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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Enforced disappearance and memorialization

Report of the Working Group on Enforced or Involuntary Disappearances*

Summary

In this report, the Working Group on Enforced or Involuntary Disappearances examines memorialization as a crucial form of reparation for enforced disappearances and as an integral component of the right to truth. It highlights how memorialization helps preserve the memory and dignity of disappeared persons, supports families and communities in their pursuit of truth and justice, and serves as a safeguard against denial, revisionism and recurrence. The report emphasizes that memorialization must be grounded in international human rights law and developed in close consultation with victims, including families of disappeared persons, as well as civil society.

It also analyses States' obligations to establish legal and institutional frameworks for memorialization, protect memorials and those engaged in commemorative efforts, and ensure access to archives and information. The report highlights good practices led by families, civil society and State institutions, while documenting persistent challenges such as impunity, attacks on memorials, reprisals, denialist narratives, and obstacles arising in contexts of ongoing violence or political division. It concludes with recommendations aimed at strengthening inclusive, victim-centred memorialization as part of broader efforts to guarantee truth, justice, reparation and non-recurrence.

* The present document is being issued without formal editing.



I. Introduction

1. During its 135th session, the Working Group on Enforced or Involuntary Disappearances (“Working Group”) decided to conduct a study on enforced disappearances and memorialization, considering it a crucial form of reparation and a prominent component of the right to truth.

2. An enforced disappearance leaves families and communities without information about the disappeared persons; States often deny enforced disappearances and obstruct the search for truth, justice, and reparation. Memorialization efforts can, among others, counter this logic, by ensuring that the memory of the disappeared remains present, restore their dignity and send a message aiming at preventing denial and the repetition of similar violations. However, memorialization does not replace measures that must be adopted to guarantee the rights to truth, justice, reparation, and guarantees of non-recurrence. Memorialization efforts should not be used as a basis for, or result in, *de jure* or *de facto* impunity for perpetrators of enforced disappearances.¹

3. To gather relevant information for this study, the Working Group interviewed experts, as well as conducted consultations and desk research.² In November 2025, the Working Group circulated a call for inputs and received a total of 70 written submissions, including from nine States.³ The Working Group would like to express its deep gratitude to those who participated in its consultations, and to those who submitted written responses. It is particularly grateful for the numerous submissions in which families of forcibly disappeared persons were involved, demonstrating the profound relevance of memorialization. Unless otherwise indicated, this thematic report is based on the submissions received and the consultations held. Direct reference to the submissions, if they are not confidential, are made only if it was explicitly permitted.

4. Worldwide, many memorialization initiatives are conducted on 30 August, the International Day of the Victims of Enforced Disappearances. Importantly, civil society organizations (“CSOs”) first proclaimed this date in 1981, and it was officially recognized by the UN General Assembly in 2010.

5. This study builds on previous studies of the Working Group, in particular its thematic study on reparation and enforced disappearances,⁴ its General Comment on the right to truth,⁵ its country visit reports,⁶ as well as on key studies of UN special procedures mandate holders, in particular the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,⁷ the Special Rapporteur in the field of cultural rights,⁸ and the Special Rapporteur on freedom of religion or belief.⁹

6. This study follows the understanding of memorialization as articulated by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, namely as a process “aimed at preserving, and transmitting to present and future generations,

¹ Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, *Memorialization processes in the context of serious violations of human rights and international humanitarian law: the fifth pillar of transitional justice*, A/HRC/45/45, para. 102.

² Organized consultations included webinars of the Memory Studies Associations (21 October 2025), with families and civil society from Mexico and The Gambia (18 March 2026), as well as the Heinrich Böll Foundation in Mexico (25 March 2026). The Working Group extends its appreciation to Eric Cheng (Bars of Nunavut and Ontario, Canada), as well as Emma Sundt and Celina Schnapp (Friedrich-Alexander-Universität Erlangen-Nürnberg) for their invaluable academic assistance in preparing the report.

³ The call for inputs and contributions received (except those that are confidential) are available at: [OHCHR | Call for Submissions: Thematic Report on Enforced Disappearances and Memorialization](#).

⁴ A/HRC/22/45, para. 79.

⁵ A/HRC/16/48, para. 39.

⁶ Among others, see WGEID, *Report on its country visit to Uruguay*, A/HRC/54/22/Add.1, para. 59.

⁷ See *supra* note 1.

⁸ Report of the Special Rapporteur in the field of cultural rights, *Memorialization processes*, A/HRC/25/49.

⁹ Report of the Special Rapporteur on freedom of religion or belief, *How freedom of religion or belief relates to death and honouring the deceased*, A/HRC/61/50.

accurate and comprehensive accounts of past human rights violations and the harm suffered by all victims, with a view to informing society, restoring the dignity of victims, promoting healing and reconciliation and preventing the recurrence of violations.”¹⁰

7. This study reiterates victims’ right to memorialization and States’ obligations regarding the memorialization of enforced disappearances. It further highlights good practices by civil society, families and States, and addresses challenges to memorialization, including threats against individuals, memorials, and memorialization initiatives.

II. Obligations of States in the Area of Memorialization and Enforced Disappearances

A. Memorialization as a Form of Reparation for Enforced Disappearances

8. According to its thematic study on reparation and enforced disappearances, the Working Group considers the term “redress” in Art. 19 of the Declaration on the Protection of All Persons from Enforced Disappearances (“Declaration”) to essentially include the concept of “reparation”. Following Art. 24 of the International Convention for the Protection of All Persons from Enforced Disappearance (“International Convention”), the Working Group considers that reparation encompasses both material and moral damages and, where appropriate, other forms of reparation such as restitution, rehabilitation, satisfaction (including restitution of dignity and reputation), and guarantees of non-repetition.¹¹

9. Memorials, monuments, and acts of commemoration serve both as means of socially acknowledging past violations and as safeguards against non-repetition. To ensure that such initiatives are meaningful and do not contribute to re-victimization or tensions arising from contested historical narratives, they should be supported by a comprehensive domestic legal framework developed in close consultation with victims, including families of disappeared persons, as well as civil society. In addition, the Working Group identifies access to archives, the creation of investigation protocols, and the provision of psychosocial support as key components of effective memorialization processes.¹²

10. Similarly, the Human Rights Committee recognizes memorialization as a form of reparation under Art. 2(3) of the International Covenant on Civil and Political Rights,¹³ including in the context of enforced disappearances. In *Puniram Tharu and Nira Kumari Tharuni v. Nepal*¹⁴ and *K.R. and S.R. v. Nepal*,¹⁵ it considered that the State is obliged to provide the families of forcibly disappeared persons with an effective remedy including, among others, a memorial.

11. Among the regional human rights systems, the Inter-American Court of Human Rights (“IACtHR”) has been a pioneer in recognizing memorialization as a form of reparation in enforced disappearances cases. For example, in the *Case of the 19 Merchants v. Colombia*, the IACtHR ordered that the State and the victims’ families must reach an agreement on the choice of place where a memorial monument is to be erected.¹⁶ In *Benavides Cevallos v. Ecuador*, the IACtHR, upon request of the relatives, ordered Ecuador to commemorate the

¹⁰ Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, *International legal standards underpinning the pillars of transitional justice*, A/HRC/54/24.

¹¹ See *supra* note 4, paras. 48 and 49.

¹² *Ibid.*, paras. 63-65.

¹³ Human Rights Committee, General Comment No. 31 [80], *The nature of the general legal obligation imposed on States Parties to the Covenant*, CCPR/C/21/Rev.1/Add. 13, para. 16.

¹⁴ HRC, *Puniram Tharu and Nira Kumari Tharuni v. Nepal*, Communication No. 3199/2018, U.N. Doc. CCPR/C/134/D/3199/2018, Views adopted 14 March 2022, para. 9.

¹⁵ HRC, *K.R. and S.R. (pseudonym) v. Nepal*, Communication No. 2906/2016, U.N. Doc. CCPR/C/134/D/2906/2016, Views adopted 14 March 2022, para. 9.

¹⁶ IACtHR, *Case of the 19 Merchants v. Colombia*, *Judgment* of July 5, 2004 (Merits, Reparations and Costs).

victim by giving her name to streets, schools and public buildings.¹⁷ The IACtHR takes into account the requests of the applicants and adapts the forms of memorialization to each case. The Working Group considers this approach to be an exemplary practice.

12. National courts have also recognized memorialization as a form of reparation, including the Supreme Court of Mexico¹⁸ and the Constitutional Court of Ecuador.¹⁹ The Constitutional Court of Colombia established memorialization of enforced disappearances as a legal requirement.²⁰

13. Multiple truth and reconciliation commissions have recommended the transformation of places of detention into participatory places of memory, though such a recommendation requires a participatory choice requiring public discussion, framing, and interpretation.²¹

14. Memorialization measures have also been included in the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.²² Principle 22 specifically mentions that satisfaction should include commemoration and tributes to the victims. It furthermore includes specific actions relating to enforced disappearances, namely the search for the forcibly disappeared, identification of abducted children, and recovering victims' remains, along with supporting their identification and respectful reburial in line with victims' wishes or the cultural practices of their families and communities.

15. States are obliged under international law (e.g. International Convention, Art. 24.3) to search for, locate, respect and return the remains of forcibly disappeared persons. This includes ensuring the dignified identification, treatment, and return of remains, as well as respectful mourning and burial practices as part of memorialization. When the remains of forcibly disappeared persons are returned to the families, certain rights arise, which the Special Rapporteur of freedom of religion and belief describes as "funeral rights". They are grounded in the right to culture, right to life, non-discrimination, religion or belief, peaceful assembly, association, privacy, family life, property rights, and minority rights. Funeral rights are both individual and collective rights which include religious laws, observances, mortuary practices and traditions.²³

B. Memorialization as a Part of Right to Truth in Addressing Enforced Disappearances

16. The right to memorialization forms part of the right to truth. The Working Group considers that the right to truth for families of forcibly disappeared persons encompasses access to information about individual cases, and the States duty to preserve memory. This duty includes maintaining archives, disclosing information to families and society, and protecting memory from distortion or erasure. The Working Group also states that the right to know the fate and whereabouts of disappeared persons is absolute, and its denial may constitute a form of continuing torture for the relatives.²⁴

¹⁷ IACtHR, *Case of Benavides-Cevallos v. Ecuador*, Judgment of 19 June 1998 (Merits, Reparations and Costs); see also Ariel E. Dulitzky, "La memoria en la jurisprudencia de la Corte Interamericana de Derechos Humanos," in Óscar Parra Vera, Romina I. Sijniensky & Gabriela Pacheco Arias (eds.), *La lucha por los derechos humanos hoy: Estudios en homenaje a Cecilia Medina Quiroga* (Valencia: Tirant lo Blanch, 2017).

¹⁸ Contribution to this report by the [CDHCM](#).

¹⁹ Contribution to this report by the [INREDH](#).

²⁰ Contribution to this report by the [Government of Colombia](#).

²¹ See supra note 8, paras. 43, 59-65.

²² United Nations General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Res. 60/147, [A/RES/60/147](#) (16 December 2005).

²³ See supra note 9, paras. 4 and 6.

²⁴ See supra note 5. The families' right to know the fate and whereabouts of their relatives is expressly recognized in international humanitarian law; see, e.g., [Protocol Additional to the Geneva Conventions of 12 August 1949 \(Protocol I\)](#), 1125 U.N.T.S. 3, art. 32.

17. According to Art. 24.2 of the International Convention, each victim has the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person. As the International Convention considers any individual who has suffered harm as the direct result of an enforced disappearance to be a victim, families of disappeared persons have the right to truth, including a right to memorialization. In this context, the Committee on Enforced Disappearances has, among others, recommended to States to “establish long-term memorialization programs in consultation and cooperation with victims, as well as to protect the sites used in enforced disappearances”.²⁵

18. Memorialization is also enshrined in the right to truth under Principles 2 and 3 of the Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity (“Principles against Impunity”). They explicitly include both the individual and collective right to truth, as well as establish that States are under an obligation to take appropriate measures to preserve archives and evidence and facilitate knowledge of enforced disappearances in order to preserve collective memory from extinction.²⁶

C. States’ Obligations Concerning Regressive Measures in the Realm of Memorialization

19. In order to prevent re-victimization and safeguard the right to dignity, States should adopt a comprehensive domestic legal framework on reparation programs, including memorialization. Such legislation should clearly define the criteria and procedures for memorialization initiatives, while addressing the risks of historical revisionism.²⁷

20. According to Principle 3 of the Principles against Impunity, States are under an obligation to take appropriate measures to guard against the development of revisionist and negationist arguments.²⁸

21. The Special Rapporteur on truth, justice, reparation and guarantees of non-recurrence has repeatedly called for repudiation of regressive forms of memorialization such as negationism.²⁹ If employed correctly, archives themselves contribute to a future culture of memorialization and remembrance while safeguarding against revisionism and denial, and do so by guaranteeing that the voices of victims will not be lost.³⁰

22. The Guidelines on the Protection of All Persons from Enforced Disappearance in Africa explicitly engage with regressive measures in the context of the right to an effective remedy, by stating that misinformation by States violates both the right to dignity and the right to an effective remedy. Thus, States are prohibited from disseminating misinformation to discredit the disappeared persons, to misinform about the disappeared person’s whereabouts and to undermine the search measures.³¹

D. States’ Obligations vis-à-vis Reprisals, Harassment and Attacks in the Realm of Memorialization

23. The right to public participation underlies the right to memorialization; whether it be access to physical memorials, or the ability to engage in memorialization processes. States carry an obligation to take steps to guarantee full realization of the right to memorialization

²⁵ Committee on Enforced Disappearances, *Concluding observations on the report submitted by Morocco under article 29(1) of the Convention*, CED/C/MAR/CO/1, paras. 62-63.

²⁶ E/CN.4/2005/102/Add.1.

²⁷ See supra note 4, para. 64.

²⁸ See supra note 26.

²⁹ Reports of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, A/HRC/45/45 and A/79/180.

³⁰ Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, A/HRC/24/42, para. 83.

³¹ African Commission on Human and People’s Rights, *Guidelines on the Protection of All Persons from Enforced Disappearances in Africa (2022)*, para. 3.09.

of both individuals and groups who choose to exercise this right. States are obliged to respect and protect freedoms and the right to memorialization through appropriate steps, including legislation, to prohibit both discrimination and incitement to discrimination, hostility, or violence.³²

24. Everyone has a right to assemble, form and participate in organizations and associations for this purpose.³³ The International Convention reaffirms these rights, in particular in the context of “organizations and associations concerned with attempting to establish the circumstances of enforced disappearances and the fate of disappeared persons, and to assist victims of enforced disappearance” (Art 24(7)), which includes memorialization. The right to form such organizations and associations concerns also complainants, witnesses, defense council, and others participating in the investigation of an enforced disappearance.³⁴

25. Furthermore, everyone has the right, whether acting individually or in association with others, to take part in peaceful activities against human rights violations. Such activities also include acts of remembrance and memorialization. To this end, States are obligated to take all necessary measures to protect individuals and groups against reprisals, harassment and attacks when participating, or seeking to participate in, the realm of memorialization.³⁵

E. The Continuous Nature of Enforced Disappearances and States’ Obligations Concerning Memorialization

26. Enforced disappearances and the ensuing obligations are of a continuous nature: the act starts at the time of the concealment of the fate and whereabouts and extends for the whole period of time that the crime is not complete, that is to say until the State acknowledges the detention or releases information pertaining to the fate and whereabouts of the individual.³⁶

27. As memorialization measures with regard to enforced disappearances are an inherent part of the right to truth, victims are entitled to decide when and how to start memorialization efforts. Importantly, no victim should be required to memorialize their forcibly disappeared loved one as dead, as long as their fate and whereabouts have not been established.³⁷

28. As memorialization measures are a form of reparation, States remain obligated to provide them also once the fate and whereabouts are established.³⁸

III. Examples of Domestic Legislation

29. The Working Group holds that memorialization should rest on a strong domestic legal framework, shaped through meaningful engagement with, and participation of victims, including families of the disappeared, as well as civil society.³⁹

30. In practice, based on the information received by the Working Group, only selected States explicitly embed memorialization of enforced disappearances in law. For example,

³² Committee on Economic, Social and Cultural Rights, *General comment No. 21: Right of everyone to take part in cultural life* (art. 15, para. 1 (a), of the International Covenant on Economic, Social and Cultural Rights), E/C.12/GC/21 (2009), paras. 7 and 50 (d).

³³ [International Covenant on Civil and Political Rights](#), adopted 16 December 1966, 999 U.N.T.S. 171 (entered into force 23 March 1976), Articles 21-22.

³⁴ CED, *Concluding observations on the report submitted by Cambodia under article 29 (1) of the Convention*, para. 39.

³⁵ United Nations General Assembly, *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, A/RES/53/144 (9 December 1998), art. 12.

³⁶ WGEID, *General comment on enforced disappearance as a continuous crime*, A/HRC/16/48, para. 39.

³⁷ Just as search efforts should be conducted under the presumption that the disappeared person is alive, see CED, *Guiding Principles for the search for disappeared persons*, CED/C/7, principle 1.

³⁸ See e.g., *Case of Contreras et al. v. El Salvador*, Judgment of 31 August 2011 (Merits, Reparations and Costs), Series C No. 232.

³⁹ See supra note 4, paras. 63-65.

Uruguay adopted a comprehensive legislative framework to memorialize human rights violations, including enforced disappearances, consisting of three legal acts. The Act on the Establishment of the National Memory Archive recognizes the right to individual and collective truth and to collect, organize, and disseminate documentation on State human rights violations committed between 1973 and 1985. The law on reparations for victims included measures to preserve the historical memory of victims of terrorism, such as the installation of commemorative plaques in public locations where human rights violations took place. The remembrance site law deals with sites of historical memory, especially issues of publication, preservation, and accessibility.⁴⁰

31. Other examples of domestic legislation on the memorialization of enforced disappearances that were reported to the Working Group include Colombia's 2011 law establishing the National Centre for Historical Memory,⁴¹ legislative acts adopted in Philippines in 2012 and 2013 that established a statutory basis for memorialization, and several legislative acts adopted in Ukraine providing for the memorialization of victims of enforced disappearances in territories occupied by the Russian Federation.⁴² In Iraq, a law provides penalties for anyone who denies mass crimes or humiliates victims.⁴³ In El Salvador, March the 29 was declared by law as the Day of Disappeared Children.⁴⁴

32. Reportedly, a number of legal frameworks concerning the memorialization of enforced disappearances encounter challenges in their effective implementation. For example, Art. 78 of the Constitution of Ecuador guarantees victims the rights to truth and integral reparation, including symbolic measures, memorialization initiatives, and guarantees of non-repetition. Although the Ecuadorian Truth Commission recommended the adoption of symbolic reparation measures in its 2010 report, implementation remained very limited. In response, victims in specific cases brought an *acción por incumplimiento* (complaint for breach of obligation) before the Constitutional Court, arguing that the State had failed to fulfil its constitutional obligations. The Court found non-compliance and issued binding orders requiring the State to adopt concrete reparation measures.⁴⁵ Similarly, Peru has adopted strong legislation that explicitly integrates memorialization into its reparations' framework, notably through Law No. 28593 (2004) on the Comprehensive Reparations Plan and Law No. 30470 (2016) on the search for disappeared persons and dignified return of remains. However, in practice, these norms have not been matched by a coherent national policy or effective implementation, and recent measures, such as Law No. 32301 (2025) – which introduces new restrictive administrative requirements for associations to use funding provided by international cooperation agencies and creates obstacles to civic initiatives – even risk undermining existing memorialization efforts and organizations that safeguard historical archives.⁴⁶

33. Furthermore, the Working Group has been informed that, in some States, the challenges of implementation are directly connected to regional differences. For example, in Bosnia and Herzegovina, existing laws allowed families to mark graves, which, however, in practice proves impossible in regions that are ruled by a different ethnicity. Thus, when the association Mothers of Srebrenica sought to do so in Zeleni Jadar, their efforts failed due to lack of cooperation and approval by local authorities.⁴⁷ Contributions received indicate existing differences among federal entities in Mexico in the development of legal frameworks on memory and memorialization. For instance, while the city of Mexico adopted a specific memory law in 2023, in the state of Jalisco – where disappearances are particularly widespread – a legislative initiative on historical memory had been presented but not yet adopted. Contributions also reported disputes concerning memorialization in Jalisco,

⁴⁰ See supra note 6.

⁴¹ CED, *Concluding observations on the report submitted by Colombia under article 29 (1) of the Convention*, CED/C/COL/CO/1 (27 October 2016), paras. 33-35.

⁴² Contribution to this report by the [Association of Reintegration of Crimea](#).

⁴³ Iraq, *Mass Graves Affairs Law No. 5 of 2006 (as amended by Law No. 13 of 2015)*, issued 12 March 2006, published 16 April 2006 (unofficial English translation, 15 July 2016).

⁴⁴ Contribution to this report by the [Government of El Salvador](#).

⁴⁵ See supra note 19.

⁴⁶ Contribution to this report by the [SwissPeace & IDEHPUCP](#).

⁴⁷ Contribution to this report by the [OHCHR Country office in Bosnia and Herzegovina](#).

including the removal of the “Antimonumento 5J” shortly after its installation in Guadalajara in June 2023. A federal court later ordered provisional measures concerning its reinstatement, which however have not been implemented in the terms ordered.⁴⁸

34. The Working Group notes with concern that most States lack specific legal frameworks addressing memorialization of enforced disappearances, which is a significant obstacle to effective memorialization efforts.

IV. Practical Approaches to Memorialization

A. Family- and Civil Society-Driven Initiatives

35. The Working Group considers that the State bears the primary responsibility for memorialization, including by establishing and maintaining memorial sites, in close collaboration with victims, including families of the disappeared, as well as civil society and other relevant stakeholders.⁴⁹ Yet, the Working Group has been informed that, in a number of countries, in the absence of State-sponsored initiatives, all memorialization efforts are led by families and civil society.⁵⁰

36. The Working Group has received information that, across the globe, many families and civil society set up their own sites of memorialization. For example, in Russia, the “Last Address” Project installs small, palm-sized minimalist metal plaques of rectangular shape in buildings that were the last residential address of the forcibly disappeared person. The plaques contain, inter alia, the victim’s name, year of birth, profession, dates of arrest and death. Each installation is accompanied by a commemorative ceremony, and the project’s website contains a map showing all installed plaques.⁵¹ In the Philippines, the Families of Victims of Involuntary Disappearance (FIND) created a monument bearing the names of the disappeared and host regular commemorative gatherings at the monument. In Indonesia, CSOs set up marks and monuments in several sites where grave human rights violations, including enforced disappearances, took place. In Mexico, families and CSOs have developed a wide range of public memorial practices in response to ongoing disappearances. These include the creation of “anti-monuments” in public spaces – such as the well-known “Roundabout of the Disappeared” in Mexico City – the installation of memorial trees bearing photographs of disappeared relatives, and the symbolic renaming of squares and roundabouts. These sites often function as gathering points for search efforts, public denunciation, and commemorative activities, including protests and collective acts of remembrance.⁵²

37. Furthermore, information received by the Working Group indicate that families and CSOs also use various forms of living memorialization practices. For example, in Pakistan, women and children displayed photographs, names and dates of the disappearance during long-duration sit-ins and protest camps in Islamabad, Peshawar, Karachi and Quetta.⁵³ In The Gambia, CSOs organize an annual Human Rights Festival, which is a recurring platform for memorialization, including for victims of enforced disappearances.⁵⁴

38. As reported to the Working Group, families and CSOs also often issue publications aimed at memorialization. Some examples are life stories of the disappeared published by

⁴⁸ Contribution to this report by the [Colectivo Luz de Esperanza and Desaparecidos Jalisco](#).

⁴⁹ See supra note 4.

⁵⁰ See WGEID reports on its country visits to Sri Lanka, [A/HRC/33/51/Add.2](#), para. 68; to The Gambia, [A/HRC/39/46/Add.1](#), para. 69; and to Honduras, [A/HRC/54/22/Add.2](#), paras. 58 and 59.

⁵¹ Contribution to this report by the [Memorial Human Rights Defence Centre](#).

⁵² *Antimonumentos. Memoria, verdad y justicia*, Ciudad de México: Heinrich Böll Stiftung (Primera edición marzo 2020; ed. electrónica diciembre 2021); see contribution to this report by the [Centro Prodh](#).

⁵³ Contributions to this report by the [National Commission for Human Rights, Pakistan](#) and by the [Defence of Human Rights](#).

⁵⁴ Contribution to this report by The Gambia WAVE.

the “Mothers of Chechnya” association in Russia,⁵⁵ a storybook “Refusing to Disappear” of the relatives of disappeared persons in Pakistan,⁵⁶ a cook book featuring the favourite dishes of the disappeared by Mexican families,⁵⁷ and a series of books documenting the disappeared in Chechnya produced by Human Rights Centre Memorial in Russia.⁵⁸

39. Reportedly, digital memorialization initiatives for disappeared persons have become widespread. In the Philippines, for example, the Martial Law Museum hosts online archives and educational programs that embed family narratives of enforced disappearance within a broader memorial landscape. Similar efforts exist elsewhere. In Nepal, platforms such as memorytruthjustice.com document cases and preserve collective memory.⁵⁹ In Ethiopia, a verified digital repository has been created to commemorate victims and document abuses committed during the war.⁶⁰ CSOs in Pakistan have developed online archives and exhibitions, including a project presenting over forty documented cases of enforced disappearances across South Asia.⁶¹ Likewise, in Russia, CSOs maintain several online databases documenting disappearances and other human rights violations across decades, and organize annual online events to mark the International Day of Victims of Enforced Disappearances.⁶²

40. According to information received by the Working Group, memorialization of enforced disappearances also takes creative and artistic forms. Initiatives such as *Memoria y Desaparición* combine music, scenic elements, and visual art to confront the violence of disappearances in the state of Sinaloa.⁶³ The Thoskua impact campaign in Mexico has centered on a documentary film about mothers searching for their relatives who disappeared in the context of migration.⁶⁴ A CSO project in Chechnya, Russia, has used visual storytelling – through animation and actor-read testimonies – to protect the anonymity of relatives in hostile environments.⁶⁵

41. Another common way of remembering the forcibly disappeared, according to information received by the Working Group, is planting trees. For example, a CSO in Pakistan planted trees for disappeared persons, accompanied by a quote symbolizing memory, resistance, and the enduring demand for truth and justice.⁶⁶ In memorial parks in Nepal, trees are also planted as a way of establishing presence, public validation, reducing stigma and providing communal satisfaction through sharing its fruits.⁶⁷

42. The Working Group has received information that, in Colombia, a specific form of memorialization engages with nature, particularly rivers, from which more than 1,080 bodies have been recovered after being disposed of there in an attempt to conceal the crimes. For many communities, these rivers are regarded as sacred. The *Corporación Humanitaria Reencuentros*, led by rural women, conducts commemorative ceremonies along these riverbanks.⁶⁸

43. In absence of State-led initiatives, in particular when the State is highly repressive of memorialization efforts, religious acts of remembrance may become the primary socially acceptable form of memorialization. For example, as reported to the Working Group, in Chechnya, Russia, families mark the date of disappearance through Islamic rituals, which

⁵⁵ Contribution to this report by the Norwegian Helsinki Committee.

⁵⁶ Contribution to this report by the [Defence of Human Rights](#).

⁵⁷ [Recetario para la Memoria](#).

⁵⁸ Contribution to this report by the [Stitching Justic Initiative \(SJI\)](#).

⁵⁹ Contribution to this report by the [Advocacy Forum-Nepal and the Human Rights and Justice Centre](#).

⁶⁰ Contribution to this report by the [Gender Empowerment Movement Tigray \(GEM Tigray\)](#).

⁶¹ Contribution to this report by the [National Commission for Human Rights, Pakistan](#).

⁶² See supra note 58.

⁶³ Contribution to this report by [Pau Matinée](#).

⁶⁴ See contribution to this report by the [Collectives Impacta Cine and Cadapiotz](#).

⁶⁵ See supra note 58.

⁶⁶ See supra note 56.

⁶⁷ Contribution to this report by the [Human Rights and Justice Centre and Kumbhar Adda Disappeared People’s Memorial Park](#).

⁶⁸ Contribution to this report by [Doctoral Researcher Luisa Isidro Herrera](#).

serve both spiritual and commemorative purposes. These include giving *sadaka* (charitable donations) in the name of the disappeared person or organizing prayer gatherings.⁶⁹

44. In some contexts, the search for disappeared person itself becomes a form of memorialization. Practices such as forensic geo-tracking document where and how searches are carried out, as well as their outcomes, preserving a record of both the effort to locate the disappeared and the ongoing struggle for truth and accountability.⁷⁰

45. The Working Group commends the creative and central work of families and civil society in memorializing forcibly disappeared persons. At the same time, it highlights the State obligations in this area. Initiatives that are not supported by States face two inherent challenges: first, those involved are often exposed to harassment and security risks, particularly where violence is ongoing; second, securing sustainable funding remains a major obstacle. While some initiatives have obtained support from international donors, this is rarely a long-term solution, and donor priorities may not always align with the needs and perspectives of victims, limiting which efforts can be supported and for how long.⁷¹

B. Family- and Civil Society-Driven Initiatives Supported by States

46. The Working Group notes good practices by States that support, finance, and/or cooperate with civil society and families' initiatives on the memorialization of enforced disappearances. Such cooperation can facilitate the functioning of these initiatives and also serves as a form of State acknowledgement of past human rights violations.

47. Reportedly, some memorials take the form of museums or institutionalized sites established in former places of detention or violence, often with strong participation of families and civil society and varying degrees of state support. In Argentina, ESMA, a former torture and enforced disappearance center, was transformed into a museum upon the initiative and advocacy of families. The museum has since been developed with the participation of families, civil society organizations, and the Government, and is recognized as a UNESCO Heritage site.⁷² In Colombia, the Casa de la Memoria Museum in Medellín was created as a result of the efforts of victims' organizations with institutional support from the Mayor's Office.⁷³ In The Gambia, the "Memory House" is a permanent, family-centered memorial and education center opened by the organization ANEKED in October 2021 following a pilot at the National Museum in Banjul and a traveling exhibition. It provides a space for families to preserve the memory of their loved ones and has been formally integrated into the education system through a Memorandum of Understanding with the Ministry of Education and the State University of Education.⁷⁴ In many contexts, such as in Peru or in Iraq, states have provided protection and conservation measures to former sites in which enforced disappearances occurred.⁷⁵ The authorities of Azerbaijan provide a wide range of support to civil society-driven memorialization initiatives, including memorial sites, public events, and documentation measures.⁷⁶ Another type of memorial takes the form of parks and gardens, often functioning as public spaces for remembrance, ceremonies, and ongoing symbolic acts. In Nepal, victims' groups and CSO have set up the Kumbhar Adda Disappeared Peoples Memorial Park in Bardiya. The park is managed by a committee composed of family members, operates under the guardianship of the local municipality, archives personal belongings and oral histories concerning the disappeared, and integrates cultural symbols such as a Banyan tree and a "Way of Hope" path into the grieving process.⁷⁷ In Argentina, the Memory Park – Monument to the Victims of State Terrorism in Buenos Aires was created

⁶⁹ See supra note 58.

⁷⁰ Contribution to this report by [Juan Gonzalo Moreno Marques](#).

⁷¹ See supra note 59.

⁷² <https://whc.unesco.org/en/list/1681/>.

⁷³ Contribution to this report by the Government of [Colombia](#).

⁷⁴ Contribution to this report by the [ANEKED](#).

⁷⁵ WGEID, *Report on its mission to Peru*, [A/HRC/33/51/Add.3](#), paras 34-35; <https://kurdistanchronicle.com/babat/3392>.

⁷⁶ Contribution to this report by the Government of [Azerbaijan](#).

⁷⁷ See supra notes 59 and 67.

through the initiative of human rights organizations and is jointly managed by the State and civil society. Located on the banks of the Río de la Plata, it includes a monument with victims' names, artistic installations, and a database of disappeared persons, and serves as a site for ongoing memorialization and human rights activities.⁷⁸ In Iraq, the "Memory Garden" is dedicated to victims of enforced disappearances during the control of ISIS from 2014 to 2017. It is supported by the municipality, which provides essential services such as electricity and road access.⁷⁹ In El Salvador, a Memorial Garden for Disappeared Children was developed with the participation of families, civil society, the Ministry of Culture, and the National Search Commission.⁸⁰ On Jeju Island in the Republic of Korea, a memorial park was established with state support, as a form of reparation for the victims of the Jeju uprising in 1948, featuring tombstones of victims who disappeared after being arrested by the military and police. For the purposes of establishing the park in 2000, a special law was promulgated.⁸¹ The *El Ojo que Lloro* memorial in Peru is inscribed within the framework of the Comprehensive Reparations Plan, while also being sustained by civil society. The participation of families from different regions of the country is guaranteed through open access to the memorial and the holding of ceremonies, commemorations and diverse symbolic acts.⁸²

48. Reportedly, some memorialization sites focus on other human rights violations, such as torture or arbitrary detention, without explicitly indicating that enforced disappearances also occurred there. For example, the National Museum of Korean Democracy is housed in a former interrogation office, where enforced disappearances have also taken place. Such facts are being presented through historical records and videos complementing the official narrative, thus limiting a comprehensive understanding of the full range of abuses committed there.⁸³ The Working Group notes that this is not an uncommon instance and emphasises the importance for memorialisation initiatives to promote a thorough account of the violations perpetrated, which also enables the full recognition of victims and restores their dignity.

49. As reflected in the information submitted to the Working Group, States also establish dedicated public bodies to coordinate memorialization efforts, often in cooperation with families and civil society. In Timor-Leste, an official permanent Government body, the *Centro Nacional Chega* (CNC), was established to institutionalize the memorialization of the violence during the 1975-1999 Indonesian occupation. It has partnered with victims' groups and families of the forcibly disappeared to formalize and legitimize grassroots memorialization efforts. For example, plaques and information boards were installed at former detention centers where forcibly disappeared persons had been held.⁸⁴ In Morocco, the Equity and Reconciliation Commission was established in 2004, which is mandated to establish the truth regarding enforced disappearances and arbitrary detention, provide compensation to victims and formulate recommendations. Among its recommendation were the transformation of former detention sites into spaces of memory. The Presidential Commission for Peace and Human Rights (COPADEH) in Guatemala has promoted memorialization through participatory, community-based initiatives such as regional "memory encounters" and consultations with victims and civil society to support dialogue, historical memory, and symbolic reparations.

50. Reportedly in many States, memorialization efforts are supported by local authorities. For example, in Nepal, in several districts authorities have given support to memorials of the disappeared.⁸⁵ The Working Group has been informed about major regional differences in the approach to memorialization in the Russian Federation,⁸⁶ Spain⁸⁷ and Mexico.⁸⁸ While

⁷⁸ Contribution to this report by the [Centro de Estudios Legales y Sociales y Memoria Abierta](#).

⁷⁹ Contribution to this report by the [Maat for Peace, Development, and Human Rights Association](#).

⁸⁰ See supra note 44.

⁸¹ [About Jeju April 3rd Uprising and Massacre - Jeju Dark Tours](#).

⁸² Contribution to this report by the [Caminos de la Memoria](#).

⁸³ [Korea Democracy Foundation](#).

⁸⁴ Contribution to this report by the [Asia Justice and Rights](#).

⁸⁵ See supra note 59.

⁸⁶ See supra note 51.

⁸⁷ Contribution to this report by the [Marcatoni Malagarriga-Picas](#).

⁸⁸ See supra note 48.

support by regional and local authorities provides formal recognition of victims' experience at the local level, it also leads to a differentiation across the State. In States shaped by post-conflict divisions, these regional differences may even result in resistance by local authorities to memorialization efforts.⁸⁹

V. Reprisals, Harassment and Attacks against Persons, Memorials, and Memorialization initiatives

51. The right to memorialization is grounded in the broader right to public participation, including access to memorials and involvement in memorialization processes. States have an obligation to protect and enable this right.⁹⁰ International law also guarantees the right to form and participate in associations related to enforced disappearances and memorialization (International Convention, 24(7)).

52. The Working Group has been informed of numerous instances in which persons involved in the search and memorialization of enforced disappearances are subjected to reprisals, harassment and/or attacks. For example, in 2009, Natalia Estemirova, a prominent Memorial human rights defender, was abducted and shot after documenting enforced disappearances and other abuses in Chechnya, Russia.⁹¹ In Bosnia and Herzegovina, staff of the Srebrenica-Potočari Memorial Centre have received threats linked specifically to their work documenting wartime crimes and confronting genocide denial.⁹² Families in Yemen reported a range of threats when seeking to memorialize the disappeared, including intimidation, smear campaigns, arbitrary arrests and denial of information.⁹³ In Algeria, relatives of forcibly disappeared persons have been detained in 2026, which appears to be directly linked to their activities in relation to enforced disappearances, notably within the *Collectif des familles de disparu-e-s en Algérie* (CFDA) and its antenna association, *SOS Disparus*.⁹⁴

53. Furthermore, the Working Group has been made aware of many contexts in which family members and CSOs taking part in gatherings and vigils are met with violence. In Türkiye, the Saturday Mothers have gathered weekly in Istanbul since 1995 to demand information about their disappeared relatives and to memorialize them. However, their protests have repeatedly been dispersed by police and participants detained.⁹⁵ In Pakistan, families of the disappeared faced coercive disruption during their sit-in held in Islamabad between December 2023 and January 2024, including attempts to forcibly transport protestors away from the camp, and arbitrary detentions. Families that attempted to enter the capital in order to take part in the sit-ins were met with baton charges and the use of water cannons.⁹⁶ In Cambodia, memorial ceremonies relating to enforced disappearances have also been dispersed with electric batons.⁹⁷

54. The Working Group has been informed of numerous cases in which the criminalization of the disappeared persons, whether through legal measures or public narrative, hinders memorialization. For example, in Thailand, a court refused to recognize a disappeared-person status on the grounds that an outstanding arrest warrant for a security-related offence suggested the individual might be "in hiding." This judicial framing effectively recast a likely victim as a fugitive, blocked the family's access to civil remedies, and rendered any formal commemoration legally and politically suspect. The Working Group received information alleging that disappeared persons are at times portrayed as linked to

⁸⁹ Contribution to this report by the [International Commission on Missing Persons](#).

⁹⁰ See supra note 32.

⁹¹ See supra note 51.

⁹² See supra note 89.

⁹³ Contribution to this report by the [Yemeni Justice Network](#).

⁹⁴ See joint communication [DZA 6/2025](#) and Government's [reply](#). See Special Procedures press release, [Algeria: UN experts alarmed by crackdown on families of disappeared persons and civil society](#), 13 May 2026.

⁹⁵ See joint communication [TUR 10/2023](#) and Government's [reply](#).

⁹⁶ See supra note 61.

⁹⁷ Contribution to this report by the [Cambodian Human Rights and Development Association](#).

criminal activity, including through what one contribution described as stigmatizing official narratives.⁹⁸ According to the submission, such portrayals may undermine the dignity of disappeared persons, hinder mourning processes and weaken efforts aimed at truth, justice and memorialization. The Government of Mexico disputes the existence of any official policy or narrative aimed at criminalizing disappeared persons or those engaged in search efforts.

55. Reportedly, in many contexts, memorials and memorialization sites are attacked or vandalized. For example, in Peru, the *El Ojo que Lloro* memorial has repeatedly been attacked through vandalism, destruction of commemorative elements, and disruption of ceremonies.⁹⁹ During its 2015 visit to Peru, the Working Group noted that the places of remembrance are not sufficiently protected, leading to some of the being squatted, encroached and neglected.¹⁰⁰ In Montenegro, a monument to the missing persons was vandalized.¹⁰¹ A memorial plaque in Moscow commemorating Anna Politkovskaya, the investigative journalist reporting on human rights violations in Chechnya, Russia, has been destroyed sixteen times, with volunteers repeatedly restoring it. Instead of protecting the memorial or investigating the vandalism, police monitored and searched people near the site, focusing on those who might help maintain or reinstall the plaque.¹⁰² During its visit to Uruguay in 2022, the Working Group has been informed about returning vandalism of remembrance sites and inconsistent State protection.¹⁰³ In 2020, the IACtHR has voiced concern over repeated attacks on memorialization sites in Chile.¹⁰⁴

56. The Working Group has been informed that at times the State itself is dismantling, taking over or changing the memorialization sites. For example, Russian authorities have taken control over two formerly independent memorial institutions. In the case of the Gulag History Museum in Moscow, it was officially closed for “technical” reasons, though reports indicate pressure to censor exhibitions on Soviet repression. In the case of the Perm-36 Museum of the History of Political Repression – located on the site of the only preserved GULAG labor camp – the State assumed control, removed the original NGO, and reshaped the exhibition so that it no longer reflects its original focus on political repression. Also in Russia, the Solovetsky Stone in Moscow, established in 1990 on the initiative of Memorial, became a key civic site for commemorating victims of Soviet State terror and for the annual “Remembering the Names” ceremony. In 2017, State authorities sought to appropriate this commemorative space through official memorialization initiatives, including attempts to redirect public remembrance practices away from the site.¹⁰⁵ In Argentina, long-standing memorialization initiatives have been dismantled and weakened, including through cutting resources, which the authorities explain with the particular difficult economic situation of the country. The Working Group notes that the existence of a financial crisis should not, in and of itself, entail limitations on human and financial resources allocated to areas of crucial importance for transitional justice and reconciliation processes.¹⁰⁶

57. Reportedly, some memorial spaces are legally contested. For example, in Brazil, the former DOPS/DOI-CODI torture center in Belo Horizonte, which has been occupied by a civil society group and run as a museum to implement an unenforced domestic law, is disputed, as authorities seek eviction and repossession of the building.¹⁰⁷ In Mexico, reports from civil society could indicate that city workers dismantled in 2024 four migrant memorials in front of the National Palace. Although a federal court later ordered the authorities to safeguard these memorials, they have not been reinstated.¹⁰⁸ The Government of Mexico argues that the

⁹⁸ Contribution to this report by [Marco Antonio Moreno Zuñiga](#).

⁹⁹ See *supra* note 82.

¹⁰⁰ WGEID, *Report on its mission to Peru*, [A/HRC/33/51/Add.3](#), para. 65.

¹⁰¹ Contribution to this report by the [Human Rights Action](#).

¹⁰² See *supra* note 51.

¹⁰³ WGEID, *Report on its country visit to Uruguay*, [A/HRC/54/22/add.1](#), paras. 63-64.

¹⁰⁴ IACHR, *Press Release: IACHR Expresses Concern over Repeated Attacks on Sites of Memory in Chile*, 6 February 2020

¹⁰⁵ See *supra* note 51.

¹⁰⁶ See *supra* note 78; communications [ARG 9/2024](#) and [ARG 10/2024](#).

¹⁰⁷ Contribution to this report by the [Independent Commission on the Occupied Human Rights Memorial](#).

¹⁰⁸ See *supra* note 64.

removal of these structures is linked to an ongoing judicial proceeding, and there is to date no judicial determination attributing responsibility for the events in question, although the families and groups involved remain concerned about the failure to reinstall the monuments. In Monterrey, Mexico, civil society has used a square since 2014 for cultural and public events to draw attention to the crisis of enforced disappearances in the state of Nuevo León and across Mexico. The portraits of the disappeared were painted on the ground, but authorities removed them shortly afterwards and later installed a fence that restricts visibility and access. Furthermore, the square was deliberately neglected by stripping away lighting, maintenance, and cleaning services.¹⁰⁹ Victim-led memorials are repeatedly removed under narratives of tourism, safety or “cleanliness”. The Working Group has been informed that in 2025 and 2026 this has intensified in preparation for the 2026 FIFA World Cup in Mexico, as public authorities frame interventions in terms of urban image, tourism and security, while targeting spaces created by victims.¹¹⁰ Victims and collectives warn that planned “improvement” projects around emblematic places such as the *Glorieta de las Mujeres que Luchan* in Mexico City, and the *Plaza de las y los Desaparecidos* in Monterrey, Mexico risk displacing or diluting these memorials when carried out without effective consultation, thereby operating as an indirect dismantling of collective memory.¹¹¹ The Government of Mexico stated that, in the context of preparations for the 2026 FIFA World Cup, the search for disappeared persons, support for victims and the protection of the right to peaceful protests remained Government priorities. The State rejected any form of criminalization of social protests, recognized the contribution of families of disappeared persons, and maintained that security measures around World Cup venues were implemented solely for public security purposes and were not intended to restrict or inhibit demonstrations carried out by families and search collectives.

58. According to information received by the Working Group, threats and attacks have also been directed at associations of families of disappeared persons, whose activities include, inter alia, memorialization. For example, in El Salvador, in 2013, there was an attack on the Association Pro Search for Disappeared Girls and Boys, where persons external to the organization forcibly entered, destroyed computer equipment, and burned files including DNA samples.¹¹² In Algeria, the premises of the association SOS Disparus were foreclosed and sealed off, on dubious grounds of lack of prior authorization.¹¹³ Such attacks not only hinder the associations’ memorialization work but also undermine families’ access to truth, remembrance, and collective support.

59. Also new technologies are being used against families and civil society dealing with enforced disappearances.¹¹⁴ The Working Group has been informed about online harassment and political stigmatization of families and civil society in online spaces inter alia in Montenegro.¹¹⁵

¹⁰⁹ Contribution to this report by the [FUNDENL](#).

¹¹⁰ Contributions to this report by the [Centro Prodh](#) and the [Fundación Arcoiris](#). See also WGEID, Special Rapporteur on the rights to freedom of peaceful assembly and of association, Special Rapporteur on the situation of human rights defenders, and Working Group on discrimination against women and girls, *FIFA World Cup: Families of disappeared persons must be able to speak out and demonstrate freely*, Press Release 18 July 2026.

¹¹¹ Contribution to this report by the [Fundación Arcoiris](#); see also supra note 109.

¹¹² Contribution to this report by the [Fundación para la Justicia y el Estado Democrático de Derecho, A.C. \(FJEDD\)](#).

¹¹³ See supra note 94.

¹¹⁴ WGEID Report, *New technologies and enforced disappearance*, [A/HRC/54/22/Add.5](#).

¹¹⁵ See supra note 101.

VI. Other Challenges to Memorialization

A. Challenges in Accessing Archives

60. The Working Group identified access to archives as a key component of meaningful memorialization.¹¹⁶ To fulfil their obligations vis-à-vis the right to truth, States are obligated to maintain archives, disclose information to families and society, and protecting memory from distortion or erasure.¹¹⁷

61. The obligation to take appropriate measures to preserve archives has also been acknowledged under the Principles against Impunity,¹¹⁸ and by the Special Rapporteur on truth, justice, reparation and guarantees of non-recurrence.¹¹⁹ The Special Rapporteur in the field of cultural rights has highlighted the role of access to archives in the context of writing and teaching history.¹²⁰

62. The Working Group was informed of challenges regarding access to archives. The Government of Mexico emphasized the existence of constitutional and legal guarantees ensuring access to information, affirmed that no State policy exists to restrict access to archives, and reported that the armed forces cooperate with search commissions, truth commissions, prosecutorial authorities and international human rights mechanisms. However, civil society reports indicate that, in Mexico, the military refuses and obstructs access to its archives for families and civil society,¹²¹ while in Russia the access to archives was completely stopped in order to allegedly protect national interest.¹²² In Guatemala, the Historical Archive of the National Police contains evidence of disappearances and torture. In 2018, more than half of its staff were dismissed, including the director, which drastically reduced the pace of declassification of essential documents for justice.¹²³ The National Memory Archive, established in 2025 under the National Archives of Chile, is intended to improve coordination, access, and transparency, but some institutions have not transferred records, citing ownership or operational utility concerns despite legal obligations to do so.¹²⁴

63. Archives can facilitate transitional justice process; however, they are not always secured during times of transition. The Working Group was informed about critical records that were reportedly left unsecured in Syria after the fall of the Assad regime, exposing them to loss, theft and destruction.¹²⁵

B. Inclusive Memorialization for Vulnerable Groups

64. Where enforced disappearance as a practice affects groups or communities, this gives rise to obligations to incorporate specific collective narratives into memorialization measures.¹²⁶ Such an approach should further be adopted in relation to vulnerable groups whose voices, while not grounded in collective identities, may nonetheless be necessary to resist the perpetuation of homogenizing narratives or nationalistic political agendas.¹²⁷ Enforced disappearances may affect different groups of persons in a vulnerable situation,

¹¹⁶ See supra note 4.

¹¹⁷ See supra note 5.

¹¹⁸ See supra note 26.

¹¹⁹ Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, [A/72/523](#), para. 80.

¹²⁰ Report of the Special Rapporteur in the field of cultural rights, [A/68/296](#), paras. 45-48.

¹²¹ Contribution to this report by the [Centro Prodh](#).

¹²² See supra note 51.

¹²³ See supra note 112.

¹²⁴ WGEID, *Technical cooperation for the implementation of the National Search Plan for Truth and Justice in Chile*, 14 April 2026, para. 60.

¹²⁵ Contribution to this report by the [Syrians for Truth and Justice](#).

¹²⁶ See supra note 121, para. 12; UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples, [A/RES/61/295](#) (13 September 2007), article 11.

¹²⁷ See supra note 121, paras. 12, 29, 31 and 86.

including women,¹²⁸ children,¹²⁹ Indigenous Peoples,¹³⁰ migrants,¹³¹ and defenders of land, environmental and natural resources.¹³² States must ensure that memorialization processes are not discriminatory against such groups.¹³³

65. Many memorialization efforts for enforced disappearances are driven by women.¹³⁴ It remains an obligation of the State to enable participation of women and protect them, including from gender-specific violence.¹³⁵ Several CSOs have demonstrated that providing spaces dedicated for women relatives of forcibly disappeared persons makes it possible for them to connect and exchange, as well as empowers them.¹³⁶ In certain contexts, their participation has also been ensured in leadership of memorialization initiatives: for example, the statute of a memorial park in Nepal foresees that women must make up at least 33% of its leadership.¹³⁷ Colombia has adopted a Law on Women Searchers. Its implementing Decree provides for support for the culture sector in the production of artistic and audio-visual content and spaces for remembrances. The Decree further expressly recognizes that search efforts are grounded in the preservation of memory.¹³⁸

66. Initiatives have been taken to include Indigenous Peoples in memorialization efforts, for example by ensuring that they are engaged in the governance of the memorialization sites.¹³⁹ The IACtHR has also in several judgments required the State to translate relevant parts of the judgments into Indigenous languages and disseminate them in a culturally appropriate manner in the communities.¹⁴⁰

C. Instrumentalization of Memorialization

67. Particularly in the aftermath of conflicts in which violence was perpetrated by multiple parties, memorialization may be instrumentalized to generate competing narratives and/or result in the exclusion of certain groups. The Working Group has received information on numerous such examples. In Bosnia and Herzegovina, ethno-political divisions within the State have contributed to the emergence of competing narratives.¹⁴¹ The ongoing transitional justice process in Syria centers on crimes of the former regime, which risks excluding victims of non-State actors. As different ethnic and religious groups were targeted by different actors, such exclusion would particularly affect minorities, in particular the Kurds.¹⁴²

68. The Working Group therefore particularly welcomes initiatives that seek to overcome such divisions and bring together families of victims. Examples include bi-communal efforts that unite Greek Cypriot and Turkish Cypriot families of forcibly disappeared persons.¹⁴³

69. However, the Working Group notes that families and civil society may incorporate political claims in their memorialization efforts. In such context, memorialization is not

¹²⁸ WGEID, *General comment on women affected by enforced disappearances*, [A/HRC/WGEID/98/2](#).

¹²⁹ WGEID, *General comment on children and enforced disappearances*, [A/HRC/WGEID/98/1](#).

¹³⁰ WGEID, *Study on enforced or involuntary disappearances and economic, social and cultural rights*, [A/HRC/30/38/Add.5](#); WGEID report on its visit to Honduras, [A/HRC/54/22/Add.2](#), para. 61.

¹³¹ WGEID, *Enforced disappearances in the context of migration*, [A/HRC/36/39/Add.2](#); CED, General comment No. 1 (2023) on enforced disappearance in the context of migration, [CED/C/GC/1](#).

¹³² WGEID, *Enforced disappearance in the context of the defence of land, natural resources and environment*, [A/HRC/60/35/Add.4](#).

¹³³ See supra note 32, para. 22.

¹³⁴ Noemí Pérez Vásquez, *Women's Access to Transitional Justice in Timor-Leste: The Blind Letters* (Hart Publishing, 2021); see supra notes 59 and 74.

¹³⁵ Convention on the Elimination of All Forms of Discrimination against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13, articles 2, 3 and 7.

¹³⁶ See supra notes 67 and 68.

¹³⁷ See supra note 67.

¹³⁸ See supra note 20.

¹³⁹ See supra note 67.

¹⁴⁰ Legal Tools Database | Caso Tiu Tojin v. Guatemala. Sentencia de 26 de noviembre de 2008 (Fondo, Reparaciones y Costas).

¹⁴¹ See supra note 89.

¹⁴² See supra note 125.

¹⁴³ WGEID report on its visit to Cyprus, [A/HRC/51/31/Add.1](#), para. 54.

instrumentalized, but used as a tool for political agency. For example, where politicians are forcibly disappeared, their families and colleagues may choose to commemorate them by foregrounding their political affiliation and linking such memorialization efforts to related political claims. The same may apply to other groups, including trade unions and Indigenous Peoples. As memorialization is victim-driven, such expressions constitute legitimate forms of memorialization, in accordance with general rules governing freedom of expression.

D. Memorialization Amid Ongoing Violence

70. Memorialization initiatives are also impeded when the circumstances that led to the enforced disappearances, such as armed conflict or political violence, remain ongoing. Reportedly, in Ukraine, many families of disappeared persons have been forced to flee their places of residence, complicating memorialization efforts.¹⁴⁴ In Syria, after the fall of the Assad regime, enforced disappearances still occur, and communities continue to face patterns of intimidation, uncertainty, and denial, thus hindering also memorialization initiatives.¹⁴⁵ Enforced disappearances continue to occur in Mexico in a context marked by persistent impunity and significant challenges in the search for disappeared persons, access to truth, and accountability. While the Government contests allegations of State involvement and emphasizes that most disappearances are attributable to non-State actors, concerns have continued to be raised by victims, civil society organizations and international human rights mechanisms regarding obstacles to searches, access to information and archives, and the preservation of memorialization initiatives. These concerns have also been reflected in the recent actions and findings of the Committee on Enforced Disappearances.¹⁴⁶ In this context, memorialization efforts become closely linked to ongoing demands for truth, justice and guarantees of non-repetition.¹⁴⁷

E. Cross-Border Contexts

71. Another challenge faced by families and CSOs in memorializing enforced disappearances arises in cross-border contexts. This may occur for various reasons, including where the disappeared persons are migrants or where disappearances take place in the context of transnational transfers or transnational repression. In such settings, those seeking to engage in memorialization may encounter multiple obstacles, such as difficulties in accessing relevant territories, obtaining information, and establishing cross-border associations. The Working Group has received information on examples of successful initiatives in this regard. In July 2025, WAVE-Gambia collaborated with families from The Gambia and Ghana to commemorate the twentieth anniversary of the enforced disappearance and killing of West African migrants.¹⁴⁸

VII. Conclusions

72. **Memorialization of enforced disappearances is a crucial form of reparation and an element of the right to truth. States' obligations to memorialize enforced disappearances are grounded, among others, in the Declaration and the International Convention. These obligations have further been recognized by other international human rights mechanisms, truth commissions and national courts.**

73. **Memorialization does not replace measures to guarantee the realization of the rights to truth, justice, reparation, and guarantees of non-recurrence. Memorialization efforts should not be used as a basis for, or result in, de jure or de facto, impunity for**

¹⁴⁴ Contribution to this report by the [Civis Fortis](#).

¹⁴⁵ See supra note 125.

¹⁴⁶ CED, *Decision adopted by the Committee under article 34 of the Convention, concerning Mexico*, [CED/C/MEX/A.34D/1](#) (2026).

¹⁴⁷ See supra note 121.

¹⁴⁸ See supra note 54.

perpetrators of gross violations of human rights or serious violations of international humanitarian law.

74. Memorialization should be grounded in a strong domestic framework developed through meaningful engagement with, and participation of victims, including families of disappeared persons, as well as civil society. However, the Working Group has found that only a very limited number of States have adopted such frameworks and even where such frameworks exist, implementation often remains a challenge.

75. The State bears responsibility for establishing and maintaining memorial sites, in close collaboration with victims, including families of disappeared persons, as well as civil society and other relevant stakeholders. However, the Working Group has been informed that, in many States, in the absence of State-sponsored initiatives, all memorialization initiatives are led by families and civil society.

76. The Working Group commends the creative and important work of families and civil society in memorializing forcibly disappeared persons. At the same time, it emphasizes State's obligations in this area. Initiatives that are not supported by States face two inherent challenges: first, individuals involved are often exposed to harassment and security risks, particularly where disappearances are ongoing; second, securing sustainable funding remains a major obstacle.

77. The Working Group also notes good practices of States that support, fund, and/or cooperate with initiatives by families and civil society on the memorialization of enforced disappearances. Such cooperation can facilitate the functioning of these initiatives and serves as a form of State acknowledgement of past human rights violations.

78. States are under an obligation to take appropriate measures to guard against the development of revisionist and negationist narratives.

79. States are obliged to take steps guarantee the full realization of the right to memorialization of both individuals and groups who choose to exercise this right. They must respect and protect freedoms related to this right through appropriate measures, including legislation, and take all necessary steps to protect individuals and groups against reprisals, harassment, and attacks when participating, or seeking to participate, in memorialization activities.

80. In some States, local authorities play a key role in supporting memorialization efforts. While such support provides formal local recognition of victims' experiences, it may also lead to uneven implementation across the State. In post-conflict contexts marked by division, such regional disparities may even result in resistance by some local authorities to memorialization initiatives.

81. The Working Group is concerned by numerous reported threats and reprisals against persons involved in memorialization. These include, inter alia, abductions, killings, arbitrary detentions, and smear campaigns, including online. Individuals participating in gatherings and vigils have also been subjected to violence.

82. The Working Group has also received concerning information regarding the vandalism of memorials and memorialization sites, which often receive no or insufficient State protection and remain unpunished. In some instances, the State itself has been involved in dismantling, taking over, or altering such sites.

83. The Working Group has further been informed about attacks against associations of families of disappeared persons. In this regard, it reiterates that article 24(7) of the Convention guarantees the right to form and participate freely in associations supporting victims and seeking to clarify enforced disappearances.

84. Memorialization of enforced disappearances may also be hindered by other factors, such as difficulties in accessing archives, the vulnerability of those seeking to memorialize, instrumentalization of memorialization leading to competing narratives and/or the exclusion of certain groups, ongoing conflicts, as well as cross-border contexts.

VIII. Recommendations

85. The Working Group recommends that States:

- (a) conduct meaningful and inclusive consultations with families to understand their needs, perspectives, and priorities in relation to memorialization, and ensure that these views are effectively reflected in the design, implementation, and evaluation of memorialization processes;
- (b) develop and adopt a comprehensive domestic legal framework addressing memorialization, with the meaningful engagement and participation of victims, including families of disappeared persons, as well as civil society.
- (c) design memorialization policies in close collaboration with victims, including families of disappeared persons, as well as civil society, in a manner that does not exclude any categories of forcibly disappeared persons;
- (d) ensure that memorialization processes are non-discriminatory, including on the basis of gender and membership in a particular group;
- (e) ensure that truth-seeking and fact-finding are integral components of the memorialization of enforced disappearance;
- (f) ensure that victims of enforced disappearance are provided with memorialization, among other forms of reparation;
- (g) provide sustainable resources to support memorialization initiatives, including those organized by vulnerable groups, as well as related to artistic and research activities;
- (h) in cooperation with families and civil society, transform places of detention and sites of enforced disappearance into participatory places of memorialization;
- (i) enable cross-border memorialization efforts, where relevant;
- (j) provide protection for memorialization initiatives led by families and civil society;
- (k) protect any archives and documentation that might contain information about forcibly disappeared persons from loss and destruction;
- (l) consistently and unequivocally condemn publicly any vandalism and destruction of memorialization sites, carry out investigations on these instances, identifying and sanctioning those responsible;
- (m) take measures to counter denial and relativization;
- (n) during ongoing violence and conflict, pursue survivor-centered memorialization, ensuring the secure preservation of evidence, sites and testimonies while protecting survivors and witnesses from harm;
- (o) ensure that memorialization efforts are considered in post-conflict recovery and reconstruction processes.

86. The Working Group recommends that international organizations and donors:

- (a) ensure that memorialization initiatives are included within peace and transitional justice process;
- (b) provide technical and financial support for memorialization initiatives.