



Asian Federation Against Involuntary Disappearances (AFAD)

Rms 310-311, Philippine Social Science Center, Commonwealth Ave., Brgy Central, Diliman, Quezon City

Telefax: 00-632-4546759 Telephone Number 00-632-4566434 Mobile 00-63-9177924058

Email afad@surfshop.net.ph website www.afad-online.org

DISAPPEARED BUT NOT FORGOTTEN

AFAD Commemorates the International Day of the Disappeared 2016

Manila, 30 August 2016 – On this day, the International Day of the Disappeared (IDD), the Asian Federation Against Involuntary Disappearances (AFAD) pays tribute to the thousands of disappeared people in Asia and all over the world, and to their families.

This day was first commemorated 36 years ago by the Latin American Federation of Associations of Relatives of Disappeared-Detainees (FEDEFAM) and was later adopted by similar formations in other parts of the world. Recognizing that the crime of enforced disappearance has reached a global scale, the United Nations officially declared this day as the International Day of the Disappeared in 2011.

Today, we commemorate this event to forcefully reiterate that the disappeared are not forgotten and that AFAD and all its member organizations will continue the struggle to attain the vision of a world without *desaparecidos*.

This year's IDD is perhaps more important than ever as the situation of human rights in various Asian countries has greatly deteriorated, and the number of cases of enforced disappearances has risen.

Indeed, the human rights situation has rapidly deteriorated in **Bangladesh** due to a strong repression that has taken many forms: adoption of repressive laws and policies; torture; enforced disappearances; cruel and degrading treatment of individuals in police custody, etc. The number of cases of enforced disappearance has increased, fueled also by the widespread impunity enjoyed by State security forces. As per information gathered by AFAD, from January to July 2016, 52 persons have become victims of enforced disappearance. Although the numbers are extremely alarming, the government continues to deny that such crimes occur in Bangladesh. As a result, enforced disappearance acts have become an institutionalized practice of repression resorted to by the State to silence dissenting and alternative voices.

In **Jammu and Kashmir**, over the past 51 days a strict curfew with phones and internet ban has been implemented, affecting lives of all Kashmiris and hindering the work of human rights defenders. Moreover, the State violence has resulted in 70 killings of civilians, around 8500 got injured and more than 3000 have been arrested. This situation brought the UN High Commissioner

for Human Rights, Mr. Zeid Ra'ad Al Hussein, to publicly express concern for the ongoing violence in Jammu and Kashmir.

Given these recent developments, including the filing of a case of sedition against Amnesty International and India's fierce opposition to a UN inquiry into the situation in Kashmir, protests have further escalated in different parts of the country, bringing together men, women, elderly and the youth.

In **Pakistan**, enforced disappearances started to be perpetrated after 9/11, when the U.S. launched its 'war on terror'. Since then, the number of cases has been constantly on the rise. According to the latest information received by AFAD, 75 cases of enforced disappearances have been documented by Defence of Human Rights (DHR) since January 2016, with the highest number coming from the Punjab province. Of these, 66 persons are still missing.

AFAD is particularly concerned with the increasingly frequent practice of killing disappeared persons in bogus encounters and later declare them as members of terrorist groups.

In **Indonesia**, during the presidential election campaign of 2014, Jokowi promised to resolve past cases of gross human rights violations. Despite that promise, the only "solution" attempted by the government is have perpetrators and victims simply forgive each other - this without first establishing State accountability for past crimes, without following any legal process and without revealing the truth about these human rights violations. This attempt clearly undermines the rights of the victims. However, a positive breakthrough took place in the Aceh province, where the local government established a local Truth and Reconciliation Commission to solve cases of gross human rights violations that occurred in the province during the conflict.

Positive developments were also registered in **Timor-Leste**, where in May this year a new family-reunion was successfully conducted. Thanks to the joint efforts of various human rights organizations from Timor-Leste and Indonesia, twelve 'stolen children' were reunited with their biological families in Dili. Although these events are extremely important for victims, governments should bear the responsibility for the continuation of the process, and providing psychosocial support and reparations especially in consideration of the fact that families have already been separated for many years.

Similar is the situation between **North and South Korea**, where around 516 South Koreans abducted by North Korea have not yet been returned, and the cases of separated families, enforced disappearances and abductions during and after the Korean War remain unresolved. Even though North Korean authorities continue denying all cases transmitted to them through the UN WGEID, media reports indicate that the rate of occurrence of enforced disappearances by North Korea, including those of non-Koreans, has increased in recent years.

In **Laos**, the crime of enforced disappearance continues to take place. Earlier this year, around March, 3 young Lao who were working in Bangkok were disappeared when they went back to Laos to renew their passports. Later, after outcries of their disappearance appeared in the international press, they were surfaced and shown on TV dressed in prison garb confessing to using social media to "defame" the Lao Government. They are still awaiting trial, and their parents and relatives have still not been able to visit them. Such is the kind of human rights violations committed against ordinary people taking place in Laos, where people have little recourse to justice. Despite such impunity, we must never lose hope; if we lose hope, we have nothing left.

In **Nepal**, despite more than a decade has passed since the Comprehensive Peace Accord was signed between the Maoists and the Government, the situation of conflict victims has not substantially changed. Although the Truth and Reconciliation Commission and the Commission of Inquiry on Disappeared Persons have been formally set up, they have failed to win the confidence of conflict victims, as well as of national and international human rights organizations. This is because they have been established based on a TRC Act which goes against the verdicts of the Supreme Court and international standards. As the State fails to address the core concerns of the conflict victims, the whereabouts of the disappeared are still unknown and justice has become a distant mirage.

In **Sri Lanka**, the Government is starting to move ahead in fulfilling the promises made in Geneva, but according to the family members, very slowly. The ratification of the CED, the appointment of a consultative Task force and the passing of the OMP Act in the Parliament, are some good indicators that the Government is moving in the correct way. The Government has shown some willingness to work with civil society, and now it will need to move forward to fulfill the other promises in building up mechanisms for Truth, Justice, Reparations and Guarantees for Non- Recurrence.

In the **Philippines**, the human rights situation is drastically deteriorating. It is alarming that the government's war on drug-related offences and allied crimes has already yielded nearly 1,800 victims since the election of Mr. Rodrigo Duterte as President in May this year. It is feared that the growing protest against and the ongoing Senate inquiry into these killings could trigger a shift to enforced disappearances so as to conceal the *corpus delicti*.

Given these situations, today AFAD and all the members of the International Coalition Against Enforced Disappearances (ICAED), stand together with all victims and their families, renewing once again our call for the universal ratification and implementation of the International Convention on the Protection of all Persons from Enforced Disappearance.

AFAD, ICAED and all their member organizations will continue the struggle for a world without *desaparecidos* and for truth and justice to be delivered to all victims and their families.

Signed by,



KHURRAM PARVEZ
Chairperson



MARY AILEEN D. BACALSO
Secretary-General