

**STATEMENT BY PAKISTAN ON BEHALF OF THE ORGANIZATION OF THE  
ISLAMIC CONFERENCE DURING PANEL DISCUSSION ON MISSING PERSONS  
ON 22 SEPTEMBER 2008**

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**Mr. Moderator,**

I have the honour to make these comments on behalf of the OIC. The OIC welcomes this discussion on an important dimension of international humanitarian and human rights law.

**Mr. Moderator,**

International humanitarian and human rights law clearly defines obligations for states parties to armed conflict. The Geneva Conventions and their Additional Protocols affirm the right of the families of the missing persons to be informed of the fate of missing relatives. The parties to a conflict have the obligation to search for persons reported missing by an adverse party, facilitate enquiries made by members of families, encourage the work of organizations engaged in this task and provide lists showing the exact location and markings of the graves, together with particulars of the dead interred therein. Similar treaty-based and customary rules apply in internal conflicts.

The phenomenon of missing person occurs in almost all situations of conflict. The disappeared persons are mostly victims of abduction or extrajudicial executions. They are either thrown in unmarked mass graves after execution or held in incommunicado in secret locations. This phenomenon is not merely a tragedy for the victims but also a source of unremitting emotional pain for their families. It entails financial crisis for the families whose sole bread earner goes missing. This exposes families and relatives to economic hardships and deepens poverty in societies. Women and children are not merely indirect victims of disappearance. They suffer directly from this tragedy which further highlights the gravity of the situation and the need to expedite efforts to search and account for the missing persons.

For their special circumstances, the people under foreign occupation are most vulnerable to abductions and extrajudicial executions. In many cases, the relatives of the victims are not allowed free access to independent sources to relate their suffering.

**Mr. Moderator,**

The problem of missing persons obstructs confidence building among parties to international conflicts, and thus, impedes friendly relations among states. Similarly, in internal conflicts it vitiates political environment and creates polarization in the society.

The OIC recommends that the summary of this panel discussion may include call on all states to implement their obligations pursuant to international humanitarian and human rights instruments to address the phenomenon of missing persons. In this regard, the OIC would particularly emphasize the obligation of states in occupation of foreign peoples and territories to respect the rights of occupied people including the right of relatives of the missing persons, both deceased and alive, to information about disappeared.

**Mr. Moderator**

The OIC had supported the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance by the General Assembly in December 2006. We believe that its entry into force will be a step forward in addressing legal and political issues associated with missing persons including in the context of internal conflicts. The OIC would urge states to consider signing this Convention consistent with their national legal requirements.

**I thank you, Mr. Moderator.**