



Asian Federation Against Involuntary Disappearances

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PRESS STATEMENT

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AFAD Holds Congress in Sri Lanka, Scores Asian Governments' Tepid Response to Enforced Disappearance

The Asian Federation Against Involuntary Disappearances (AFAD) concluded its 5-day Congress in Sri Lanka with a stronger resolve to address enforced disappearance in the region at its roots.

The federation denounces governments' outright denial, apathy, slow, or absence of response to thousands of enforced disappearances.

In Sri Lanka, despite the over 100,000 disappeared victims since 1989, government has been foot-dragging on the operationalization of the Office of Missing Persons that Parliament created more than one year ago and to which it allotted 1.4 billion Rs. for this year. The Families of the Disappeared (FOD), however, lauds the Sri Lankan government for having registered the first and only ratification of the International Convention for the Protection of All Persons from Enforced Disappearance in South Asia.

Asosiasaun HAK likewise commends Timor-Leste's government for allowing a smooth reunification of Timorese disappeared children, who were brought to Indonesia, with their biological families in Timor. These families along with those still searching for their "stolen children" remain steadfast in seeking justice as a condition for reconciliation with the perpetrators.

Still searching for their disappeared loved ones and demanding justice are the 516 families the disappearance of whose relatives has been confirmed but remain unresolved. Citizens' Alliance for North Korean Human Rights (NKHR) disclosed that no less than 3,835 South Korean nationals were abducted and brought to North Korea during the Korean war.

Commission of enforced disappearances is systematically escalating in Bangladesh and Pakistan and the situation is now full blown. According to Odhikar, from January 2009 to November 2017, 408 persons were disappeared in Bangladesh

while in Pakistan, Defence of Human Rights has recorded 2,496 disappeared persons since 2005 till November 2017.

AFAD leaders notwithstanding their having been recognized by prestigious award giving bodies for their outstanding defense of human rights, have been victims of arbitrary arrest and detention based on trumped up charges.

AFAD Chairperson, Khurram Parvez, was arrested and detained for 76 days in Kotbhalwal Jail in India on the pretext of preventing him from disturbing public order, a form of preventive detention under the Public Safety Act. Although he has been released in November 2016, his case has recently been reopened.

In Bangladesh, Adilur Rahman Khan, the multi-awarded Secretary of Odhikar, was detained. He was arrested for alleged violation of the Information and Communication Act, 2006 (amended 2009) but is now out on bail and the case is pending. Moreover, Odhikar's legitimate foreign funding remains frozen in the bank upon orders of government.

AFAD strongly condemns the practice of forcibly abducting and disappearing and unjustly persecuting leaders of civil society and people's organizations.

In its 19-year struggle against this egregious global scourge, AFAD has realized that this heinous assault on human dignity stems from social injustice and abuse of political power.

As long as poverty stalks the land and governments wield unbridled power and stifle dissent, disappearances will persist. The failure of governments to uplift the life of those in the margins of society pushes them to aggressively fight for their rights, hold those in power accountable for their acts of omission and crime against the people. Such protest actions and open defiance make them easy prey to arbitrary arrest and detention, enforced disappearance, torture, and summary execution.

As the federation vows to heighten its campaign and lobby for the enactment of national laws criminalizing enforced disappearance and States' accession to the International Convention for the Protection of All Persons From Enforced Disappearance, it underscores the urgency of accompanying institutional reforms, particularly in the justice system.

The persistence of flawed and dysfunctional criminal justice systems mocks the legal norms of protection and sanctions that an anti-enforced disappearance domestic law and the enforced disappearance treaty embody. In the event governments are unable and unwilling to prosecute perpetrators of enforced disappearance, victim-survivors and their families must be accorded unhampered access to international mechanisms and treaty bodies.

AFAD strongly urges governments to conduct prompt, thorough, and impartial investigations into reported disappearances even without official complaints filed.

Reparative measures that include monetary compensation, restitution, satisfaction, rehabilitation, and guarantees of non-repetition must likewise be instituted.

As enforced disappearance respects no age, gender, race, creed, religion, or ideology and is committed in a borderless geography, AFAD consolidates its 14 member organizations across Asia in Bangladesh, Indian administered Jammu and Kashmir, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Timor-Leste, and South Korea, and individual members in Laos and Switzerland. AFAD rallies its members to intensify their collective struggle to protect the absolute right not to be subjected to enforced disappearance in solidarity with all the peoples of Asia and the whole world.

THE AFAD Congress

Negombo, Sri Lanka

12-17 December 2017