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Joint Submission to the Call for Inputs: Enforced disappearances in the context of transnational repression of Uyghurs

Submitted to: Committee on Enforced Disappearances (CED) and Working Group on Enforced or Involuntary Disappearances (WGEID)

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Submitted by: Justice pour Tous Internationale (JPTi), jointly with Uyghur civil society partner organisations, including inter alia the World Uyghur Congress (WUC), the Uyghur Center for Democracy and Human Rights (UZDM), and allied Uyghur-led advocacy and research initiatives

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Executive Summary and Purpose of the Submission

Justice pour Tous Internationale (JPTi), together with Uyghur civil society partner organisations, respectfully submits the present joint contribution in response to the Call for Inputs on enforced disappearances in the context of transnational repression issued by the Committee on Enforced Disappearances (CED) and the Working Group on Enforced or Involuntary Disappearances (WGEID).

The purpose of this submission is to support the preparation of the forthcoming joint statement by providing a legally grounded and victim-centred analysis of enforced disappearances affecting members of the Uyghur diaspora and their families. Drawing on documented patterns and international legal standards, the submission examines how enforced disappearance operates in transnational contexts, including the ways in which it is perpetrated, facilitated, or rendered foreseeable through cross-border dynamics involving both the alleged repressing State and host States.

The Uyghur situation is presented as paradigmatic in practice, illustrating how enforced disappearance may function as a mechanism of extraterritorial control through multiple, interconnected pathways. These include direct cross-border deprivation of liberty followed by concealment of fate or whereabouts; the enforced disappearance or prolonged incommunicado detention of relatives in the territory of origin used to coerce individuals residing abroad; and broader enabling architectures of surveillance, intimidation, and administrative pressure that increase vulnerability to unlawful transfer and disappearance. Together, these pathways demonstrate how enforced disappearance can be adapted to transnational repression while retaining its core legal characteristics.

The submission is structured in direct response to each guiding question formulated by the CED and the WGEID. It identifies relevant legal and policy frameworks, highlights gaps in existing investigative and cooperative mechanisms, and proposes prevention-oriented measures aimed at protection, truth, justice, and reparation. In doing so, it seeks to assist the CED and the WGEID in articulating clear, operational conclusions that respond to contemporary patterns of enforced disappearance in transnational settings and reinforce States' due diligence obligations under international law.

Methodology, Scope, and Terminology

This submission is based on a cumulative and cross-referenced assessment of patterns documented by United Nations treaty bodies and Special Procedures, including communications and urgent actions, as well as credible civil society reporting, academic research, and testimonies provided by Uyghur victims and their families. The analysis does not rely on isolated incidents, but on the convergence of consistent findings across multiple sources. It is not confined to a single jurisdiction and is intended to be of general and regional relevance, in line with the Call for Inputs' invitation to submit country-specific, regional, or general contributions.

For the purposes of this submission, the term "transnational repression" is used as an analytical framework to describe acts conducted or directed by a State, or by actors acting with its authorisation, support, or acquiescence, to deter, silence, or punish dissent, criticism, or human rights advocacy expressed outside its territory. This includes conduct targeting family members or close associates who remain within the territory of the repressing State. This usage is consistent with the understanding of transnational repression referenced in the Call for Inputs and reflected in recent United Nations analysis.

"Enforced disappearance" is assessed in accordance with its absolute and non-derogable prohibition under international law. The analysis is guided by the standards articulated in the International Convention for the Protection of All Persons from Enforced Disappearance and the Declaration on the Protection of All Persons from Enforced Disappearance, as referenced in the Call for Inputs, and by the jurisprudence and practice of relevant United Nations mechanisms. Particular attention is given to the constitutive elements of enforced disappearance, including deprivation of liberty by State agents or with State acquiescence, followed by refusal to acknowledge the deprivation of liberty or concealment of fate or whereabouts, thereby placing the person outside the protection of the law.

For analytical clarity and to support prevention-oriented conclusions, the submission distinguishes among varying degrees of State involvement by host States. These include active facilitation, such as transfer, handover, or operational cooperation despite foreseeable risk; acquiescence or permissive enabling, including failure to prevent foreseeable harm, inadequate procedural safeguards, or tolerance of coercive networks; and failure to protect, including insufficient due diligence to investigate intimidation, disrupt transnational coercion, or ensure access to effective remedies. This differentiation is not intended to diminish responsibility, but to assist in identifying tailored legal and policy responses capable of preventing enforced disappearances in transnational contexts.

Context: Why the Uyghur Diaspora Illustrates Transnational Enforced Disappearance Risks

The experience of Uyghur communities abroad must be situated within the broader and well-documented context of mass arbitrary detention, forced assimilation, cultural erasure, and collective punishment imposed in the Xinjiang Uyghur Autonomous Region (XUAR) of the People's Republic of China. Enforced disappearance and prolonged incommunicado detention have been reported as systematic practices directed against Uyghurs within China, particularly following major security operations and policy shifts. Two temporal anchors are of particular legal and factual relevance for understanding the transnational dimension of these practices: the aftermath of the events of July 2009 in Ürümqi and the large-scale expansion of arbitrary detention beginning in 2017.

The events of July 2009, and the security operations that followed, constitute an early and enduring reference point for enforced disappearance in the Uyghur context. Following unrest and subsequent policing and security measures, families reported that relatives were taken away without warrants, without notification, and without access to legal counsel, and that no reliable information was subsequently provided regarding their whereabouts, legal status, or fate. Many of these cases remain unresolved. For the Uyghur diaspora, the continuing absence of clarification concerning these disappearances is not merely historical; it informs present-day assessments of risk. It demonstrates that enforced disappearance has been operationally feasible within the domestic system for prolonged periods and that families may be left indefinitely without truth or remedy. This historical continuity is directly relevant to host States' due diligence obligations, particularly when assessing the foreseeability of harm in removal, extradition, or other transfer proceedings.

Beginning in 2017, reports from United Nations mechanisms, academic institutions, and civil society organisations describe a marked expansion and systematisation of arbitrary detention, including the widespread use of incommunicado detention and the concealment of fate or whereabouts. This period is legally significant because it reflects a qualitative shift from episodic or reactive security measures to an institutionalised system of deprivation of liberty affecting large segments of the Uyghur population. It is within this context that the transnational dimension of enforced disappearance becomes especially pronounced. The deprivation of liberty inside the territory of origin is no longer confined in its impact to that territory; rather, it is deliberately leveraged to influence conduct abroad.

A defining feature of the post-2017 phase is the use of enforced disappearance or prolonged incommunicado detention of relatives as a coercive instrument against Uyghur individuals residing abroad. Diaspora members have reported that relatives in the XUAR became unreachable after the diaspora member engaged in public advocacy, cultural expression, media interviews, peaceful protest, or cooperation with international mechanisms, including the United Nations. Families describe sudden loss of contact, absence of official notification, and an inability to obtain verified information concerning location, legal basis, or wellbeing. In some cases, indirect messages are conveyed through intermediaries, indicating that silence or compliance abroad is expected. In legal terms, this practice amounts to enforced disappearance of the relative and constitutes a form of transnational repression insofar as its purpose and effect are extraterritorial, targeting the exercise of fundamental rights outside the territory of the repressing State.

The disappearance of prominent Uyghur scholars, writers, and cultural figures during this period illustrates how enforced disappearance has been used domestically as an instrument of identity-based repression while simultaneously functioning as a transnational deterrent. Cases involving internationally respected academics and cultural custodians are particularly significant because they demonstrate that neither professional stature nor international

recognition ensures protection against concealment of fate or whereabouts. For diaspora communities, these cases convey a clear message: public visibility, cultural preservation, or engagement with international institutions may increase vulnerability rather than mitigate it. The resulting chilling effect extends well beyond the individual case, discouraging lawful expression, cultural activity, and cooperation with international accountability mechanisms in host States.

A further transnational pathway arises through exposure to removal, transfer, or return from third countries. Reports concerning Uyghur students, migrants, and asylum seekers subjected to arrest, detention, or removal proceedings abroad illustrate how administrative and immigration controls may intersect with enforced disappearance risk. Even where host State measures are formally framed as immigration enforcement, the legally decisive issue is foreseeability. Where credible information indicates that return would expose an individual to a real risk of incommunicado detention, concealment of fate or whereabouts, or enforced disappearance, international law requires preventive action. These cases underscore the continuing relevance of the principle of non-refoulement and the obligation of host States to ensure that their territory is not used to facilitate enforced disappearance through transfer or handover.

Cases involving forced returns from transit countries are particularly instructive. Individuals held in immigration detention, often without effective access to legal counsel or independent judicial review, have been transferred in circumstances where no transparent or verifiable information was subsequently made available regarding their fate or whereabouts. For families and diaspora communities, the absence of post-transfer information reinforces the reasonable perception that return entails a high risk of disappearance. From the perspective of the CED and the WGEID's mandate, such cases are emblematic of how host State action or omission may contribute to enforced disappearance when safeguards are inadequate, even in the absence of intent to participate in the underlying violation.

Another enabling dimension of transnational enforced disappearance risk concerns the use of international policing or administrative mechanisms against Uyghur civil society figures abroad. The targeting of prominent advocates through cross-border alerts or security designations has been widely reported. While such measures do not in themselves constitute enforced disappearance, they can stigmatise individuals, restrict mobility, and increase exposure to arrest and detention, thereby heightening the risk of onward transfer to jurisdictions where enforced disappearance or incommunicado detention is credibly alleged. These practices are directly relevant to the Call for Inputs' emphasis on safeguards against misuse of international cooperation mechanisms, including those operated by INTERPOL.

Taken together, these case studies demonstrate why the Uyghur diaspora provides a particularly instructive lens for examining enforced disappearances in the context of transnational repression. They reveal a continuum of conduct, ranging from surveillance, intimidation, and administrative pressure, through coercive immigration or security measures that expose individuals to removal risk, to high-intensity outcomes involving concealed detention and the disappearance of relatives used to control conduct abroad. They also illustrate multiple forms of State involvement, including direct perpetration by the alleged repressing State, facilitation or acquiescence by host States through transfer or inadequate safeguards, and failures to protect where intimidation and coercive networks are not effectively investigated or disrupted.

The victim-centred impact is acute and enduring. It includes protracted uncertainty regarding fate and whereabouts, severe psychological suffering, interference with family life,

destabilisation of diaspora communities, and the suppression of lawful expression and association abroad, including the right to cooperate with the United Nations without intimidation or reprisal. These consequences directly engage the absolute and non-derogable prohibition of enforced disappearance and the erga omnes obligations recalled in the Call for Inputs, including the duty of all States to prevent, investigate, and punish such acts wherever they occur, and to ensure that their territory is not used to commit or facilitate enforced disappearances.

Guiding Question 1: How do enforced disappearances occur in the context of transnational repression, and which individuals are most at risk?

In the context of transnational repression affecting Uyghur communities, enforced disappearances occur through a set of interrelated modalities that differ in operational form and intensity but converge in their legal effect: the removal of individuals from the protection of the law and the coercive suppression of fundamental rights beyond the territory of the repressing State. These modalities should be understood not as isolated incidents, but as components of a broader and coordinated strategy of extraterritorial control.

The most severe modality involves the physical transfer of individuals across borders, including through deportation, expulsion, extradition, or other forms of handover, followed by detention in circumstances where their fate or whereabouts are not disclosed and where access to legal safeguards is denied. In such cases, the transnational character of the enforced disappearance does not derive solely from the crossing of borders, but from the role of the host State in enabling or failing to prevent removal despite the existence of substantial grounds for believing that the individual faces a real risk of incommunicado detention, concealment of whereabouts, or enforced disappearance upon return. Where removal decisions are taken without rigorous, individualised risk assessment and without effective remedies, host State action or omission may contribute materially to the conditions in which enforced disappearance occurs.

A second and particularly pervasive modality consists of the enforced disappearance or prolonged incommunicado detention of relatives who remain in the territory of origin, used as a means of coercion against Uyghur individuals residing abroad. In this configuration, the person subjected to disappearance is physically located within the territory of the alleged repressing State, yet the primary objective of the deprivation of liberty is extraterritorial. The disappearance is intended to influence conduct abroad by deterring testimony, advocacy, religious practice, cultural expression, or engagement with international accountability mechanisms. This modality transforms enforced disappearance into a tool of transnational collective punishment, exporting fear across borders and systematically undermining civic space within host States.

A third modality, which operates as an enabling architecture for the first two, consists of sustained surveillance, intimidation, community infiltration, and digital harassment directed at Uyghur individuals abroad. Although such conduct does not in itself always meet the legal threshold of enforced disappearance, it plays a critical role in identifying targets, gathering information on family networks, isolating individuals socially, and increasing vulnerability to removal, coerced return, or retaliation against relatives. The cumulative effect of these practices is to erode access to protection, discourage the exercise of fundamental rights, and impede communication with international mechanisms, including the United Nations.

The individuals most at risk are those whose identity, activities, or family ties place them within the perceived scope of transnational control. This includes Uyghur human rights defenders, journalists, researchers, cultural and religious figures, community organisers, and individuals affiliated with Uyghur civil society organisations, as well as students, asylum seekers, refugees, and ordinary diaspora members whose primary risk factor is maintaining familial connections with persons in the Xinjiang Uyghur Autonomous Region. Vulnerability is significantly heightened in host States where asylum systems lack robustness, judicial review of removal decisions does not have suspensive effect, immigration detention is used coercively, or political and economic dependencies constrain the willingness or capacity of authorities to resist external pressure.

Women are disproportionately affected within this framework, both as direct targets of coercive practices and as relatives of disappeared persons who bear the social, psychological, and economic consequences of prolonged uncertainty. Gender-specific forms of pressure, including threats to family integrity and the instrumentalisation of caregiving roles, exacerbate the harm and deepen the chilling effect on families and communities. In all these configurations, enforced disappearance operates not only as a grave violation in its own right, but also as a mechanism through which transnational repression achieves its intended deterrent and silencing effects.

Guiding Question 2: Which national, regional, or international laws, practices, or (bilateral) agreements contribute to or prevent such acts?

The risk of enforced disappearances occurring in the context of transnational repression is shaped not only by the conduct of the alleged repressing State, but also by the legal frameworks, administrative practices, and cooperation arrangements of host States and international bodies. Certain laws and practices, while formally lawful, may contribute directly or indirectly to enforced disappearance when they lack adequate human rights safeguards or are applied without due consideration of foreseeable risk.

At the bilateral and operational level, security cooperation agreements, extradition frameworks, migration control arrangements, and informal or ad hoc understandings may contribute to enforced disappearance risk where they are not subject to robust human rights conditions, transparency, and independent oversight. Even where such instruments are lawful in form, their application becomes legally problematic when they are used to circumvent asylum guarantees, to facilitate removal or handover without effective remedy, or to normalise coerced or misleadingly framed “voluntary return” in circumstances where consent is compromised by detention, intimidation, or the threat of retaliation against relatives. In such contexts, cooperation arrangements may function as enabling mechanisms, allowing transnational repression to operate through administrative or security channels rather than overt coercion.

At the domestic level, legal frameworks that confer broad executive discretion on national security or public order grounds, restrict access to legal counsel, limit judicial scrutiny, or permit accelerated removal procedures without suspensive effect materially increase exposure to disappearance risk. Deficiencies in asylum systems, including inadequate access to interpretation, legal assistance, or independent review, further weaken protective capacity. The criminalisation of irregular migration and the use of prolonged or automatic immigration detention may exacerbate vulnerability by placing individuals in coercive environments in which return is presented as the only viable option, even where credible protection concerns exist.

At the international level, structural gaps in the legal framework contribute to impunity and risk. The non-ratification of the International Convention for the Protection of All Persons from Enforced Disappearance by China limits treaty-based avenues for cooperation, monitoring, and accountability, notwithstanding the absolute nature of the prohibition of enforced disappearance and its status as an obligation erga omnes. In parallel, the misuse of international police cooperation mechanisms, including notices and diffusions, can compound risk by facilitating stigmatisation, mobility restrictions, detention, and onward transfer under the appearance of ordinary law enforcement cooperation, without sufficient safeguards against political motivation or human rights harm.

Conversely, a number of legal and policy frameworks demonstrate that enforced disappearance risk in transnational contexts can be mitigated. Preventive measures include the consistent application of non-refoulement obligations across all removal, extradition, and transfer procedures; the availability of effective judicial review with suspensive effect; and the adoption of legislation and policy guidance addressing transnational repression, foreign interference, and intimidation by foreign States. The development of specialised law enforcement guidance and training on identifying and responding to transnational coercion strengthens institutional capacity to protect targeted communities.

At the national and regional levels, the use of targeted accountability measures, including sanctions regimes and the exercise of universal jurisdiction where available, can raise the cost of participation in enforced disappearance and deter facilitation by third parties. Parliamentary oversight mechanisms, regional human rights institutions, and authoritative reporting by United Nations treaty bodies and Special Procedures further contribute to prevention by clarifying due diligence expectations, strengthening the evidentiary basis for risk assessments, and reinforcing the principle that no State may allow its territory or legal system to be used to commit or facilitate enforced disappearances.

Guiding Question 3: Which mechanisms exist—or are lacking—to ensure investigation, prosecution, and mutual legal assistance in cases of transnational enforced disappearances?

Existing mechanisms to investigate, prosecute, and provide mutual legal assistance in cases of transnational enforced disappearance remain inadequate in light of the complexity and concealment inherent in such cases. While certain international and domestic mechanisms exist, they are fragmented, unevenly applied, and insufficiently adapted to the specific dynamics of enforced disappearance when used as a tool of transnational repression.

United Nations mechanisms, including the Working Group on Enforced or Involuntary Disappearances and other Special Procedures, play a central role in receiving allegations, transmitting urgent actions, and clarifying applicable international legal standards. These mechanisms are particularly important in situations where families lack access to domestic remedies. However, their effectiveness is significantly constrained when States do not cooperate, deny the existence of detention, or provide incomplete, delayed, or non-responsive replies. In the Uyghur context, the concealment of fate or whereabouts that defines enforced disappearance creates a structural evidentiary deficit for families and advocates, which is compounded by fear of reprisals against relatives and by practical barriers to cross-border documentation and evidence gathering.

At the inter-State level, mutual legal assistance frameworks are poorly suited to enforced disappearance cases, particularly where the alleged perpetrating State invokes national

security, political sensitivity, or sovereignty to refuse cooperation. Existing mutual legal assistance treaties and conventions are generally oriented toward conventional criminal investigations and do not prioritise victim-centred access to truth, the urgent clarification of fate and whereabouts, or cooperation in locating and releasing disappeared persons. As a result, requests for assistance are frequently stalled or rendered ineffective, leaving families without meaningful avenues to pursue accountability.

At the domestic level, investigations into related conduct—such as harassment, stalking, foreign interference, and intimidation by proxy actors—can yield tangible results in certain jurisdictions. However, these investigations are rarely conceptualised or coordinated as part of a broader disappearance-prevention continuum. As a consequence, patterns linking surveillance, coercion, and intimidation to subsequent unlawful transfer or concealed detention are often treated as discrete offences, rather than as interconnected elements of a single transnational repression strategy culminating in enforced disappearance.

Significant institutional and procedural gaps remain. Mechanisms that are currently lacking include standardised protocols that link indicators of transnational repression to disappearance-prevention duties within asylum, extradition, and immigration proceedings; specialised investigative and prosecutorial capacity to address foreign-State coercion and the use of proxy actors across borders; and protected, confidential reporting channels that enable victims and witnesses to disclose threats and coercion without increasing the risk to relatives who remain in the territory of origin.

Also absent is a victim-safe, internationally interoperable system for documenting, preserving, and cross-referencing enforced disappearance cases linked to transnational repression. Such a system would allow for pattern recognition across jurisdictions and over time while incorporating safeguards to prevent data misuse and retaliation. The absence of these mechanisms perpetuates fragmentation, limits accountability, and undermines the ability of States to meet their obligations to investigate, cooperate, and assist victims effectively in cases of transnational enforced disappearance.

Guiding Question 4: Which measures should States adopt to ensure effective protection, truth, justice, and reparation for victims and their relatives?

To address enforced disappearances occurring in the context of transnational repression, States should adopt a coherent and integrated package of measures calibrated to the level of risk and to the nature of their involvement, whether through direct action, facilitation, acquiescence, or failure to protect. Such measures should be grounded in due diligence obligations and prioritise prevention, while ensuring access to truth, justice, and reparation for victims and their relatives.

As a matter of primary prevention, States must ensure that no individual is transferred, removed, or handed over where there are substantial grounds for believing that they face a real risk of enforced disappearance, incommunicado detention, or concealment of fate or whereabouts. This obligation applies irrespective of the formal legal characterisation of the procedure and extends to risks arising directly for the individual or foreseeably through a chain of events. To give effect to this duty, States should conduct rigorous, individualised risk assessments based on credible, current, and disaggregated information, and should guarantee access to effective remedies before independent bodies with suspensive effect. Removal procedures that lack meaningful judicial oversight or that rely on generalised security assurances are incompatible with these requirements.

Where transnational repression manifests through intimidation, surveillance, or coercive contact short of physical transfer, host States should ensure the availability of accessible and trusted reporting channels for affected individuals and communities. This includes specialised training for asylum authorities, law enforcement, and prosecutors to identify indicators of foreign-State coercion and to distinguish such conduct from ordinary community disputes or isolated harassment. States should establish dedicated capacity to investigate and disrupt coercive networks, including the activities of proxy actors and digital harassment campaigns, while ensuring that protective measures, such as safety planning and secure documentation, are available to those at risk. Particular attention should be paid to safeguarding individuals who cooperate with United Nations mechanisms, in line with the obligation to prevent intimidation or reprisals.

Where enforced disappearance is used indirectly through the targeting of relatives who remain in the territory of origin, States should explicitly recognise such practices as serious human rights violations with an extraterritorial coercive purpose. Protective responses should therefore extend beyond conventional witness-protection models and include humanitarian and immigration measures tailored to the situation of affected families. These may encompass family reunification pathways, temporary or permanent protection status, access to psychosocial and trauma-informed support, and secure avenues for the preservation of evidence and testimonies that do not expose relatives abroad to additional risk.

Measures aimed at truth and justice should reflect States' due diligence obligations to preserve evidence, facilitate documentation, and pursue accountability through available legal avenues, including criminal, civil, administrative, and diplomatic measures. Victims and relatives should be provided with timely and accessible information concerning steps taken to clarify fate and whereabouts, and should be enabled to participate meaningfully in proceedings, where appropriate. Cooperation with international mechanisms and with other States should be guided by the objective of locating disappeared persons and ensuring accountability, rather than by considerations of political expediency.

Reparation should be understood in accordance with international standards as encompassing restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. In the context of transnational enforced disappearance, guarantees of non-repetition are of particular importance and require institutional reforms that address enabling conditions, including unregulated or opaque security cooperation, unsafe data-sharing practices, insufficient oversight of removal and extradition decisions, and the absence of safeguards against foreign-State intimidation. Through such measures, States can move beyond reactive responses and contribute to durable protection and prevention for victims of transnational enforced disappearance and their families.

Guiding Question 5: How can international organizations such as INTERPOL strengthen safeguards against misuse of their mechanisms?

International organisations with mandates for cross-border cooperation, including INTERPOL, play an important role in facilitating legitimate law enforcement collaboration. At the same time, the transnational repression context demonstrates that such mechanisms may be vulnerable to misuse in ways that can heighten the risk of enforced disappearance, particularly where political or security labelling intersects with weak procedural safeguards. Strengthening safeguards is therefore essential to ensure that international cooperation mechanisms are not inadvertently used to facilitate or enable human rights violations.

A core safeguard lies in reinforced screening for political motivation and human rights risk at all stages of the request process, including the risk of enforced disappearance, incommunicado detention, or other serious violations. Requests originating from contexts where patterns of enforced disappearance have been credibly documented warrant heightened scrutiny, not as a presumption of bad faith, but as a due diligence measure to prevent foreseeable harm. Such screening should be informed by reliable country information, relevant findings of United Nations mechanisms, and applicable international protection standards.

Accessible, independent, and effective review procedures are also essential. Individuals who may be affected by notices, diffusions, or other cooperation measures should have timely access to remedies that allow for review, correction, suspension, or deletion where human rights risks are identified. In situations involving refugees, asylum seekers, or persons otherwise recognised as being at risk, rapid suspension mechanisms are particularly important to prevent irreversible consequences, including detention or onward transfer, before review can be completed.

Improved transparency regarding patterns and trends of misuse is a further preventive measure. Regular public reporting, in aggregate form and with appropriate safeguards, can strengthen institutional accountability, enhance confidence in cooperation mechanisms, and assist States and international bodies in identifying systemic risks. Transparency also contributes to the development of clearer guidance for national authorities on how to interpret and apply cooperation requests in compliance with human rights obligations.

Formalised coordination with UNHCR and relevant United Nations human rights mechanisms is critical to ensuring that protection considerations are integrated into decision-making. Information concerning refugee status, pending asylum claims, non-refoulement obligations, and credible indicators of enforced disappearance risk should be systematically taken into account when assessing cooperation requests. Such coordination reinforces the complementary roles of international organisations and helps ensure that administrative or security labelling does not function as an unexamined gateway to detention, mobility restriction, or onward transfer in circumstances that may expose individuals to enforced disappearance.

Through these measures, international organisations such as INTERPOL can strengthen the integrity of their mechanisms, support legitimate law enforcement cooperation, and contribute to the broader international effort to prevent enforced disappearances and other serious human rights violations in transnational contexts.

Guiding Question 6: Are there positive examples of domestic or international cooperation that have effectively prevented or addressed enforced disappearances in a transnational context?

While responses to enforced disappearances in the context of transnational repression remain uneven and often insufficient, a number of domestic and international practices demonstrate that prevention and mitigation are both feasible and effective when States and institutions act with due diligence and a clear human rights framework. These examples are instructive not because they represent comprehensive solutions, but because they show that targeted measures can interrupt coercive dynamics, reduce exposure to disappearance risk, and strengthen protection for affected individuals and communities.

At the domestic level, investigations and prosecutions addressing transnational harassment, intimidation, and foreign interference have, in certain jurisdictions, disrupted coercive

networks targeting diaspora communities. Although such proceedings often focus on offences short of enforced disappearance, they nonetheless play a preventive role by recognising patterns of intimidation as part of a broader transnational repression strategy. When law enforcement and prosecutorial authorities treat threats, surveillance, and coercive contact as serious matters implicating foreign-State involvement, they reduce the operational space in which disappearance-related coercion can escalate.

Legislative and policy initiatives that explicitly acknowledge transnational repression as a distinct and foreseeable human rights risk also constitute positive practice. Where States have integrated this recognition into asylum procedures, immigration decision-making, and law enforcement guidance, authorities have been better equipped to identify disappearance risk at an early stage and to apply non-refoulement and protection safeguards in a more consistent and informed manner. Improvements in access to judicial review, particularly where such review has suspensive effect, have likewise contributed to preventing removals that would expose individuals to a real risk of enforced disappearance or incommunicado detention.

At the international and regional levels, interventions by human rights mechanisms, including urgent actions, interim measures, and diplomatic engagement, have in some cases contributed to halting removals or securing temporary protection for individuals at risk. While such interventions do not resolve the underlying structural causes of transnational repression, they demonstrate the protective value of timely and coordinated international action. Parliamentary inquiries, resolutions, and reports by regional bodies have further reinforced accountability by documenting patterns, clarifying legal obligations, and strengthening the evidentiary basis for preventive measures at the national level.

Cooperation between protection-focused institutions, such as asylum authorities and international human rights mechanisms, also illustrates good practice where information-sharing is structured around risk prevention rather than enforcement priorities. When refugee status determinations, protection needs, and credible indicators of disappearance risk are systematically taken into account across institutions, the likelihood that individuals will be exposed to unlawful transfer or concealed detention is reduced.

Taken together, these examples demonstrate that enforced disappearances in transnational contexts are not inevitable. Prevention is achievable where States treat transnational repression as a human rights and protection issue requiring vigilance, coordination, and accountability, rather than solely as a matter of immigration control, security cooperation, or diplomatic accommodation. The lessons drawn from these practices are directly relevant to the development of the CED and WGEID's joint statement and underscore the importance of translating legal standards into operational safeguards capable of protecting individuals from enforced disappearance across borders.

Conclusions and Recommendations for the Joint Statement

The experience of the Uyghur diaspora illustrates a contemporary and increasingly prevalent model of enforced disappearance in the context of transnational repression, in which disappearance is deployed both directly and indirectly as a means of exercising extraterritorial control. In this model, enforced disappearance does not occur in isolation, but is embedded within a broader architecture of coercion that includes surveillance, intimidation, securitised narratives, proxy actors, administrative and security cooperation, and insufficient procedural safeguards in certain host States. The cumulative effect of these elements is to extend the reach

of repression beyond national borders, suppress lawful activity abroad, and undermine the protection of the law for individuals and families.

This joint submission respectfully invites the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances to reflect, in their joint statement, that enforced disappearance in transnational settings may manifest through multiple pathways. These include direct cross-border deprivation of liberty, such as transfer or handover followed by concealed detention, as well as indirect but equally coercive practices, such as the disappearance or incommunicado detention of relatives used to influence the conduct of persons residing abroad. Recognising these interconnected modalities is essential to ensuring that the prohibition of enforced disappearance is interpreted and applied in a manner that responds to contemporary patterns of transnational repression.

The joint statement would be strengthened by articulating, in clear and operational terms, the due diligence obligations of host States. In particular, States should be reminded of their duty to ensure that their territory, legal systems, and administrative processes are not used to commit, enable, or facilitate enforced disappearances, whether through action or omission. This includes obligations to prevent unlawful transfer or return in the face of foreseeable risk, to investigate intimidation and coercion by foreign or proxy actors, and to provide effective remedies and protection for individuals at risk. Such obligations are consistent with the absolute and non-derogable nature of the prohibition of enforced disappearance and with its status as an obligation erga omnes, requiring cooperation among States in prevention, investigation, and assistance to victims.

The joint statement should further emphasise the need for coordinated inter-State and inter-institutional cooperation aimed at prevention rather than reactive response. This includes integrating disappearance risk assessments into asylum, extradition, and immigration procedures; strengthening safeguards against misuse of international cooperation mechanisms; supporting victim-centred documentation and evidence preservation; and ensuring that engagement with United Nations mechanisms is protected from intimidation or reprisal. By translating legal standards into concrete preventive expectations, the joint statement can contribute meaningfully to reducing the space in which enforced disappearances occur in transnational contexts.

Justice pour Tous Internationale and its partner organisations remain committed to supporting the work of the CED and the WGEID and stand ready to provide additional documentation, case studies, and supporting materials as annexes, including victim testimonies prepared in a victim-safe manner, where such information can be shared without increasing the risk of reprisals against affected individuals or their families.