating joint activities of the members of the Coalition. The focal point reports its activities to the members of the Coalition. The focal point is accountable to the steering committee for its activities.

#### **8. Spokesperson of the Coalition**

The Steering Committee (SC) will decide on a case to case basis who, when and where a certain organisation could speak on behalf of the Coalition. This means that joint statements and joint activities are decided upon by the SC. The focal point (as well as individual members) will ask the SC for approval of joint actions. Moreover, each member of the coalition is free to communicate about the convention in its own name mentioning its membership of the Coalition. In urgent cases each member called for to speak on behalf of the coalition can proclaim the basic principles as mentioned in the Charter and on positions agreed upon earlier by the Steering Committee.

#### **9. Resources**

The organisation running the focal point will be (legally) responsible for the funds. All members are free to search and allocate resources for their own activities aimed at realising the objectives of the Coalition.

**10. Evaluation**

All members shall have the opportunity to give their opinion on the functioning of the Coalition. The overall functioning shall be reviewed and, if necessary, adjusted periodically by the Steering Committee.

Geneva, September 25, 2007