



INTERNATIONAL COALITION AGAINST ENFORCED DISAPPEARANCES

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Towards Truth, Accountability, and Remembering: Eliminating Disappearance

Statement of the International Coalition
Against Enforced Disappearances
International Day of the Disappeared
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Today, on the International Day of the Disappeared, we acknowledge the tens of thousands of cases of current disappearances worldwide. On this day, we pay tribute to all the disappeared across the globe. We express solidarity with, and our heartfelt sorrow for the families who continue to wait, their questions unanswered. We nonetheless recognise the progress made in weaving disappearance into the international human rights framework, while reflecting upon the remaining challenges and the worsening situation in diverse parts of the world.

In the last 35 years, the United Nations (UN) has transmitted 54,557 cases of disappearance to 105 States. This number is understating the gravity of this issue, due to underreporting. This underreporting is a result of the fear of reprisal, as well as a lack of awareness of and access to the available mechanisms. Enforced disappearance constitutes a violation of multiple human rights, including the prohibition of torture and ill-treatment both in relation to victims and their family members. The latest figures issued by the UN Working Group on Enforced or Involuntary Disappearances (WGEID) show that 43,563 cases are under active consideration in a total of 88 States. Between May 2014 and May 2015, 151 urgent appeals were sent to Bahrain, Bangladesh, Cuba, the Democratic Republic of the Congo, Egypt, Gambia, Honduras, the Islamic Republic of Iran, Jordan, Kenya, Mexico, Oman, Pakistan, the Syrian Arab Republic, the United Arab Emirates and Zimbabwe. Sadly, people continue to be disappeared today in every region.

We are thrilled by the fact that 26 children, now adults, were reunified with their families during these last two years after being forcibly taken away from Timor-Leste by Indonesian soldiers during the Indonesian occupation. However, in general there has been an increase in cases of enforced disappearance in several Asian countries. In Bangladesh, 52 persons allegedly became victims of enforced disappearance by law enforcement agencies between January and July 2016. Among them, 7 were found dead, 33 were later found arrested or surfaced alive, and the whereabouts of 12 persons are still unknown. Human rights activists allege the disappearance of 8,000 people in Kashmir by the Indian Army. Extrajudicial killings of 1,080 people and enforced disappearances of 172 people have been reported by the International



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Peoples' Tribunal on Human Rights and Justice in Kashmir and the Association of Parents of Disappeared Persons. In Pakistan, 75 cases of disappearance have been documented since January this year, many of these in Punjab province, with 66 persons still missing. As the Philippines is being confronted with rampant cases of drug-related extra-judicial killings, it has still failed to resolve the cases that occurred from the Martial law years until the succeeding administrations. In Indonesia, while we welcome the establishment of a Truth and Reconciliation Commission in Aceh province, the Indonesian government has failed to implement a victim-centered approach to resolving past human rights violations. Nepal has similarly struggled to establish Commissions which victims and international organizations can trust and the fate of the disappeared is still unknown. There remain 516 South Koreans to be returned since they were abducted by North Korea during and after the Korean War. Media reports suggest an increase in the occurrence of enforced disappearances in North Korea in recent years. The disappearance of Sombath Somphone and other recent cases of enforced disappearance in Laos remain unresolved despite international outrage against the deplorable human rights situation in the country.

In Latin America, disappearances and denial of their occurrence continue. As of May 2015, there remained 3,271 outstanding cases before the WGEID to consider in Argentina; 2,897 in Guatemala; 2,365 in Peru; 2,280 in El Salvador; and hundreds more in other countries across the region. Alarming, FEDEFAM reports 270,000 cases of detained-disappearances in Latin America. These are happening at present in a massive and selective manner in Mexico – its gravity in the Federal District is not yet known. Some estimate that there are 100,000 detained-disappeared. In the same political context, enforced disappearance are being committed in Colombia, in the context of the supposed fight against drugs. We express concern about the recent doubts raised by Argentina's president Mauricio Macri and the former Minister of Culture in the City of Buenos Aires, Darío Lopérfido about the exact number of enforced disappearances that occurred. Imposing "forgetting" on Argentina fosters impunity, and is a great insult to the memory of those disappeared. In Peru, it is important to note the encouraging appointments of pro-victim individuals to important cabinet positions. The ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the recent Law on the Search for Missing persons are important steps forward. Nevertheless, the political situation is complicated because the *fujimoristas* and *apristas* compose the majority in the parliament, and have a track record of human rights violations. While we have made some progress, there is still much to do in the struggle against impunity that reigns in Latin America.

In the Euro-Mediterranean region, there is also great cause for concern. In Syria, 67,651 abductions have been recorded during the past four years, according to



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a report by the Euro-Mediterranean Human Rights Monitor and the Syrian Network for Human Rights published in August 2015. Of these disappearances, 96% are linked to the forces of Bashar Al-Assad, the rest are linked to non-state armed groups, including ISIS, Kurd Self-Management Forces and the Al-Nusra Front, approximately 2,400. The WGEID transmitted 48 cases related to Egypt in 2015, compared to 15 cases in 2014. The WGEID transmitted communications under the urgent action procedure to Bahrain, Egypt, the Islamic Republic of Iran, Jordan, Oman, the Syrian Arab Republic, and the United Arab Emirates. As at May 2015, there remained 16,408 outstanding cases for the WGEID to consider in Iraq; 3,104 in Algeria; and 313 in Lebanon, to name just a few. Four cases of political disappearance from 1999 – 2000 remain unsolved in Belarus.

In Europe after 16 years, Belarusian authorities suspected to be involved in the disappearances of four prominent politicians and activists continue to ignore the demands of international institutions and human rights organizations, including the UN Human Rights Council, to investigate these cases properly. The Belarusian government has neither signed nor ratified the ICPPED.

In Africa, an International Coalition Against Enforced Disappearances (ICAED) member organisation worked on the Committee Against Torture's review of Burundi to denounce, among other things, the numerous allegations of enforced disappearance in the country. Regretfully Burundi did not respond to the Committee's questions. Zimbabwe is currently bemoaning the state of public security. The recent wave of peaceful protests has been met with police brutalizing and harassing protesters. We are gravely concerned that the country is still experiencing enforced disappearances which are a crime against humanity. Families of victims of this heinous crime are themselves anxious, unsure if the same crime will be committed against them.

Families of victims and human rights defenders across the globe continue to work tirelessly to raise awareness, improve the way states approach the issue, and seek justice and reparation for victims and their families. ICAED now has 56 member organisations, and together they continue to campaign for the universal ratification and implementation of ICPPED, the recognition of the competence of the UN Committee on Enforced Disappearances (here on 'the Committee'), and the enactment of domestic legislation criminalising enforced disappearance. The ICPPED, adopted on 20 December 2006, now has 96 signatories and 52 States-parties. We are heartened by Sri Lanka's ratification in May this year, as well as last year's ratifications by Italy and Niger, and the accession by Ukraine and Belize. The Committee works to assist States parties to implement the ICPPED, and increasingly to locate people who have



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disappeared. In this regard, we commend Peru, Sri Lanka, and Ukraine for having accepted the competence of the Committee in the last 12 months, respectively in accordance with article 31, 32, and both articles of the ICPPED. However, only 19 countries have recognised the Committee's competence.

The challenges going forward include continuing to promote ratification of the ICPPED, the need for increased recognition of the competence of the Committee, and working in a context of non-state actors increasingly being the perpetrators of abductions and consequent disappearances. It is extremely difficult to gauge the quantity of people impacted by enforced disappearance, and we must remain aware that many grave cases do not surface due to their isolated nature and the danger faced by those who could report them.

ICAED urgently calls on States to sign and ratify the Convention; enact domestic legislation; and recognise the competence of the Committee. We welcome the opportunities offered by the International Day of the Disappeared – to strengthen the mechanisms in place to prevent disappearance; protect those currently in danger; and bring justice to the disappeared, their families, communities and societies.