



Asian Federation Against Involuntary Disappearances

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Defend the Defenders: An open letter the United Nations High Commissioner for Human Rights on the protection of human rights defenders in Asia

The Asian Federation against Enforced Disappearances (AFAD) joins the international human rights community in strongly denouncing the conviction by the Cyber Tribunal of Dhaka sentencing Adilur Rahman Khan and ASM Nasiruddin Elan, Secretary and Director of human rights organization Odhikar respectively, to two years imprisonment for being fearless activists in defense of human rights, rule of law and fundamental freedoms in Bangladesh.

This unjust arrest and detention is Bangladesh Government's most recent act of judicial harassment that had been going on since Odhikar exposed killings of civilians by security forces in 2013. Odhikar went on to expose cases of enforced disappearances, torture, extra judicial killings and other human rights violations in Bangladesh. [Further efforts of the organization to expose these human rights violations led the United States to impose sanctions against Bangladesh's special security force unit, the Rapid Action Battalion \(RAB\).](#)

[In the recent past, reprisals by the Indian government against Khurram Parvez and his colleagues in Kashmir, stemming from their courageous efforts to expose mass graves, underscore the grave challenges faced by human rights defenders in the region.](#) Their dedication to uncovering the truth and pursuing justice serves as a poignant reminder of the utmost importance of safeguarding the rights of the frontline human rights defenders striving to illuminate the harrowing aspects. Khurram was detained and kept in prison since November 2021 with trumped up charges under the Unlawful Activities Prevention Act (UAPA).

Both are awardees of the Martin Ennals Human Rights Award: Adilur Rahman Khan was a 2014 Finalist and Khurram Parvez a 2023 Laureate. Absurdly they had been subjected to smear campaigns, judicial harassment and imprisonment by their respective governments for their human rights work.

Over in Southeast Asia, Fatia Maulidiyanti and colleague has been confronted with charges of defamation and slander as she was accused of citing a research report in which allegations were made against Luhut Pajaitan, Indonesia's Maritime Affairs and Investment Minister implying his role in a controversial government project to establish a massive gold mine in the tumultuous Papua region. The Maritime Affairs and Investment Minister filed a legal case against Fatia and her colleague in response to a report she quoted in her podcast in 2021 which was taken as an allegation.

The trend in Asia is explicitly clear - laws meant to criminalize are weaponized by governments to stifle dissent and criticism. Self-proclaimed democratic states are routinely ignoring constitutional limits and depriving their citizens of their basic rights and freedoms by force. Adil,

Khurram, and Fatia are active members of AFAD, working diligently with their own organizations to put an end to enforced disappearances and mitigate the impact of this heinous crime by providing much-needed psychosocial, economic, technical, and legal support and services to the victim families. They and other human rights defenders in other parts of Asia suffer the same fate from their governments.


As we are witnessing autocratic states' accelerated and furious pursuit to silence human rights defenders by all means necessary using all the political, financial, and legal resources at their disposal, AFAD urges the UN to undertake the following equally compelling and decisive response:

1. **For the OHCHR to immediately launch an independent and thorough investigation into the detention, judicial harassment, unjust imprisonment of Adilur Rahman Khan and ASM Nasiruddin Elan, to include Khurram Parvez, Fatia Maulidiyanti, and other Asian HRDs, with a focus on ensuring a fair trial and due process;**
2. **For the UN to publicly denounce the weaponization of laws to persecute and prosecute human rights defenders in Asia, and to reaffirm that HRDs are to be protected, not persecuted; and,**
3. **For the UN to conduct a comprehensive collation and review of laws and legal processes used to subject human rights defenders to persecution with the aim of ensuring these laws align with international human rights standards and principles.**

It is imperative to shift our perspective from persecution to protection, ensuring that human rights defenders can carry out their vital work without fear. Civil society is an important stakeholder and actor in ensuring just and sustainable progress and development.

Protect the human rights defenders and punish human rights violators!
Free Adil and Elan in Bangladesh, Khurram and Irfan in Kashmir.
Ensure justice to HRDs and bring to justice the HR violators!

disappearED Asia^{AFAD}


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