



## PARLAMENT DE CATALUNYA

### **Motion 69/X of the Parliament of Catalonia on compliance with the recommendations of the report by the United Nations Committee on Enforced Disappearances of 13 November 2013**

Proceeding 302-00107/10

#### Plenary Assembly of the Parliament

The Plenary Assembly of the Parliament, at its sitting on 19 December 2013, in accordance with Article 139 of the Parliament's Rules of Procedure, discussed the Motion subsequent to the appeal to the Government on compliance with the recommendations of the report of the United Nations Committee on Enforced Disappearances of 13 November 2013 (Proceeding 302-00107/10), presented by the member of parliament Gemma Calvet i Barot, of the Parliamentary Group of Esquerra Republicana de Catalunya (Republican Left of Catalonia), and the amendments tabled by the Parliamentary Group of Iniciativa per Catalunya Verds - Esquerra Unida i Alternativa (Initiative for Catalonia Greens - United and Alternative Left) (Entry 50499) and by the Parliamentary Group of Convergència i Unió (Convergence and Union) (Entry 50542).

Finally, in accordance with the provisions of Article 139 of the Parliament's Rules of Procedure, the Parliament passed the following

#### Motion

1. In compliance with the recommendations of the United Nations Committee on Enforced Disappearances presented in the report on compliance by the Spanish State issued in November 2013, the Parliament of Catalonia agrees as follows:

a) To support the creation of the DNA Bank as a gene bank in the framework of the Programme for Identifying Missing Persons in Catalonia Using DNA Samples of Relatives.

b) To support the protocol signed by the Bosch i Gimpera Foundation and the Legal Medicine Unit of the University of Barcelona in the Programme for Identifying Missing Persons in Catalonia Using DNA Samples of Relatives.

c) To urge the Government of Catalonia to continue facilitating and guaranteeing the right to information and awareness of all relatives of victims of the Civil War and the repression of the Franco regime entered in the Official Record as a Catalan census of missing persons, which currently has 4,600 entries. In particular, after guaranteeing the requirements of data protection legislation that are applicable in accordance with the opinion of the Catalan Data Protection Authority, to inform of the possibility of providing DNA samples to facilitate the identification of missing persons in cases in which it is scientifically possible; and also to provide information about the use of the UN Form to submit a



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communication on a victim of an enforced or involuntary disappearance, and to guarantee information and intensified efforts regarding the situation of children who may have been victims of appropriation, enforced disappearance, identity theft, or more than one of these cases.

d) To urge the Government of Catalonia to promote, in conjunction with this Parliament, the legislative initiatives necessary to enable relatives to claim the bodies of missing persons; to update the current map of graves; and to gradually reinforce the work of exhumation of graves with judicial supervision, in order to guarantee DNA identification tests in bone remains to check against existing data in the Catalan DNA bank when it is scientifically possible.

e) To urge the Government of Catalonia to guarantee individual assessment through reports by social workers in the case of immigrants in Catalonia who may be expelled or extradited in order to determine whether there are well-founded reasons to believe that the person could be in danger of being subjected to enforced disappearance in their country of origin, and in this case to avoid expulsion.

2. The Parliament of Catalonia reaffirms the need for a public remembrance policy, as stated in Article 54 of the Statute of Autonomy of Catalonia, and in this regard urges the Government of Catalonia to provide this policy with adequate resources and to continue supporting the remembrance organizations and associations of Catalonia.

Palace of Parliament, 19 December 2013

First secretary

President of the Parliament

Miquel Iceta i Llorens

Núria de Gispert i Català