

## I. REGIONAL PHENOMENON OF ENFORCED DISAPPEARANCES

In the March 2008 session of the United Nations Human Rights Council, the said body expressed great concern over the situation of disappearances worldwide. Considering the internal conflicts wracking many countries today, given to have stemmed from unstable socio-political history, and now further aggravated by the global campaign against terrorism, the UNWGEID worries this will engender more human rights violations including enforced disappearances.

The Working Group noted in 2003 that Asia holds the biggest number of involuntary disappearances recorded. To date, the same situation continues. It has observed that large-scale disappearances occur in states suffering from internal armed conflict as in the case of Nepal. In 2004, the group visited the country to study the situation and formulate actions for the protection of the said state's citizens.

Following the adoption of the Convention by the UN Human Rights Council in June 2006 and by the UN General Assembly in December 2006, only four Asian governments signed the instrument on February 7, 2007 in Paris, France. These include Japan, India, Mongolia and Azerbaijan. As of this writing, not a single Asian country has been added to these few signatories. Of the ten ratifications, there is none from Asia. Asian governments remain adamant in recognizing the problem thereby continuing to turn a deaf ear to the call for action. Nevertheless, this did not stop many groups from lobbying for the Convention as well as working for the cause and protection of human rights in their particular countries.

A number of developments on the phenomenon of involuntary disappearances have happened in Asia, at least in the countries where AFAD member-organizations are based or in the case of China and Sri Lanka, used to be based. Yet, in general, while AFAD continues to project this regional phenomenon, no significant and concrete improvement has been achieved.

Disappearances in China were recorded in 1989 following the Tiananmen massacre. An estimated number of 3,000 to 4,000 people went missing. Until now the Chinese government refuses to claim responsibility for the human rights abuses done during these days of repression. Those who publicly protest and demand truth, justice, reparation and reconstruction of the memory of their disappeared loved ones are silenced. The mere commemoration of the June massacre is already a ground for arrest. Many families then fear seeking justice from the oppressive government.



Tiananmen Mothers victimized by the 1989  
Massacre in Beijing

Yet a band of mothers took the courage to form the Tiananmen Mothers group and gather evidences against the government as the perpetrator of the killings and disappearances. Ding Zilin, the president of the organization, demanded the Supreme People's Procurate pressing for four goals: to call for a thorough investigation of the June Fourth incident, to punish the guilty, to vindicate the wronged and to provide compensation for the victims and their family

members. Their cases, however, remain unresolved. Moreover, these people continue to face repression. On 28 March 2004, Chinese police arrested Zilin and two other mothers from their house and then took them into custody for six days.

Due to security reasons, it is impossible for the Asian Federation Against Involuntary Disappearances (AFAD) to continue communicating with the Tiananmen Mothers. The Tiananmen Mothers is no longer in AFAD's list of members. AFAD, however, continues to remember the anniversary of the Tiananmen Mothers especially so that falls within its own anniversary, i.e. 4<sup>th</sup> of June.

In the recent years, UNWGEID also reported incidences of arrest or abduction of Falun Gong practitioners.

More than just the government as an impediment, the absence of a National Human Rights Commission to address these issues is another block to contend with.



Ding Zilin, spokesperson of the  
Tiananmen Mothers

In the Indian State of Jammu and Kashmir, 8,000 people are estimated to have disappeared in the period of 1989 to 2004. Many of whom were taken into police custody under counter-insurgency and counter-terrorism operations. In 1993, the state government accounted for the 3,931 people that disappeared since 1985 but it released no more information regarding the matter. Furthermore, recent updates showed that a number of disappeared people ended up killed in "staged" or "fake encounters with militants" by the army unit called Special

Operations Group (SOG). Innocent villagers were taken, killed, and then given the identities of militants in the army's hunt list. It is believed that the SOG members are generously rewarded to carry out such killings. More than that, these operations have been intended to project to the international community a dire situation of Pakistani militants causing violence in the state.

The Jammu and Kashmir State Human Rights Commission was established in 1997 to address cases of human rights abuses. However, its power to record and investigate disappearances is very much limited by lack of resources and questionable autonomy. The commission heavily depends on the central government for funding.

During these last three years, Parvez Imroz, AFAD Council member in Kashmir is being heavily Parvez' already expired passport has not been renewed by the government of India, thus, he is being deprived from carrying out his international work and even from personally receiving the *Ludovig – Trarieux* International Human Rights Award in Paris. His wife received the award on his behalf.

The most recent threat to the life of Parvez Imroz occurred on July 1, 2008. According to the Association of Parents of Disappeared Persons, on June 30, 2008 at



Mr. Parvez Imroz speaking before the AFAD Council during the Third Congress of the Federation in Nepal In December 2006.

10:00 p.m., 4 armed men, believed to be policemen, knocked at the house of Mr. Imroz. When asked of their identity by Mr. Imroz' wife, Rokhsana, the men were aggressively calling on Mr. Imroz to open the door and to come out. The latter, aware of the intimidation he received days earlier because of the work of the International People's Tribunal on Human Rights, immediately informed his brother, Sheik Mustaq Ahmad through the backdoor. Mr. Ahmad reportedly shined a torch at Mr. Imroz' door and asked the

persons in front to identify themselves only to be aggressively ordered to put off the torch. Mr. Imroz nephew came out of Mr. Ahmad's house, afraid that Mr. Imroz might have been taken away. This forced the armed men to leave, but only after firing a shot in the dark believed to be pointing towards the direction of Mr. Imroz' nephew. Worse still, they threw a grenade that exploded in Mr. Imroz' compound outside his

front door. On their way back, the perpetrators beat a male neighbor. The members of the community made an announcement in the village mosque. It was later learned that the villagers stated that they saw a large armored vehicle and two gypsy cars and men wearing Central Reserve Police Force (CSRF) and Special Operations Group uniforms.

It is important to note that a week prior to the incident, the Tribunal conducted investigation into mass graves of nameless people in Baramulla and Kupwara. Together with Mr. Imroz in the Tribunal are his other co-convenors, Dr. Catenni and Advocate Desai who were likewise harassed by intelligence personnel.

The investigation on the mass graves above mentioned is based on the report that in March 2008, the APDP publication, *Facts under Ground*, indicated the existence of multiple graves in the Uri District of Jammu and Kashmir which, because of their proximity to the Line of Control with Pakistan, are not accessible without the specific permission of the security forces. The graves of at least 940 people have reportedly been found. They are believed to contain the remains of victims of unlawful killings, enforced disappearances, torture and other abuses which have occurred in the context of the armed conflict persisting in the state since 1989.

The Indian army has claimed that those found buried were armed rebels and "foreign militants" killed lawfully in armed encounters with military forces. However, the *Facts under Ground* report recounts testimonies from local villagers saying that most buried were local residents.

However locals contested the police claim and said that all the five were innocent civilians who had disappeared from various parts of the district in the aftermath of the Chattisinghpora massacre. They were later identified by the relatives as Zahoor Ahmad Dalal son of Abdul Gaffar Dalal of Moominabad, Bashir Ahmad son of Abdul Aziz Bhat of Halan, Muhammad Yousuf Malik son of Abdul Kabir Malik of Halan, Juma Khan son of Faqir Khan of Brari Angan and Juma Khan son of Amirullah Khan of Brari Angan. Locals said that they were not allowed to identify the bodies as they were charred beyond recognition and buried at Chogam, Sanglan and Wuzkhah by the troopers themselves.

The families of people subjected to enforced disappearances started fearing their dear ones might have suffered the same fate at the hands of Indian troops.

The Indonesian Human Rights community already suffered a great loss in 2004 when Munir, AFAD Chairperson and a staunch human rights defender and critic of the Indonesian government was murdered by arsenic poisoning. Strong demands for a thorough investigation to reveal the truth and bring to justice the perpetrators of this diabolical act soon followed immediately after news of his death. It has been two years now yet the case has not progressed. Worse, the prime suspect in the case, Pollycarpus Budihari Priyanto, was released on November 2006 due to lack of evidence. A consolation to Munir's family and local human rights defenders is the recent decision to imprison Pollycarpus due to newly discovered evidences.

According to the Commission for Disappearances and Victims of Violence ((*KontraS*), the Indonesian government continues to refuse to account for Munir's death and for about 1,266 people more disappeared between 1965 and 2002 during Suharto's "New Order" regime and Habibie's interim government. Many of the disappearances occurred in the military-controlled areas namely Aceh, Irian Jaya and the East Timor (which used to be under Indonesian control). In addition, the UNWGEID reported that majority of the cases it received allegedly occurred in 1992 and also from 1998 to 2000. It concerned students involved in anti-Government demonstrations in East Timor, Jakarta and Sumatra.

An important political development in the country is that former president Suharto died in January 2008 having escaped prosecution for abuses committed



Victims of human rights violations in Indonesia calls for justice.

during his 32-year rule. The list of abuses is extensive, and includes anticommunist pogroms that killed half a million or more people in 1965-1966, security force atrocities in East Timor, Aceh, southern Sumatra, and Papua, and the Trisakti and Semanggi killings in Jakarta in 1998-1999. Many collaborators in Suharto-era abuses still hold positions of power. Several are candidates for the forthcoming 2009 elections, including General Wiranto and Suharto's son-in-law Prabowo Subianto,

implicated in abuses in East Timor and other crimes. (*Human Rights Watch 2008 Report*)

In Indonesia, the struggle for justice, accountability, and an end to impunity are not just about the past. The clearest indication of the continued hold of Suharto-era thinking and patterns is the still unresolved murder of Munir, Indonesia's most prominent human rights activist, AFAD Chairperson and a political analyst.

Munir was crudely assassinated with a massive dose of arsenic while en route from Jakarta for studies in Holland in 2004, seven years after Suharto was forced out. From early on in the investigation, there has been substantial evidence the killing was part of a larger conspiracy involving the National Intelligence Agency but investigators have dragged their feet. In late January 2008, the Supreme Court sentenced Polycarpus Budihari Priyanto, an off-duty Garuda Airlines co-pilot with links to the agency, to a 20-year jail term. Polycarpus was found to have delivered Munir a poisoned drink while in a Singapore airport transit lounge. But the growing evidence that the plan to kill Munir may have been launched at high levels within the Intelligence agency months before the actual killing, has led the investigators to indict former *B/N* director Muchdi Purwopranjono.



Retired army Gen. Muchdi Purwoprandjono (center left) is surrounded by body guards after his trial in Jakarta, Indonesia, Wednesday. An Indonesian court has acquitted the former state intelligence agent of ordering the murder of a prominent rights campaigner. (AP/Irwin Ferdiansyah)

On December 31, 2008 - An Indonesian court acquitted a former intelligence official of the murder of a prominent rights activist, in a case which was seen as a key test of state accountability and commitment to the rule of law.

In Pakistan, while democracy remains imprisoned within the garrisons, the military rule of the state wreaks havoc and creates fear by violating human rights in the hope of suppressing the sovereign will of the people. Enforced disappearance is a

rampant phenomenon. The Truth and Justice Commission has documented 254 cases, but it is certain that there are many more undocumented others.

This phenomenon is even said to be increasing since the state took an active stance on United States' "war on terror." Pakistani security forces were reported to carry out orders of arrest from American officials. Mass arrest during anti-government protests occur as well as arrest of activists prior to scheduled rallies and then put under the so-called "preventive detention."

The UN Working Group on Enforced Disappearances transmitted two cases under its urgent action procedure to the Government of Pakistan. One case concerned Muhammad Kazim Bugti, who was allegedly arrested on 29 November 2006. It is believed that Military Intelligence agencies are responsible for his disappearance. In another case, Ghulam Mohammad Baloch, president of Baloch National Movement, was taken away from a football club by the police in December 2006.

The Working Group transmitted 29 cases to the government under its standard procedure. The majority of these cases reportedly took place in Karachi between June 2005 and September 2006. It is believed that the police and intelligence agencies are responsible for most of these cases.

The Working Group received three communications from the Government dated 22 December 2006, 11 and 16 July 2007. In the first communication, the Government sent information concerning 10 outstanding cases. In one case, the Working Group found that the response did not contain sufficient information to clarify the fate or whereabouts of the disappeared persons. For nine cases, the Working Group decided to apply the six-month rule. The majority of the responses stated that the victims had been released. In one case, the victim's body was given to his family for burial. One family received compensation from the Government for his disappearance; and one man left the country. In a communication dated 16 July 2007, the Government replied to one case which had been previously clarified by the source. The Government reported that the Pakistani authorities had confirmed that he was living at his residence.

The Working Group received new information from the sources on two cases, stating that the victims had been released and handed over to their families. Based on information received from the Government, the Working Group decided to clarify 14 cases following the expiration of the six-month rule. In most cases, the current

addresses of the subjects were provided. Two cases were clarified based on information provided by the sources.

Information was submitted by NGOs to the Working Group concerning obstacles reportedly encountered in the implementation of the UN Declaration for the Protection of All Persons from Enforced Disappearance. This information was transmitted to the Government. According to reports, the higher courts are unable to trace the whereabouts of disappeared persons, since they lack the power to search places of detention controlled by the military. It is also alleged that the right to *habeas corpus* has been systematically undermined, and in some cases, the courts have ordered that the disappeared persons be produced before the courts, but these orders have reportedly been ignored by the military. In addition, those released are warned not to speak publicly about their experiences in detention. No response was received from the Government regarding this general allegation.

The Working Group received reports referring to the state of emergency and the potential obstacles that this situation could pose for the implementation of the Declaration. A summary of the general allegation was sent to the Government after the eighty-third session and will be included in the 2008 annual report, as well as any comments received by the Government.

In previous years and during the year under review, the Working Group has transmitted 116 cases to the Government; of those, 6 cases have been clarified on the basis of information provided by the source and 18 cases have been clarified on the basis of information provided by the Government. There are eight cases under the six-month rule for which the time limit has been temporarily suspended by decision of the Working Group. For two cases, the Working Group decided to suspend the six-month rule. A total of 92 cases remain outstanding.

The Working Group expresses concern over the fact that during the period under review, it received reports on 32 recent cases. On the other hand, the Working Group notes that 14 outstanding cases were clarified and thanked the Government for its cooperation.

Prior to the February 2008 elections, the government of Pervez Musharraf consistently denied subjecting anyone to enforced disappearance or knowing anything of their fate and whereabouts, despite evidence to the contrary contained in affidavits, witness' testimonies and cases documented by Amnesty International and other human rights groups. Attempts by the Supreme Court to trace the disappeared

persons were repeatedly obstructed by government officials, including by moving disappeared persons to other secret locations and failing to comply with court orders.

Terrorism suspects are frequently detained without charge or, if charged, are often convicted without proper judicial process. Human Rights Watch has documented scores of illegal detentions, instances of torture, and “disappearances” in Pakistan’s major cities. Counter-terrorism laws also continue to be misused. It is impossible to ascertain the number of people disappeared in counterterrorism operations because of the secrecy surrounding such operations. Pakistan’s Interior Ministry, now controlled by the elected government, has estimated the total at 1,100. However, the government has not provided details of how many were suspected of links to al Qaeda and the Taliban and has made negligible progress in resolving cases and recovering victims.

There are at least 563 unresolved cases, according to the Defense of Human Rights, an organization campaigning on behalf of disappeared persons. However, the clandestine nature of the arrest and detention of individuals makes it impossible to know exactly how many people have been subjected to enforced disappearance. People who have disappeared include foreign and Pakistani nationals suspected of links to terrorist groups and political opponents of the Pakistani government pushing for greater rights for their communities, including Baloch and Sindhis. Baloch groups put the number of persons disappeared in Balochistan by the thousands.

The Supreme Court heard petitions of more than 400 people subjected to enforced disappearance in the context of the government’s “war on terror” and other national security campaigns. Almost 100 of the disappeared were subsequently located. Some of those who reappeared had been detained on apparently false charges.

On 5 October 2008, then Chief Justice Iftikhar Choudhry asserted that there was “irrefutable proof” that the missing people were in the custody of secret agencies and that those responsible would be prosecuted. He ordered all those still unaccounted for to be brought before the Court. Hearings continued until 2 November, when the Court adjourned proceedings until 13 November. However, following the imposition of emergency on 3 November and the dismissal of several Supreme Court judges, no further disappearance hearings were held.

Philippine history opens its chapter on disappearances on a tyrannical regime and the movement of dictatorial Marcos to create his “New Society.” The Task Force

Detainees of the Philippines (TFDP) recorded 850 cases of enforced disappearance during Marcos' martial rule. The People Power Revolution staged in 1986 led to the ouster of Marcos and revived the democracy in the country. Sadly, however, the succeeding administrations failed to guarantee an end to disappearances.

As of June 2007, the Families of Victims of Involuntary Disappearances (FIND) has documented 1,767 cases of disappearances nationwide (1,115 missing, 399 surfaced alive and 253 found dead). The Marcos regime holds the highest number of disappearance cases with 855; Aquino with 612, Ramos with 87, Estrada with 58 and Arroyo with 202.<sup>1</sup>

Another human rights organization, *Karapatan*, has documented 201 cases of enforced disappearances from 2001 up to December 2008. To date, the still most highly publicized case which occurred was the disappearance of Jonas Burgos. Investigation reports traced the involvement of the Intelligence Service of the Armed Forces of the Philippines (ISAFP). It has been more than a year since Burgos' disappearance, yet, despite national and international pressures, the victim still remains missing. The Writ of *Amparo* filed by the court of appeals failed as the case was dismissed by the Court of Appeals who ruled the dismissal of the case saying that the plate number of the military car which was used to abduct the victim was not an adequate evidence to point out that it was the military who took him



Mr. James Balao, Executive Director of the Cordillera People's Alliance was made to disappear on 17 September 2008. He remains missing up to this day.

Human rights violations have been carried out by the Arroyo administration in its pursuit of supporting the United States' war against terror as well as its own war against local insurgents, i.e. Abu Sayyaf, MNLF and NPA. Government paranoia has casted suspicions on innocent people consequently subjecting them to torture, disappearance and killing. In what has been deemed as a betrayal of human rights, Arroyo approved the Human Security Act or Anti-Terrorism Law and was implemented on 15 July 2007. This has caused much alarm amongst the national and international human rights organizations as extrajudicial means of acting upon government suspicions can now be legalized under the law. Members of the international community share similar concerns. The European Parliament has already sent its warning that the Human Security Act would

<sup>1</sup> FIND's Search and Documentation Work Overall Results (November 1985 to June 2007)

be “liable to further increase the incidence of human rights violations by the Security Forces because it will allow arrest without warrant and arbitrary detention.”

More, with the absence of human rights safeguards such as the anti-disappearance bill, seeking justice by filing cases in court will be very difficult. The bill criminalizing enforced disappearances which was filed 15 years ago is still trying to fight its way for enactment into law. As of now, the police refuses to consider that disappearance is a crime. They require evidences of kidnapping or killing before proper charges can be rendered.

The February 2007 visit of the United Nations Special Rapporteur on Extrajudicial Execution, Mr. Philip Alston had reaffirmed the phenomenon of extrajudicial killings and enforced disappearances in the country. The result of the visit was reported to the UN Human Rights Council which, in March 2007, coincided with the Philippine government being subjected by the UN Human Rights Council to a Universal Periodic Review. The Philippine government, however, dismissed the Alston Report and instead, boasted of its positive performance in the field of human rights.



UN Special Rapporteur Philip Alston visits the Philippines and confirms a huge number of cases of extrajudicial killings and enforced disappearances.

The Philippine government was requested an official invitation by the UN Working Group on Enforced or Involuntary Disappearances to visit the country, however, the Philippine government did not even have the courtesy to respond to the request for invitation. Furthermore, it failed to comprehensively respond to the UN Working Group on Enforced or Involuntary Disappearances' question on how far the Philippine government has implemented the latter's recommendations during its visit to the country in 1990.

While the number of cases had decreased after the Alston visit, nothing was done to resolve past cases, especially the recent ones and cases still continue to happen. The Supreme Court, which convened a summit on extrajudicial killings and enforced disappearances, continue to educate, through the Philippine Judicial Academy, the members of the judiciary.

Similar to the Philippines, the Thailand government is also embattled by insurrection from the opposition as well as the urban elite population of the country. In an article written by Thitinan Pongsudhirak, a Political Science professor from the Chulalongkorn University, former Prime Minister Thaksin Shinwatra was accused of corruption and treason for the tax-free sale of his family owned Shin Corporation to the Singapore government's Temasek Holdings for \$1.9 billion. Shinawatra's good leadership performance during his first term was then washed off in this reelected administration as he was made to face the public for his accountability to the perceived rampant corruption in the government and the separatist violence in the Muslim-dominated south. For this reason as well as the interference with state agencies and the creation of social divisions, the military *junta* staged a *coup* on 19 September 2006. While Thaksin was in New York attending a UN Summit, the *junta* took over Bangkok and declared highly-revered King Bhumibol Adulyadej as head of state.<sup>2</sup> Thaksin was thrown to live in exile in the United Kingdom.

Reviewing a part of Thaksin's government, the former president declared Martial Law on 5 January 2004 in the southern provinces of Narathiwat, Pattani and



Thai citizens call for the downfall of Thaksin.

Yala following a deadly arms raid and arson attack in the region. Warrantless arrests and searches of property were being carried out by the military. These had resulted in the disappearance of prominent human rights lawyer, Somchai Neelaphaijit on the eve of 12 March 2004. Somchai's disappearance is linked to his involvement in the defense case of nine Muslims accused of perpetrating the violent attacks against security forces in the south. Five years had passed and Somchai remains missing despite actions of his family and concerned national and international non-government organizations in pursuit of truth and justice, reparation and recuperation of memory. More than 90 recent cases of enforced disappearances have recently been submitted to AFAD by its member-organization working on the Southern Thailand Situation, i.e. the Working Group on Justice for Peace.

Somchai's case is but only one of the many cases in the country. There are still about 293 cases of disappearances, which occurred during the brutal suppression of the May 1992 demonstration against Army General-turned-Prime Minister Suchinda

<sup>2</sup> [http://en.wikipedia.org/wiki/Thaksin\\_Shinawatra](http://en.wikipedia.org/wiki/Thaksin_Shinawatra)

Kraprayoon. While some of the families of the victims have received relief assistance, still, they are demanding for the return of at least, their loved ones' remains for proper cremation. The government, on the other hand, is giving the burden of finding the possible location of graves of missing persons to the families of the victims. Furthermore, they continue to press the Thai government to build a monument in honor of the victims of the Black May Event.

Starting on 25 May 2008, the People's Alliance for Democracy (PAD) staged protracted protests in Bangkok and other cities to express opposition to the new government. Labeling Prime Minister Samak and his successor, Somchai Wongsawat (former prime minister Thaksin's brother-in-law), as surrogates of Thaksin. The PAD accused the government of corruption, abuse of power, and of being unpatriotic. Protesters blocked roads and traffic in the capital, in some cases for months at a time. Pro-government groups often violently attacked PAD rallies while police stood by. On August 26, 2008, PAD protesters besieged many government buildings in Bangkok, including the National Broadcasting of Thailand (NBT) building and Government House, where the prime minister and cabinet members have their offices. The government obtained injunctions and arrest warrants from the courts against PAD leaders, but could not end the siege of Government House. After clashes between police and PAD protesters on 29 August, the PAD closed international airports in Thailand's southern provinces and imposed worker strikes on train services across the country. Violence escalated when the pro-government Democratic Alliance against Dictatorship (DAAD) engaged in street fighting with the PAD on 2 September, resulting in one death and more than 40 injuries. Prime Minister Samak declared a state of emergency in Bangkok, but army chief General Anupong Paochinda refused to use the emergency powers to crack down on the PAD and suppress basic freedoms. After Samak was removed from office by the Constitutional Court—the court ruled he had violated the constitution by accepting payment for appearances on a cooking show—the new prime minister, Somchai Wongsawat, approved General Anupong's proposal to lift the state of emergency on 9 September. On 7 October, thousands of PAD protesters surrounded the parliament in an attempt to block Prime Minister Somchai from delivering a policy statement. To clear the area, police riot units and BPP units used tear gas and rubber bullets, in some cases firing tear gas from close range directly at the protesters. PAD protesters responded by firing guns, shooting slingshots, throwing bricks and metal pipes, trying to run over police officers with pickup trucks, and stabbing police with flagpoles. According to the Public Health Ministry, two PAD supporters died and 443 were injured, including four cases of amputation. About 20 police were injured. On 13 October, Thailand's National Human Rights Commission concluded that Chinese-made tear gas canisters and grenades

used by police on 7 October may have caused many of the deaths and severe injuries. To date, there has been no independent and impartial investigation into politically motivated violence and human rights abuses committed by the PAD. At this writing, the PAD was still occupying Government House. PAD leaders were demanding that the military have the right to intervene in politics to check corruption and to protect the monarchy and national sovereignty. They also were proposing that the number of elected MPs be reduced to 50 percent of the total—with the remainder filled through appointment.

Attacks on civilians by both Thai security forces and armed separatist groups in Thailand's southern border provinces continued in 2008. Soldiers from the Army's 39th Taskforce in Rue Soh district of Narathiwat province were implicated in the highly publicized torture and murder of imam Yapa Kaseng on 21 March. On 21 June, armed insurgents stormed a passenger train in Ra Ngae district and executed a Buddhist Thai train police officer and three Buddhist train workers. Car bombs were used in a March 15 attack on CS Pattani Hotel in Pattani province and a 21 August attack in Su Ngai Kolok district of Narathiwat province. Some insurgents aimed to spread terror among the Buddhist Thai population, most notably by beheading victims or setting their bodies on fire. Insurgents burned down government schools and continued to engage in roadside ambushes and targeted assassinations of teachers and students. Although the government and General Anupong vowed to deliver justice to the ethnic Malay Muslim population, Thai security forces still faced little or no consequences for extrajudicial killings, torture, and arbitrary arrests of suspected insurgents. After a sharp decline in 2007, new cases of enforced disappearances emerged again in 2008. Deaths and disappearances in Thailand's southern border area remain a concern for rights groups, with at least four disappearances reported this year by the Working Group on Justice for Peace (WGJP). The NHRC recently discovered graveyards with more than 300 unidentified bodies in southern Pattani Province, which they suspect could be forced disappearance victims, and are trying to identify the bodies. Referring to efforts to establish a disappeared persons' centre and to pursue cases, Pornthip Rojanasunan, director of the Forensic Science Institute at the Ministry of Justice, said that "no one really pays attention to this matter, therefore it hasn't been carried forward properly." Pornthip added that tracking evidence in the south has been constantly obstructed by the police department and that while the scale of disappearances is still unknown, anecdotal evidence suggests it is extremely high.

Moving on to Sri Lanka, the UNWGEID reported that many cases of disappearance occurred during two major conflicts in the country: the confrontation

between the Tamil militants and the Government forces in the North and Northeast of Sri Lanka and then between the Janatha Vimukthi Peramuna (People's Liberation Front-JVP) and the government forces in the south.

Amnesty International reported that more than 60,000 persons had been made to disappear, 90 percent of which occurred between 1988 and 1989. Considering the internal conflict as well as the *tsunami* which devastated the region, the present situation of the families has become more deplorable. Violations of these families' fundamental human rights have been raised before former President Chandrika Bandarnayake but were ignored. With regards to the prosecution of the offenders, families of the disappeared stated that out of over 3,000 individuals identified as possible perpetrators, the Attorney-General only filed 334 indictments against 597 persons. The organization claims dissatisfaction with this judicial proceeding as 99 per cent of the accused get acquitted owing to investigations done by "fellow police officers."



Children of the disappeared in Sri Lanka benefit from AFAD's Educational Assistance Program.

On a positive note, the President of Sri Lanka appointed a Commission of Inquiry (Col) to investigate and inquire into the commission of serious violations of human rights arising since 1 August 2005 caused by various persons in the context of the ongoing terrorist activities against the government of Sri Lanka, its security forces and its people, and the countermeasures adopted by the security forces and the police, to arrest, suppress, or terminate such terrorist activities'. The Commission was given the mandate to specially inquire into 15 serious violations specified in the Schedule to the warrant.<sup>3</sup>

Yet, peace talks once again collapsed, leading to untold human rights violations in the country, part of which are cases by enforced disappearances. To note, Sri Lanka, who aspired for renewal of seat in the UN Human Rights Council,



Wives and mothers of victims in Sri Lanka call for truth and justice...

did not get the seat in view of its bad human rights record.

In the continuing conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE), both sides show little regard for the safety and well-being of civilians—and violate international humanitarian law—by indiscriminately firing on civilian areas and unnecessarily preventing the delivery of humanitarian aid. Since the breakdown of the ceasefire and the resumption of major military operations in mid-2006, hundreds of civilians have been killed and over 208,000 persons remain displaced as of October 31.

There is a widespread pattern of enforced disappearances in Sri Lanka with several hundred cases reported in the last 18 months alone. In June 2008 the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) noted that in two months, 22 people had disappeared, 18 of them in May. Families complain that fear of reprisals prevents many from reporting cases to the official bodies. By the end of 2007, 5,516 cases of enforced disappearances remained unresolved according to WGEID.

Perpetrators of enforced disappearances continue to walk free. Three Presidential Commissions of Inquiry into the Involuntary Removals and Disappearances of Persons were established in the 1990s. They received about 30,000 complaints. The proceedings of the Commissions were not made available to the public and the main recommendations, including the repeal of emergency regulations were ignored. The Commissions submitted lists of suspected perpetrators but this resulted in only a handful of convictions. No independent body has been established to investigate these violations, giving perpetrators the confidence of impunity.

The Human Rights Council's Working Group on Enforced or Involuntary Disappearances expressed concern about the high number of such cases in Sri Lanka.

In Nepal, UNWGEID reported that many of its disappearance cases occurred between 1998 and 2003 as a result of the counter-insurgency operations the security forces waged against the members and supporters of the Communist Party of Nepal (CPN-Maoist). The said communist party, who recently won the national elections, declared a



Families of victims of Nepal rally on the occasion of the International Week of the Disappeared.

“people’s war” in February 1996. Heightened security operations caused an increase in the number of enforced disappearance incidents especially in 2001 when state of emergency was declared and more military men were deployed in the area. Moreover, the Working Group observed the pattern that unidentified and plainclothes security officers arrest people suspected of CPN (Maoist) involvement and then detain them incommunicado.

These isolated detention centers along with the Terrorist and Disruptive Activities (Control and Punishment) Act 2002, the Public Security Act, absence of a law criminalizing disappearances, a weak *habeas corpus* procedure and failure to ensure the victim’s rights to information or to reparation provided the breeding ground for rampant human rights abuses. The Working Group and the civil society has persistently asked the Government to rectify and strengthen its institutional and legal frameworks particularly the National Human Rights Commission.

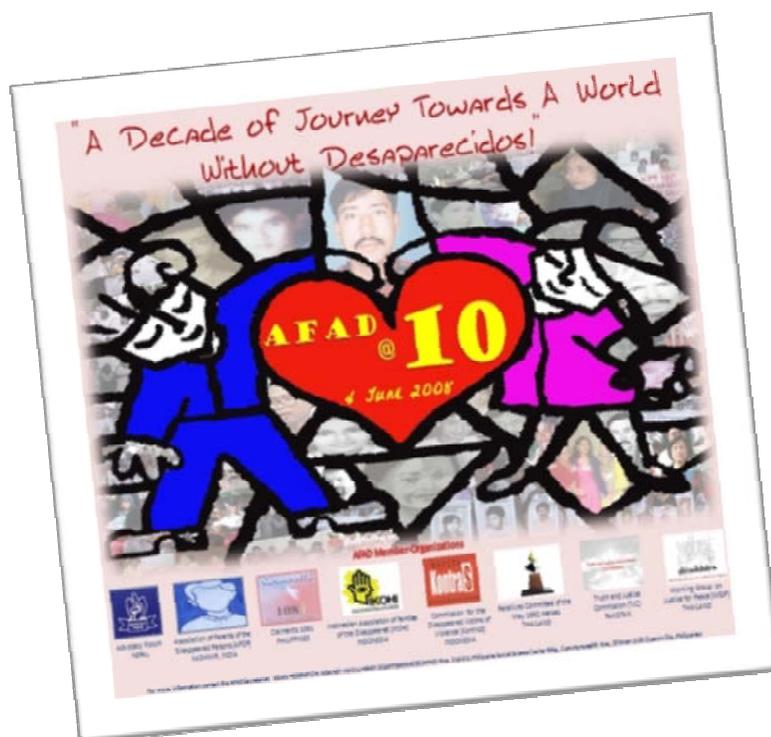
A law criminalizing enforced disappearances was approved in November 2008, however, the law was promulgated in a form of an ordinance and not as an act of Parliament. Thus, the process is being questioned by human rights organizations who are also working on the substance of the law which still is found wanting in terms of responding to the needs of the victims and their families.

Of the countries above-mentioned, only India has signed the Convention and the rest have not. Indonesia, in a high level segment session of the United Nations Commission on Human Rights in 2007, promised to sign the Convention in June 2007. Yet, to this date, there is no implementation and the promise still remains.

## II. ORGANIZATIONAL SITUATION OF THE FEDERATION

The year 2008 is an important year for AFAD. It marks AFAD's Decade of Journey towards a World Without *Desaparecidos*. Thus, the year started with an early internal evaluation by the Secretariat of its work, in particular and of the Federation in general. After which, the Secretariat came up with an annual plan for 2008 which was subject to adjustment should there be a need based to the plan then to be formulated by the AFAD Council in its regular meeting planned to be held in Nepal in April. Moreover, the Secretariat was reconstituted in view of the resignation of former members towards the end of 2007 and the beginning of 2009. Thus, teambuilding had to be facilitated through various ways. Moreover, there had to be a collective orientation and updating of office policies and guidelines, which were approved by the AFAD Council in its meeting in Nepal. These serve as guide for the operations of the Federation.

The activities for the first half of the year were geared towards AFAD's commemoration of its 10th anniversary, which was then envisioned to be celebrated in the Philippines. There was mixed feeling on AFAD's 10th anniversary. On one hand, there was a feeling of sadness over the fact that after ten years, there was (and is) still a need for AFAD to exist, since enforced disappearance remains one of the most serious human rights violations. On the other hand, AFAD is also fulfilled that it has successfully contributed to the global fight against enforced disappearances and against impunity concretely manifested, among many other things, through its share in the final adoption by the UN General Assembly of the United Nations Convention for the Protection of All Persons (hereinafter referred to as The Convention).



Also during the first quarter of the year, the Executive Council, e.g. Chairperson, Secretary-General and Treasurer met in Bangkok, Thailand to speak during a Forum on The Convention which was very well participated in by government agencies, the diplomatic

community, the local NGO community and other speakers from other countries. It was also an opportunity for the AFAD Executive Council to meet and come up with its own plan prior to the planning process which the AFAD Council was to conduct the following month.

In April 2008, the AFAD Council members met to evaluate its work of the previous period; to update each other of the developments in each country in as far as enforced disappearances are concerned and on the status of each member-organization and to plan for the year, focusing on the 10th anniversary, without losing sight of the need to lobby for signatures and ratifications of The Convention.

Indeed, the first half of the year ended with AFAD commemorating its tenth anniversary in the Philippines. It was a series of activities which started with a Forum on The Convention at the Ateneo Law School in Makati, followed by a three-day training on the use of the UN Human Rights Council, then, the launching of AFAD Resource Center's Online Public Access Catalog (WebOPAC), a special AFAD Council Meeting and the Solidarity Night on the 4th of June. Two to three representatives from each of the AFAD member-organizations participated. They were the Council members, the focal persons and one representative from the families of the disappeared from each member-organization. A special psycho-social rehabilitation event to coincide with the AFAD anniversary was done for the families of the disappeared. The event was culminated with visits from the Department of Foreign Affairs in Manila and the Department of Justice wherein the whole AFAD delegation (more than 20 persons) lobbied for the signing and ratification by the Philippine government of the Convention.

The beginning of the second half of the year was focused on the preparation of the commemoration of the International Day of the Disappeared, which was expected to be conducted simultaneously in countries where AFAD member-organizations are based. To note, it was during this period that the AFAD Secretariat, in cooperation with AFAD member-organizations, prepared the publication of the book, "Reclaiming Stolen Lives." It was launched during AFAD's commemoration of the International Day of the Disappeared. To note, the said event was internationally commemorated by many of the members of the International Coalition Against Enforced Disappearances (ICAED).

The planned Experts' Training on the UN Convention for the Protection of All Persons from Enforced Disappearance, which was supposed to be held after the International Day of the Disappeared was not realized because of the absence of funds. The proposal which was sent to Diakonie for this purpose was not approved and existing funds were not enough to realize the said activity, which could have served as a foundation for intensifying lobbying for the ratification of the UN Convention for the Protection of All Persons from Enforced

Disappearance in various Asian countries. Despite the postponement of the Experts' Training, the AFAD Secretariat and a number of the Federation's member-organizations continued its lobbying efforts at the national levels. The year ended with AFAD's participation in the Steering Committee of the International Coalition Against Enforced Disappearances which discussed the immediate plan to work for the immediate entry into force of the UN Convention for the Protection of All Persons in 2009. Finally, the AFAD Secretariat, in cooperation with church-based organizations, commemorated the 60th anniversary of the Universal Declaration of Human Rights by convening of an Interfaith Conference on the UN Convention for the Protection of All Persons from Enforced Disappearance.

The last quarter of the year focused on intensifying AFAD's fund-raising activities, i.e. writing of project proposals and reports. However, for one reason or another, many proposals were not approved. To note, the year 2009 would be HIVOS' last year of supporting AFAD and it is giving a diminishing amount, i.e. fifty percent of the 2008 budget. The approval of the new proposal sent to *Evangelischer Entwicklungsdienst (EED)* was a big boost to AFAD and thus, would help ensure the sustainability of at least, some of its major components of work. However, it is a major challenge for AFAD to find new partners to help in sustaining its work, especially to help in funding administrative funds for the secretariat's sustainability and rental of the Federation's physical center.

The AFAD Secretariat held its much-deserved Christmas party, which culminated activities of the year and started the much-deserved Christmas break.

The year ended, however, with the acquittal of General Muchi, one of the suspects of the murder of former AFAD Chairperson, and Indonesian human rights defender, Munir. The acquittal is such a major blow especially to Indonesian human rights defenders and also to the AFAD which is working for truth and justice on the case of Munir.

### III. ACCOMPLISHMENTS : Activities Per Component of Work

#### A. RESEARCH AND DOCUMENTATION

During the AFAD Council meeting held in Kathmandu Nepal, the AFAD Council agreed to include, as part of its programs, research and documentation in view of the fact that AFAD needs the basic data, e.g. individual cases, statistics in order to serve as basis of all its other endeavors. Hence, Mr. Darwin Mendiola was appointed to work as Research and Documentation Officer. He is tasked to coordinate with focal persons in different countries in getting the necessary information needed for AFAD's other programs and services.

The activities conducted during the period are as follows:

1. **Documentation of cases to be included in the accompanying CD of the AFAD book, Reclaiming Stolen Lives (see AFAD website, <http://www.afad-online.org> for the copy of the book)**– The Research and Documentation Officer coordinated with AFAD member-organizations during the production process of AFAD's book, Reclaiming Stolen Lives. He was able to coordinate with some of the AFAD member-organizations who cooperated by submitting individual cases and statistics on the phenomenon of enforced or involuntary disappearances in their respective countries. In countries where the AFAD member-organizations had difficulty in submitting cases and other information, data were gathered from the internet. Based on all these efforts, AFAD already has its initial documentation which needs to be enriched with the necessary support of AFAD member-organizations, especially the focal persons assigned in each organization. This is a breakthrough for AFAD in as far as documentation is concerned and therefore can serve as bases for other efforts.

Much remains to be done in terms of updating existing information and getting information on enforced disappearances in other Asian countries. A nagging problem is the documentation of cases of enforced disappearances in the Philippines. Factors contributing to this are: The AFAD has no active member-organization in the Philippines; its relationship with FIND, however civil, is never the same as before and that *Karapatan* is not a member of AFAD. *Karapatan*, however, shared some information, but to a limited extent. The AFAD, therefore, has to look for ways and means to take active part in documenting cases that happen in the Philippines, in

cooperation with other organizations. The Research and Documentation Officer has to take creative ways and means to do this based on present and future plans.

2. **Online Research for different purposes, e.g. to the UN Working Group on Enforced or Involuntary Disappearances and for AFAD's proposals, reports, etc. –** The Research and Documentation Officer, in coordination with the Secretary-General and the Librarian, undertook online research on the phenomenon of enforced disappearances in Asian countries. These efforts aim to aid AFAD in the writing of its proposals, reports, articles, statements especially so if there are no regular updates from the member-organizations.

3. **Completion of the Documentation of the 3<sup>rd</sup> AFAD Congress** - Through the persistent efforts of the Research and Documentation Officer, the proceedings of the 3<sup>rd</sup> AFAD Congress was completed. However, because of the inability of the group of blind people (commissioned to do the transcription) to fully understand the taped recorded proceedings, the Orientation, Constitution and By-laws have still to be finally verified by the AFAD Council members should there be points in the discussion which are not incorporated in the said documents. The said proceedings were already electronically sent to all AFAD member-organizations and guests who participated in the Congress.



4. **Individual Readings on Research Documents –** Theoretical readings were provided by the Secretary-General to the Research and Documentation Officer in order for the latter to strengthen the theoretical foundation in doing future researches. These are materials from the University of the Philippines which may, in the future, serve as a foundation for the Federation's research endeavors.

### General Statement

Research and Documentation is a newly created program of AFAD, approved only during AFAD's Council meeting in Nepal in April 2008. It started well, through the documentation of cases which are compiled into initial statistics in AFAD's third book, |

" Reclaiming Stolen Lives." It is indeed, a breakthrough because through the book, with cases and initial statistics, AFAD already has a material to start with for lobbying and other purposes and that the articles written in the book are informative and comprehensive, which could serve as bases for other actions.

Data on the Philippines are important especially so that AFAD is based in the Philippines. It is necessary to cooperate with *Karapatan*, FIND, Task Force Detainees, Philippine National Police and to conduct research online. Corollary to this are the data needed from AFAD member-organizations, which are a perennial problem because there are no regular updates from the AFAD Council members and the focal persons in this regard. If this basic need for documentation is not fully attended to, AFAD's credibility will be at risk. It is still important not to rely principally on secondary data from the internet. Primary data from the victims are important in coming up with correct analyses of the situation. This will be AFAD's principal source of credibility.

The Research and Documentation Officer and the Librarian were scheduled to attend a training on documentation supposedly organized by *IKOHI* to be held in Aceh. However, for no clear reason, the training did not materialize in 2008. Hence, it is recommended that the proceedings of previous documentation training be reviewed and that future opportunities from other avenues be maximized. Furthermore, reading materials on research be maximized. Local resource persons may aid AFAD in developing its own research program in the future.

It is necessary for the newly appointed Research and Documentation Officer to continue leading the Federation in getting the most basic need for data-base collection, general situations on disappearances per country and regionally and come up with correct analyses.

## **B. CAMPAIGN AND LOBBYING ACTIVITIES**

- 1. Participation in the Forum on the UN Convention For the Protection of All Persons From Enforced Disappearance in Bangkok in Feb.' 08-** As above-stated, the AFAD Chairperson, Secretary-General and Treasurer participated as speakers during the Forum in Bangkok with the purpose of lobbying for signature and ratification of the Thai government of The Convention. Mugiyanto presented the Indonesian experience on enforced disappearances; Mary Aileen D. Bacalso presented the details of the case of Filipino *desaparecido*, Jonas Burgos while Mandira Sharma

presented the court actions done by Advocacy Forum in Nepal on cases of Enforced Disappearances. The forum gave the participants an idea about the openness of the Thai government to sign and eventually ratify the Convention. It was also an opportunity for AFAD to have direct contacts with representatives of Foreign Embassies in Thailand. It particularly visited the Embassy of France wherein AFAD had the opportunity to give published materials and CDs on enforced disappearances in Asia and to reiterate its condolence to the French Government for the death of His Excellency Bernard Kessedjian, former chair of the then Inter-sessional Working Group to Elaborate a Draft Legally-Binding Normative Instrument for the Protection of All Persons from Enforced Disappearance. Instrumental to the quick process that The Convention was drafted and negotiated, Ambassador Kessedjian died on 19 December 2007 - the eve of the first anniversary of the adoption of the United Nations Convention for the Protection of All Persons from Enforced Disappearance.

It was also an opportunity for the AFAD Executive Council to meet and come up with an initial plan of action for 2008.

2. **March 2008 session of the UN Human Rights Council** – The AFAD Secretary-General represented the Federation during session of the UN Human Rights Council in March. During the week, the following activities were conducted in cooperation with the International Coalition.



AFAD Secretary General Mary Aileen Bacalso (2<sup>nd</sup> from the right) discussing some pointers with Atty. Cej Jimenez, Diana Sarosi and Angkhana Neelapaijit during the March 2008 session of the UN Human Rights Council in Geneva, Switzerland.

### 2.1 Parallel Activity sponsored by the International Coalition Against Enforced Disappearances (ICAED) – The

ICAED, of which AFAD is a founding member, co-sponsored with the Permanent Mission of France in Geneva and the Group of Friends (governments which supported the Convention during the drafting and negotiation process), an event parallel to the official session of the UN Human Rights Council. It was also a form of tribute to the late His Excellency Bernard Kessedjian. The AFAD Secretary-General, a representative from the International Commission of Jurists and ambassadors from the Permanent Missions of Japan, Albania and Argentina

gave speeches on the importance of the immediate entry into force of The Convention. (See article: The Anti-Enforced Disappearance Treaty's Entry Into Force, *The Voice*, May 2008, pp.54-58). Angkhana Neelaphaijit, Chairperson of the Working Group on Justice for Peace and wife of disappeared Thai lawyer, Somchai Neelapaijit, was also present during the occasion and spoke about the 4<sup>th</sup> anniversary of the disappearance of her husband on that day, 12 March 2008. Her speech was responded to by the Ambassador of Thailand in Geneva who made a public commitment to resolve the case and to stop enforced disappearances in Southern Thailand.

**2.2 ICAED meeting** – The presence of members of the ICAED was an opportunity for the Coalition to meet and update themselves of what transpired in the members' lobbying for ratification and what were their immediate plans especially for the International Week of the Disappeared then to be held in May and the International Day of the Disappeared on 30 August. The meeting was informally held *in Palais des Nations* in Geneva, Switzerland.

**2.3 Meeting with the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID)** - The AFAD Secretary-General and the AFAD Treasurer, Mandira Sharma had a meeting with the members of the UNWGEID. They submitted updates on AFAD members' situation vis-à-vis enforced disappearances in Indonesia, Philippines, Nepal, and Thailand. The Working Group expressed its continuing support to the work of AFAD and requested AFAD member-organizations to follow up their respective governments whom the working group requested for official invitation so that it could investigate cases of enforced disappearances.

A separate meeting with the Working Group on Justice for Peace (WGJP) and the UNWGEID was also conducted to present the update of the case of Somchai Neelaphaijit and individual cases that occurred in Southern Thailand.

#### **2.4 Meetings with Representatives of the Permanent Missions of the Philippines and France**

During the official session of the UN Human Rights Council, the AFAD, through its Secretary General and its Thai and Nepali member-organizations' representatives, had lobby meetings at the Serpents' Bar in *Palais des Nations* in Geneva. These meetings were pre-arranged prior to their arrival in Geneva considering the hectic schedules of government representatives.

The meeting with the representatives of the Philippine Mission dealt with the following issues: the result of the February 2007 visit to the Philippines of Mr. Philip Alston, UN Special Rapporteur on Extrajudicial Killings; the request of the UN Working Group to visit the Philippines, which request has not been answered by the Philippine Government and the concern for the compensation of victims of human rights violations during the Martial Law regime. The usual response of diplomats would be for the government to study the situation while presenting positive efforts of the government to protect human rights, e.g. the promulgation of the Writ of *Amparo* and the decision of the Philippine government to support the Convention Against Torture.

### 2.5 Oral intervention focusing on the Philippine situation

The AFAD Secretary-General presented an oral intervention during the official session of the UN Human Rights Council. The intervention focused on enforced disappearances in the Philippines and its calls to the Philippine Government to sign and ratify The Convention and to finally enact the 14-year old anti-enforced disappearance bill into law.

- 3. Support to the Mandate of the United Nations Working Group on Enforced or Involuntary Disappearance**– On March 2008 meeting of the UN Human Rights Council, the mandate of the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID) is scheduled to be reviewed and that some governments wanted to abolish it. Considering that the UNWGEID is useful, and therefore, important to the work of AFAD, AFAD wrote a letter of support to the UN Human Rights Council with a copy to the UNWGEID. The letter stated how important the UNWGEID is to the work against enforced disappearances of organizations working directly on the issue. The said letter was most appreciated by the UNWGEID.
- 4. Activities for AFAD's 10<sup>th</sup> Anniversary** – The theme of the AFAD's 10<sup>th</sup> anniversary was: "A Decade of Journey Towards A World Without *Desaparecidos*." It was a major event of the Federation which was attended by representatives (Council member, focal persons and representative of families of the disappeared) all AFAD member-organizations. Invited to partake in the commemoration were representatives of the Latin American Federation of Associations of Relatives of Disappeared-Detainees (*FEDEFAM*) and We Remember – Belarus. There was an attempt to invite a

representative from an organization from Western Sahara, but AFAD did not get any response from the invited organization. A representative of the May 18 Foundation in South Korea was also invited and who positively responded.

Since it was a major event, the following series of activities were conducted:



One of the contestants at work during the First AFAD Poster-making contest held Sacred Heart Novitiate in Quezon City Philippines on 16 May 2008.

#### **4.1 First Poster-making and Essay Writing Contests, May 16, 2008** - Two weeks prior to the 10<sup>th</sup> anniversary of AFAD, the AFAD Secretariat initiated the conduct of poster-making and essay writing contests. The purpose of the contest was to encourage the interest of young people in the issue of enforced disappearances. Criteria of participants include young people, including family members of the disappeared with ages

ranging from 18-25. It was planned that the announcement of winners be done during the AFAD Solidarity Night, i.e. anniversary night on 4 June 2008.

Twenty-five contestants joined the poster-making contest while only 9 joined the essay-writing contest. Three winners of the poster-making contest were selected by known progressive artists within the NGO circle. Two winners of the essay writing contest were selected by known writers from the NGO community. They were modest cash prizes and certificates of recognition donated by the French Embassy in Manila.

The winners were formally recognized on 4 June, during the 10<sup>th</sup> AFAD anniversary celebration held in one of the hotels in Quezon City. It was the first poster-making and essay-writing contest that AFAD ever had conducted. The participants of these contests are now being invited to join AFAD activities to sustain their interest in the issue.

#### 4.2 Forum on the Imperative of the UN Convention For the Protection of All Persons from Enforced Disappearance – 30 May 2008

– In its consistent efforts to get the signature and ratification of the Philippine government to The Convention, AFAD in cooperation with the Ateneo Human Rights Center, sponsored another forum on the UN Convention for the Protection of All Persons from Enforced Disappearance. It was

graced by Mrs. Leila de Lima, then newly appointed chair of the Philippine Commission on Human Rights who acted as the keynote speaker. Another important speaker was the controversial ZTE deal witness, Jun Lozada, who himself was abducted by agents of the government and almost disappeared. Other speakers include *FEDEFAM* and We-Remember-Belarus representatives and the representative of the Truth and Justice Commission of Pakistan and a representative of the Philippine House of Representatives, Atty. Byron Bocar who represented Congresswoman Risa Hontiveros-Baraquel. The AFAD Secretary-General spoke about the history and the status of the UN Convention for the Protection of All Persons from Enforced Disappearance.

The activity was attended by more than 200 people from the NGO community, government agencies and families of the disappeared from the neighboring areas of Luzon.



Representatives of AFAD Member-organizations pose with the speakers of the forum on the UN Convention for the Protection of All Persons from Enforced Disappearances held at Ateneo Law School, Makati, Philippines on 30 May 2008.



Ms. Cecilia Lioanag giving representatives of families of victims and AFAD member-organizations a brief psycho-social session held at the Bantayog ng mga Bayani on 30 May 2008.

**4.3 Commemoration of the International Week of the Disappeared** – The AFAD Secretariat, with the help of Ms. Cecilia Lioanag, a local psychologist who conducted some of AFAD’s psycho-social rehabilitation in the Philippines, Pakistan and Southern Thailand, facilitated a psycho-social session held briefly especially for families of the disappeared. It was a way of remembering the disappeared by communicating to them through letters which later, if the participants deemed it appropriate, were shared with the group. The activity was fitted to a multi-cultural group so as not to hurt any sensitivity, thus, it was appreciated by everybody. Prior to it, they were toured around the *Bantayog ng Mga Bayani* (Monument of Heroes) and visited the museum which contains Philippine martial law *memorabilias*.

**4.4 Field trip to Villa Escudero, May 31** – to give a break to the AFAD delegates from other countries before working on the next series of events, the AFAD Secretariat gave them a tour to one of the country’s pride, *Villa Escudero*, a native resort with a museum. They took a 3- hour land trip outside of the city. They went back to the seminar house before the end of the day. It was a good opportunity for team-building among the AFAD constituents from the Secretariat and from the AFAD member-organizations.

**4.5 Training on the Use of the UN Human Rights Council, -3 June 2008** – To lay down the foundation of the next lobbying of AFAD before the UN Human Rights Council, AFAD invited a trainer, a Filipina lawyer from Geneva, Atty. Cecilia Jimenez who is an expert on the use of UN mechanisms. She has been giving lobbying trainings to AFAD in a number of occasions. The training, with the theme, *Maximizing the UN Human Rights Council and its Mechanisms to Achieve AFAD’s Goal of Fighting Against Involuntary Disappearances*, had the following objectives:



Participants of the training on the use of the UN Human Rights Council last 1-3 June 2008 with facilitator Atty. Cej Jimenez (extreme right).

- a. To learn and identify practical applications for the UN Human Rights Council. How can the members make practical use of it? To note, to be able to use the UN Human Rights Council in our advocacy work, AFAD members should have sufficient skills and knowledge to be able to effectively use it.



AFAD Secretary General Mary Aileen Bacalso with Dr. May Aquino distributing certificates of the training to the participants.

- b. To develop practical skills needed for the UN Human Rights Council advocacy work.
- c. To aid in succeeding advocacy planning of AFAD.

The target results are as follows:

### Cognitive

- a. Obtained a good knowledge of the politics, dynamics and technical aspects of the UN Human Rights Council, its structures and mechanisms and how to engage effectively with the UNHRC with a focus on the discussions and resolutions related to disappearances;
- b. Reaffirmed the rationale on the use of the specific UNHRC mechanisms related to disappearances, particularly the Universal Periodic Review (UPR) and the Working Group on Disappearances and other relevant special procedures, as they operate within the new structure.
- c. Connected AFAD's work on the ratification of the International Convention for the Protection of All Persons from Enforced Disappearances with the UNHRC work.

- d. Drafted collectively its international advocacy vision vis-à-vis the UN Human Rights Council including immediate and long-term AFAD plans at regional and national levels.

### Behavioral Skills

Participants must have learned a thorough understanding of lobby strategy and tactics and their implementation related to the use of the UN Human Rights Council and its mechanisms.

- a. Exercised and acquired certain lobbying techniques that would be useful for international, regional and national work.
- b. Incorporated and enhanced understanding of lobbying strategy and tactics into its planning on UN lobby work.

### Affective:

- a. Understood a “demystified” UN process and upgrade their confidence in participation and using the UN system and mechanisms.
- b. Will have realized the significance of this UN exercise in their own national and regional work.
- c. Will have discussed and agreed on the next strategic approach on the lobby work on the question of disappearances in the UN Human Rights Council.

Inputs, workshops and plenary discussions were conducted in the course of the training. At the end of the three days, both the participants and the resource persons said that they learned a lot from each other and that the above-objectives were met.

Certificates of recognition were distributed to the 25 participants at the end of the training.



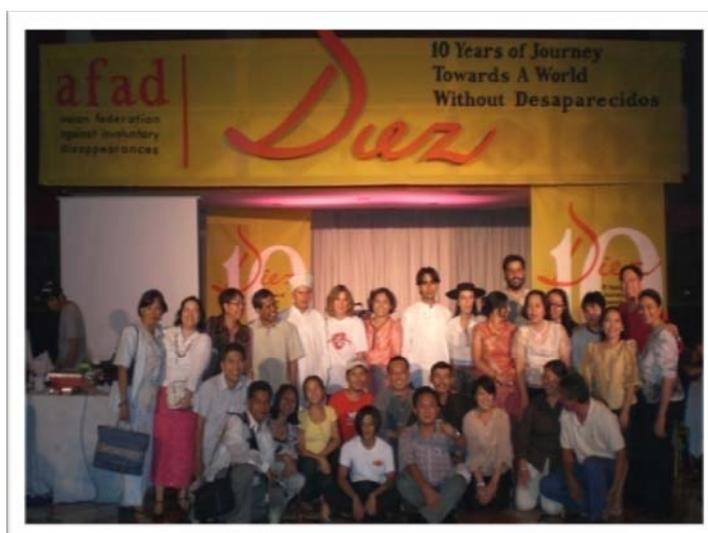
Participants of the training doing exercises in teamwork.

#### 4.6 Launching of AFAD Resource Center's Online Public Access Catalog, (WEBOPAC), 4 June 2008, 10:00a.m. – 1 p.m. – The AFAD Secretariat, through the initiative of the Resource Center

Coordinator/Librarian launched the AFAD Online Public Access Catalog. It is a pilot project in as far as Philippine NGOs are concerned. It was an opportunity to present, once again, the AFAD Resource Center, which was started in 2006, to the NGO Community and to the diplomatic community. This time, the AFAD Resource Center was presented electronically so that its usefulness will not only be applicable for Filipino users but also for other users from other countries. It was mentioned during the launching that AFAD needed the necessary funding for the continuing digitization of the materials of the resource center. AFAD's powerpoint presentation on its ten years of struggle towards a world without *desaparecidos* was also presented before the audience which was able to appreciate the work undergone by AFAD during the last decade. AFAD's music video on enforced disappearances in Asia, which is now uploaded in YouTube (*Asian Desaparecidos, AFAD*), was shown.



The AFAD Resource Center WEBOPAC accessible through [www.afad-online.org](http://www.afad-online.org).



Representatives of AFAD Member-organizations, AFAD Secretariat and other NGOs during the solidarity night.

**4.7 Solidarity Night, 4 June 2008** - The solidarity night was the main event for the AFAD's 10th anniversary. It was attended by all AFAD member-organizations' representatives and members of the NGO community, including representatives of families of the disappeared in the Philippines. The event was highlighted by the cultural presentations from AFAD member-organizations and AFAD Secretariat, the reading of anniversary messages (more than 50 from AFAD's international network); the special songs from progressive artists, Cookie Chua and Ria Osorio and the awarding of the winners of AFAD's Essay-Writing and Poster-Making Contests and of plaques of appreciation to HIVOS, *EED*, *FEDEFAM* and We Remember-Belarus.

**4.8 Meeting with the Philippine Department of Foreign Affairs, 5 June 2008** – To maximize the international presence of AFAD member-organizations, the whole 25-strong AFAD delegation visited the office of the UN International Organizations (UNIO) of the Department of Foreign Affairs in order to present the Federation's concern on the Philippine government's signature and ratification to The Convention. Unfortunately, however, the Executive Director of UNIO, in the person of Attorney Grace Princesa, did not give any encouragement to the AFAD delegation saying that there is no instruction yet on what to do with the Convention. She just suggested that continuing contacts be done and that she said that she would just communicate to the AFAD Secretary-General for further developments.



Representatives of AFAD after their meeting with Dir. Grace Princesa of United Nations Information Office of the Department of Foreign Affairs in the Philippines.

To note, some AFAD member-organizations, e.g. *IKOHI* and *KontraS* of Indonesia, Advocacy Forum of Nepal; Working Group on Justice for Peace of Pakistan conducted their local anniversary of AFAD in their respective countries and showed the AFAD music video and the AFAD powerpoint of its ten years of work to the families of the disappeared. The efforts were intended to instill among families of the disappeared a sense of belongingness to the Federation.

Please find the whole story of the AFAD anniversary in the AFAD website: <http://www.afad-online.org>

On the whole, the series of events were successful. On the financial side, however, AFAD exceeded expenses vis-à-vis the budget because of unforeseen expenses, which could no longer be avoided because events were already set to be implemented.

## 5. Cooperation with the Diplomatic Community in Manila

**5.1 Embassy of France** - The AFAD Secretary –General met in a number of occasions with the AFAD Secretary-General to discuss cooperation vis-à-vis AFAD's 10<sup>th</sup> anniversary. These meetings were also in line with the cooperation for the signing and ratification by the Philippine government of the UN Convention for the Protection of All Persons from Enforced or Involuntary Disappearance. It was also an effort of the AFAD Secretariat to request for at least, a minimal additional funding to defray the cost of the AFAD anniversary activities. Indeed, the Embassy of France contributed a modest amount for AFAD's essay-writing and poster-making contests.

**5.2 Embassy of Switzerland** - The AFAD Secretary-General had a number of meetings with the Embassy of Switzerland in Manila in order to prepare for the production of AFAD's third book, entitled "Reclaiming Stolen Lives." These were also opportunities for AFAD to update the embassy on the recent developments on enforced disappearances and on The Convention.

**5.3 Embassy of the USA, September 2008** – Upon the invitation of the AFAD Secretary-General, the newly assigned Political Officer of the US Embassy in Manila, Mr. Michael Pignatello, visited the office of AFAD. The AFAD Secretariat gave him a briefing of the situation of enforced disappearances in Asia and the work of AFAD. The video, "Healing Wounds, Mending Scars" and AFAD's music video were shown to Mr. Pignatello who showed interest in the situation of enforced disappearances especially in the Philippines.

**5.4 Embassy of Spain, October 2008** - Upon the invitation of the AFAD Secretary-General, two representatives of the Embassy of Spain, Mr. Jose Hornero and Mr. Pablo Senis visited the AFAD office. As what was done by the AFAD Secretariat with the representative of the US embassy, the AFAD Secretariat also gave him the same briefing on the situation of enforced

disappearances in Asia and the work of AFAD using AFAD's video documentary, "Healing Wounds, Mending Scars" and AFAD's music video.

**5.5 Embassy of Canada, November 2008** – The AFAD Admin. Officer attended the welcome party of the new Political Officer of the embassy in the person of Mr. Mark Seniuk. The latter then visited the office of AFAD, and during the visit, the same briefing given to the previous embassy representatives who visited AFAD was also given to him. It was also an opportunity to follow up AFAD's proposal on video production which was sent to CIDA.

**5.6 The Royal Netherlands Embassy, October 2008** – The AFAD Secretary-General attended the function of the Royal Netherlands Embassy, i.e. the welcome party of Ms. Tatine Faylona, the new assistant of the Political Officer.

**5.7 European Union, September 2008** – In cooperation with *HOM* and the International Coalition Against Enforced Disappearances, the AFAD Secretary-General and Ms. Marjan Stoffers visited the office of the European Union to explore possibilities of cooperation on the issue of enforced disappearances. The advantages which AFAD was able to get from the meetings with the members of the diplomatic community include the following: being able to give information on the phenomenon of enforced disappearances in Asia and the status of the Convention; able to get minimal financial support for small projects from the Swiss and French embassies, getting the participation of these embassies to major AFAD activities.

A problem, however, is that AFAD does not have a strong base in the Philippines. In view of this, AFAD's information is limited to secondary data in as far as cases of enforced disappearances in the Philippines are concerned. The interest of foreign embassies in Manila is information principally from the Philippines. While the Secretariat has knowledge of what is going on in as far as enforced disappearances in the Philippines are concerned, it only has a list of cases and has not participated in fact-finding missions conducted by national organizations to search for the disappeared. This is especially so that FIND left the Federation as a member and that Claimants 1081 also deals with cases that occurred during Martial law.

**6. Participation in a Human Rights Conference on the Philippines supported by German Development Agencies and upon the invitation of EED, May 2008** – The AFAD Secretary-General participated in the conference sponsored by German

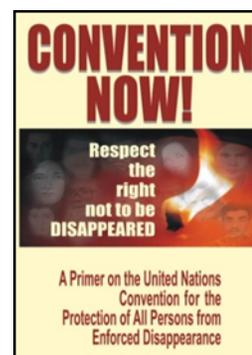
development organizations upon the invitation of EED. She was asked to speak on human rights defenders in Asia giving focus on AFAD human rights defenders who underwent and still undergoing prosecution by agents of the state. She also took it as an opportunity to present AFAD's campaign for the ratification by all governments of the Convention.

The conference was an opportunity to meet with German organizations and personally, with Ms. Marlene Schroth and Dr. Karl Shoenberg of *EED* in order to discuss its present partnership and the possibilities of continuing cooperation.

7. **Participation in the local (Philippine) Coalition Against Enforced Disappearances (CAED) headed by FIND** - The AFAD Secretariat actively participated in the meetings of the local coalition against enforced disappearances in the Philippines headed by FIND. One concrete contribution it had during the International Week of the Disappeared was to sponsor a vehicle in a caravan for the disappeared which came from Metro Manila until some of the cities of Central Luzon. It also distributed *en masse* its statement for the International Week of the Disappeared.

## 8. Production of AFAD Campaign materials

- 8.1 **Third Edition of the Convention Primer - Note:** This edition was translated to Bahasa Indonesia and the Second Edition translated to Thai and Nepalese – AFAD produced third and fourth editions of its primer on The Convention. 2000 copies were distributed during the period. Contents of which were updated according to the developments of The Convention vis-à-vis signatures and ratification. AFAD also translated it to Thai and Nepali languages to cater to the people who do not use English much as their medium.

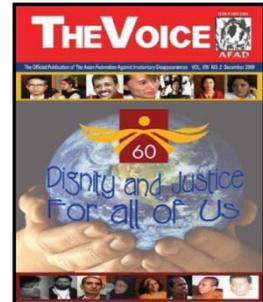


- 8.2 **May 2008 issue of The Voice** – AFAD produced its May 2008 issue of *The Voice*, Vol. V111. No. 1, its bi-annual publication. Copies of which were distributed to the AFAD member-organizations and to the various universities, libraries, judges, students, church people,

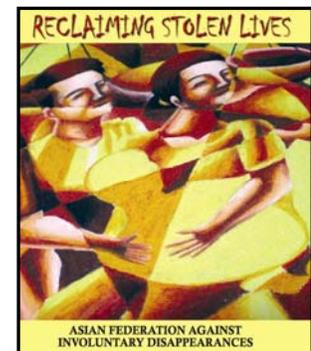


government offices and the diplomatic community in the Philippines and to AFAD's other contacts abroad.

**December 2008 issue of The Voice** – At the end of the year, in time for the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights and the 10<sup>th</sup> anniversary of the Universal Declaration of Human Rights Defenders, AFAD published *The Voice*, Volume V111. No. 2. Copies were distributed in time for the culminating event for 2008, i.e. the Interfaith Conference on the UN Convention for the Protection of All Persons from Enforced Disappearance.



**8.3 AFAD's third book entitled: *Reclaiming Stolen Lives*** –During the period, AFAD was busy preparing the data and articles needed for/ the AFAD book. AFAD then formed a book Committee within the AFAD Secretariat to oversee the implementation of the work in the various stages of the book production.



**8.4 AFAD anniversary materials, e.g. Posters, stickers, buttons, mugs, t-shirts** – Give –aways for the AFAD anniversary were produced as promotion and souvenir materials of AFAD. These were certainly appreciated by those who attended AFAD activities.

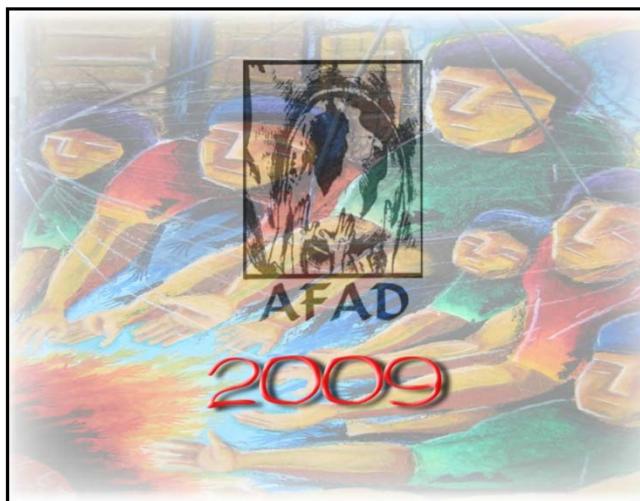
**8.5 Music video** – AFAD produced an MTV using its theme song, *desaparecidos*. This was shown in the AFAD activities during the AFAD anniversary. It has already been uploaded in the YOU TUBE so that it can be seen internationally.

**8.6 PowerPoint Presentation of AFAD's Decade of Struggle Towards A World Without *Desaparecidos*** – AFAD produced a PowerPoint presentation on its ten-year work. The PowerPoint was presented during the Resource Center

(WEB OPAC) online launching and was appreciated by the AFAD member-organizations, the local NGO community and the diplomatic community.

### 8.7 Publication of AFAD's 2009 Calendar - At the end of the year, the AFAD

Secretariat produced 2009 calendars. It maximized selected entries to the poster-making contests on the occasion of AFAD's 10<sup>th</sup> anniversary. To ensure interfaith and inter-cultural dimension of the material in consistence with AFAD's composition, significant dates of Christians, Muslims and Buddhists are marked in the calendar. The calendar serves as AFAD's



promotional and lobby materials that tell people of the phenomenon of enforced disappearances in the country.

All these materials served as the voice of AFAD and had helped project both the issue and the Federation both nationally, regionally and internationally. Most of these have also been uploaded in the AFAD website for wider dissemination. What is important is that these materials be distributed also by AFAD member-organizations, the extent of such distribution has not so far, been assessed. It is also important to come up with a systematic feedback system on the materials produced by the Federation.

9. **Issuance of AFAD official statements** - These include the following statements for the following occasions/events/incidents: Valentine's Day Easter Sunday; Women's Day; Solidarity Message to *KontraS* for its 10<sup>th</sup> anniversary; Support to Ms. Angkhana Neelaphajit re. her security problem; Support to Dr. Hassan, AFAD's friend who was harassed in Bangladesh; Support to the Association of Parents of Disappeared Persons (APDP) during the series of harassments against Parvez Imroz; Anniversary of the Death of Aasia Jeelani, International Week of the Disappeared; Anniversary Day Statement; Anniversary of the Disappearance of Fr. Rudy Romano; International Day of the Disappeared; Anniversary of Martial Law; Statements (2) on the bombing of Parvez' Imroz' house and later, his arrest and detention; Munir's Death Anniversary; Support

to Mr. Mano Ganesan, harassed member of the parliament in Sri Lanka, All Souls' Day; National Day of the Disappeared; Statement on the Interfaith Conference; Human Rights Day Statement; Letter to the Editor on the Disappearance of James Balao and urgent appeals to President Arroyo, to the Philippine National Police and to the Commission on Human Rights; Christmas Day Statement.

Statements, especially those responding to requests for urgent actions, were appreciated by the victims, themselves as these helped prevent the continuing violation of the human rights of the concerned victims. These were concrete expressions of solidarity which were urgently needed. These had, in a way, provided protection to human rights defenders. Statements which were written to commemorate particular occasions did not elicit much response, but still, if time permitted, it was good to issue them in order to present AFAD's positions and reflections on issues of the day.

The Secretariat members, however, do not know what the AFAD member-organizations think about the majority of the statements written, as there were only reactions when statements pertain to urgent actions. In terms of content, one feedback is that the treatment on the situation of the families of the victims as well as those who disappeared should have been balanced. Moreover, some statements dwelt on the pains of the families of the victims, which have not been balanced by signs of hope concretely manifested in the struggle to fight against impunity.

A major breakthrough in as far as media work is concern is that a whole article was placed as one page article of the September 21, 2008 issue of the Philippine Daily Inquirer. The article was a summary of AFAD's book, entitled, "Reclaiming Stolen Lives," written by AFAD's part-time writer, Erlinda Timbreza Valerio. It was published



on the occasion of the anniversary of Martial Law. It was a projection of enforced disappearances in Asia and of AFAD and a form of advertisement for the book. Refer to the following link: <http://opinion.inquirer.net/inquireropinion/talkofthetown/view/20080921-161916/Remembering-the-past-reclaiming-stolen-lives>.

- 10. University hopping and Coordination with different libraries for exchange of materials** – AFAD was invited by some professors of the Ateneo University and the University of the Philippines College of law to present the following: Powerpoint on The Convention; music video, *Desaparecidos*, video on Healing Wounds, Mending Scars, and PowerPoint on AFAD's resource center. The university hopping is important for AFAD to promote itself and to disseminate the issue of enforced disappearances and to distribute AFAD's campaign materials to the students. This activity was also an opportunity to invite students to use the AFAD Resource Center.



Students of the University of the Philippines Law School listen intently to the presentation given by Ms. Mary Aileen Bacalso, AFAD Secretary General.

Another presentation was done in the College of Law of the University of the Philippines to a group of Law Students interested in the issue of enforced disappearances. Some students expressed interest to coordinate with AFAD in terms of submission of specific cases of enforced disappearances to the United Nations Working Group on Enforced or Involuntary Disappearances and to use the AFAD Resource Center.

The AFAD Secretary-General presented her powerpoint on the Convention for her MA Course on Diplomacy and Negotiations. Based on a comprehensive term paper that she wrote, the powerpoint presentation was culled. During her presentation, she also distributed AFAD campaign materials. This is also one way of informing the academe on the Convention.

**11. Participation of AFAD in the Series of Conferences Sponsored by the Philippine Judicial Academy (PhilJA) of the Philippine Supreme Court held in the following cities :**

- Clark, Pampanga – before 70 judges;
- 2<sup>nd</sup> Conference in Clark, Pampanga before 80 judges;
- 70 judges in Baguio City;
- 70 judges Manila
- 70 judges in Naga City
- 70 judges in Cebu City
- 70 judges in Iloilo City
- 50 judges in Tacloban City



Ms. Mary Aileen Bacalso, AFAD Secretary General (extreme left) with the panel of speakers during one of the series of conferences sponsored by Philippine Judicial Academy.

A total of 550 judges and justices were given information on enforced disappearances, on the impediments in filing cases and on the Convention. It was a venue to distribute campaign materials to captive readers who are interested in the issue because it is part of their work. The participation of AFAD in these activities was an opportunity to network with the judiciary; to project AFAD and to present the

need for the Philippine government to sign and ratify the UN Convention for the Protection of All Persons from Enforced Disappearance. The information given to them might help in future cases of disappearances which will be filed in court. They would/might be able to use this knowledge as bases of their judgments. It is therefore, important to sustain relationship with these judges and justices by including them in AFAD's mailing list.

The problem, however, is that the topic assigned to AFAD is on problems on investigation and prosecution in as far as cases of enforced disappearances in the

Philippines are concerned. Since AFAD has no active member-organization in the Philippines, source of information is principally from secondary data.

It is therefore, important for AFAD Secretariat, especially the Research and Documentation Officer, to participate in fact-finding missions conducted by local organizations concerned with the issue of enforced disappearances in the Philippines.

**12. Participation in two Senate hearings and one hearing in the House of Representatives on the bill on enforced disappearances** –To support the campaign for the enactment of the 14-year old anti-enforced disappearance bill into law, AFAD participated in two Senate hearings and one hearing in the House of Representatives and presented its position paper both on the bill and The Convention. Other NGOs were also invited by the Senate to present their position.

There is a possibility of coordinating with the community in lobbying for a law criminalizing enforced disappearances provided that there is a strong base in the Philippines. It is important for AFAD to build a strong alliance of organizations directly working on disappearance and draft a common comprehensive lobbying strategy. The problem, however, is that these organizations are not necessarily homogenous and unfortunately, do not necessarily work together. It is important to still maintain contacts and cooperation with these organizations, although levels of coordination vary according to the attitude of each organization to AFAD.

**13. Participation as Resource Person in the Folk School in Gwangju, South Korea** –

The AFAD Secretary-General was invited to speak on the UN Convention for the Protection of All Persons from Enforced Disappearances during the Folk School in South Korea. It was an important occasion to present the phenomenon of enforced disappearances to students from various parts of Asia. A workshop focusing on planning to lobby for the Convention was conducted. A yahoo group was created, wherein follow up on the dissemination of information on enforced disappearances can be done.



Ms. Mary Aileen Bacalso discussing the UN Convention for the Protection of All Persons from Enforced Disappearances to the participants of the Folk School in Gwangju, South Korea.

**14. Launching of AFAD's Third book, Reclaiming Stolen Lives, 29 August -** AFAD launched its third book, "Reclaiming Stolen Lives" on the occasion of the International Day of the Disappeared. It was very well attended by the NGO community, the diplomatic community, government agencies and families of the disappeared. The target number of at least 100 persons was reached. It was graced by the Chairperson of the Commission on Human Rights, Atty. Leila de Lima. A representative from Aim for Human Rights from the Netherlands was also present to deliver a message and to give a present to AFAD for its 1<sup>0th</sup> anniversary, albeit belated.

**15. Lobbying activities in Indonesia on the occasion of IKOHI's 10<sup>th</sup> anniversary, November 9-14 -** Upon the invitation of *IKOHI*, the AFAD Secretary-General attended the following series of activities:

- The first event, held on 9 November 2008, was an initiative to convene high school students who committed themselves to serve as a support group of the families of the disappeared. The initiative is a recognition of the role of the youth in the struggle against disappearances.
- On November 10, 2008, more than 20 family members of the disappeared and victims of extrajudicial execution in 1965 and 2008 respectively discussed the unresolved cases and were inspired by success stories in Argentina and Morocco.

After the meeting, the families of the victims proceeded to the presidential palace amidst pouring rain. Speakers took turns in presenting their agenda on the unresolved cases of the past and the government's failure to address their concerns.

- On November 11-12, 2008, a psycho-social rehabilitation session supported by AFAD was conducted in response to the profound trauma of the families of the victims and the need to further foster solidarity among them, thus, strengthen unity in their common struggle for justice and against impunity.



AFAD Chairperson Mugiyanto and Ms. Mary Aileen Bacalso with some families of victims from Indonesia.

- On November 11, *KontraS*, *IKOHI* and AFAD held a meeting with the Commission on Human Rights of Indonesia (*Komnas HAM*) to bring up individual cases. Three mothers of the disappeared, with admirable fortitude, reiterated their stories to the Commission and bluntly said that they did not want to listen and wait for empty promises.
- On November 12, about twenty family members of the disappeared spoke to some members of the House of Parliament about their cases and their dilemma as well as their hope for the establishment of a Special Committee on Enforced Disappearances.



Ms. Mary Aileen Bacalso with representatives of *Ikohi*, and *KontraS* during the co-sponsored discussion of the massacre and disappearances that occurred in 1965 in Indonesia.

- On November 13, a trial on the case of Munir, which to date, has not yet been fully resolved, took place in one of the local courts of Jakarta. General Muchdi, who was present as a witness, confirmed that high officials of the Indonesian Intelligence Group or the *Badan Intelijen Indonesia (BIN)* were involved in the assassination of Munir. Suciwati, Munir's widow, who was present, hoped as she continues to hope that there would eventually be some light at the end of the tunnel.
- Several other activities were done on the same day, e.g. anniversary of a massacre of students of the Catholic University of Indonesia; Silent Rally in front of the presidential palace, based on the inspiration of the *Madres de Plaza de Mayo* and visits to the cemeteries in various points of the country to honor their fallen heroes and martyrs.
- On November 14, 2008, *IKOHI*, *KontraS* and AFAD co-sponsored a public discussion about the massacre and disappearances that occurred in 1965, followed by a public forum on the UN Convention for the Protection of All Persons from Enforced Disappearance. It culminated with a letter, signed by *IKOHI*, *KontraS*, AFAD and

*FEDEFAM* in the name of the International Coalition Against Enforced Disappearances) to a representative of the Department of Law and Human Rights.

- The week-long series of events were culminated with a solidarity night, meaningfully celebrated through cultural presentations in forms of dancing, singing, poetry and drama as well as film showing. It capsulized *IKOHI*'s ten years of trials, tribulations and triumphs as it continues to tread the road less travelled in this fight against impunity.
- It is observed, however, that activities were done simultaneously and because efforts were spread, there was a risk of not fully getting the necessary impact that each activity deserved. For instance, family members who attended a psycho-social activity, were taken to attend lobby meetings with the Commission on Human Rights and the Parliament. Such could most possibly affected their concentration and focus much needed in such an equally important occasion, i.e. the psycho-social rehabilitation session.

**16. Participation in the Steering Committee Meeting of the International Coalition Against Enforced Disappearances, December 8-9, Geneva, Switzerland** - The AFAD Secretary-General participated in the Steering Committee meeting of the International Coalition Against Enforced Disappearances held in Geneva, Switzerland. Other Steering Committee members include *FEDEFAM*, We Remember-Belarus, Northern Mediterranean Families of the Disappeared, Amnesty International, Human Rights Watch, International Commission of Jurists.

**17. Interfaith Conference on the UN Convention for the Protection of All Persons from Enforced Disappearance** - To implement an important projected event of the six-year strategic plan of AFAD's Third Congress held in Nepal in December 2006 and in view of the fact that churches in the Philippines have a strong influence on the affairs of the state, the AFAD Secretariat invited concerned organizations based in Manila to help organize an interfaith conference on the UN Convention for the Protection of All Persons from Enforced



A representative from the Moro Human Rights Center speaks for the Muslim victims of involuntary disappearance during the Interfaith Conference conducted by AFAD on 12 December 2008.

Disappearances. It was the first time an event of that kind was organized in the Philippines, and perhaps in the rest of the Asian countries where AFAD member-organizations are based. Invited speakers were Mrs. Edita Burgos, mother of disappeared person, Jonas Burgos and a representative of the Cordillera People's Alliance to speak on behalf of the family of a very recent disappeared person, Mr. James Balao. The event was also participated in by family members of the disappeared in the country.



Mr. Ed de la Torre giving his take on the moral basis of the fight against enforced disappearances during the Interfaith Conference.

Other invited speakers are: Mr. Ed de la Torre, who spoke on the moral basis of the fight against enforced disappearances; Atty. Rowena Legaspi, daughter of a disappeared and Executive Director of one of the convenors, Dr. Melba Maggay, Executive Director of ISACC and one of the convenors, gave the synthesis.

The conference ended with a discussion of a draft statement signed by the conference convenors and participants, taking into consideration the moral basis of the struggle against

enforced disappearances both from the Christian and Islamic points of view.

The conference was AFAD's form of commemorating the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights and the 10<sup>th</sup> anniversary of the Universal Declaration of Human Rights Defenders.

### General Statement:

Each activity and each output in this regard had contributed to the projection of the issue of enforced disappearances. It has been seen that at the national level, no intensive lobbying for the Convention is being done because apart from whatever lobby budget AFAD as a federation has for its members, majority of the member-organizations do not have the resources to conduct its own lobbying work. There was no significant number of activities by AFAD-member-organizations in their respective countries to convince Asian governments to sign and ratify the Convention. There is a tendency that the secretariat is expected to be the regional campaign machinery of

the whole Federation. This is not possible for the secretariat to be the campaign machinery because realistically, it is not effective as the secretariat is concerned with multiple tasks to serve as center for service and coordination.

So far, there has been no additional signatory from any Asian country to the Convention and out of the ten ratifications, there is no Asian country. What is important for the future is to learn lessons from the experiences, based on which, a clearer regional and lobbying strategy for an intensive lobbying for the Convention be formulated, with clear corresponding resources to use at the regional and national levels.

The Experts' Conference on the Convention could have been a key event to intensify AFAD's lobbying work nationally given the necessary resources, however, it was not realized as planned due to financial constraint. While it is necessary for AFAD member-organizations to come up with plans vis-à-vis lobbying for the Convention, resources at the national level, other than what has been provided for at the regional level, are necessary to ensure plan implementation.

Another important matter to consider is that there are no sustained and synchronized campaign activities for the protection and defense of human rights defenders. Ex. Munir, Angkhana, Parvez. This is a serious matter for AFAD to consider vis-à-vis the unresolved and still continuing persecution of human rights defenders.

### C. RESOURCE CENTER

The AFAD Resource Center was launched in May 2006 with the aim of projecting the phenomenon of enforced disappearances. Considering the fact that its physical center is in Manila and cannot cater to the needs of people in other countries, making the Resource Center available online is indeed, very important. Thus, preparations for making the Resource Center of AFAD available online was done simultaneous with efforts to project the Resource Center within Metro Manila and in other provinces of the country through dissemination of Resource Center brochures during Philja activities, university hopping in Manila, free subscription of AFAD publications in which brochures of the Resource Centers are inserted; network-building with local librarians in different universities in the Philippines.

In view of the above, the following activities were conducted in 2008:

1. **Launching of the Resource Center's Web OPACC available online** – As earlier mentioned, AFAD's Resource Center online was launched on the occasion of its 10<sup>th</sup> anniversary. (See article of December 2008 issue of *The Voice*, Volume V111, No. 2).

In response to the need for AFAD's Resource Center to be made accessible online, the Secretariat initiated the WEB-OPAC which was successfully launched on AFAD's 10<sup>th</sup> anniversary. Its launching of the WEB-OPAC is also an initial breakthrough in terms of making the materials available worldwide. This needs funding for the work to be continued and sustained. On the utilization of the Resource Center by Filipino users, much remains to be done to convince the general public on the issue of enforced disappearance. This is interrelated with AFAD's general advocacy work, whose success determines the success of the resource center in as far as users are concerned.

While it is necessary to ensure the implementation of AFAD's promotional work for the Resource Center in cooperation with other sectors, it is urgent to get funding for the Resource Center's digitization for it to be accessed internationally.

If the problem of users is not decisively addressed, then, there would be a possibility that the existence of the resource center would be questioned. The response to the need for digitization is crucial, indeed.

2. **Coordination with different libraries nation-wide and exchange of materials** – The office librarian, during her training for librarians, was able to establish network with other librarians. Such network is helpful in exchanging experiences and information. AFAD is regularly sending publications by mail.
3. **Acquisition of new materials** - new materials were acquired which AFAD got from materials bought, donated materials or exchange of books; materials taken from the UN and other organizations abroad. These had helped enrich the content of the library in order to cater to the needs of both the secretariat and outside users.

4. **Facilitation of book sale in different bookstores** – The Resource Center, through its librarian, took charge of writing to various bookstores and offered consignment of AFAD's book, "Reclaiming Stolen Lives." She also collected payments of sales of previous books, e.g. "Between Memory and Impunity" and "Healing Wounds, Mending Scars." Those who consigned the book are the following:

- Anvil Publications
- Solidaridad
- Rarebooks
- Academic Connections Library Services
- Readers' Knowledge Bookstore
- Book Trends Enterprises

Based on the 2008 audited report, AFAD was able to sell books, the proceeds of which amounted to more than Forty Thousand Pesos. Such an amount is already significant in terms of AFAD's counterpart. More so, it speaks of the readers' interest to purchase the book. Parts of these proceeds were sales of previous books, e.g. Between Memory and Impunity and Healing Wounds, Mending Scars.

5. **University hopping** – there were efforts to conduct university hopping in different universities in Manila, in St. Theresa's College, Cebu City and in Iloilo and in a couple of universities in Baguio. The out-of-town universities were planned to be visited simultaneous with the conferences on Extra-judicial Killings and Disappearances being conducted by the Philippine Judicial Academy (Philja), however, there was no response from the universities conducted. Perhaps, in general, there was not much interest on the issue of enforced disappearances in the academe.

### General Statement

The Resource Center is being maintained, but principally used internally by the AFAD Secretariat and a few users from the universities and NGOs. This is being done amidst other secondary, yet pressing tasks given to the Librarian to assist in major projects and campaign activities.

To address the problem of users, a process of digitization has been started, which is the first of its kind in the local NGO community. What is important is the need for resources to continue the process for the Resource Center materials to be made accessible

internationally through the internet. Otherwise, to reiterate, the very existence of the Resource Center would then be questioned.

## D. INTERNATIONAL SOLIDARITY

International Solidarity Work is expressed in the following forms:

1. **Consolidation of existing AFAD members** – Consolidation activities were expressed in meetings, trainings, country visits, electronic communication. The major activities of the Federation for the purpose of consolidating its existing constituents were related to AFAD's commemoration of its 10<sup>th</sup> anniversary in June 2008.

In between physical meetings and trainings, much remains to be done to improve communication. In view of the fact that AFAD has successfully garnered ten years of struggle for a world without *desaparecidos*, the Federation now faces the challenge of sustaining its work in view of the fact that the situation of enforced in the Asian region is not getting any better.

2. **Expansion of membership** - So far, AFAD received only one application, i.e. from *HAK*, an organization in East Timor. This was the result of the visit of Mugiyanto to East Timor to invite organizations there. A visit to Sri Lanka was also made by Sri Suparyati in order to iron out problems with individual members of CPRLD and to explore possibilities for expansion. The Families of the Disappeared (FOD) initially expressed its intention to be part of AFAD, however, AFAD has not yet received an application from them.
3. **Cooperation with other similar formations in other continents** –The AFAD cooperates with *FEDEFAM* and We Remember-Belarus in national as well as international activities. It is part of the International Coalition Against Enforced Disappearances and is a member of the Steering Committee. Cooperation was done through joint activities in lobbying and training. During the commemoration of its 10<sup>th</sup> anniversary, AFAD invited *FEDEFAM* and We Remember-Belarus to join all the activities held in the Philippines.
4. **Responses to requests for urgent actions** – a very concrete form of solidarity is AFAD's responses to requests for urgent actions, which occurred especially in conflict areas such as Kashmir, Southern Thailand, Sri Lanka and Bangladesh. AFAD also is in contact with NGOs working on the ASEAN mechanism and from time to

time, responded to urgent actions requests, for instance, the campaign for the non-renewal of Sri Lanka's term as a member of the UN Human Rights Council.

## **E. DIRECT ASSISTANCE AND PSYCHOSOCIAL REHABILITATION**

- 1. Meeting with Philippine psychologists** – At the beginning of the year, the AFAD Secretariat conducted a meeting with Filipino psychologists to follow-up the Summing-Up of AFAD's Direct Assistance and Rehabilitation activities which was conducted in Bangkok in December 2007. The activity was aimed to see possibilities of future activities as a follow-up to the summing-up's recommendations. It was however, agreed upon that AFAD member-organizations may proceed with their national rehabilitation activities taking into consideration the points that transpired, especially the recommendations. However, for further reflection of these psychologists, who did a number of the activities in various countries, the reports on the previous sessions were submitted to them.
- 2. Psycho-social rehabilitation session in Nepal held on June 26-28, 2008-** (Taken as an excerpt of the report of Advocacy Forum) - The psycho-social rehabilitation program has directly helped the victims to salvage themselves out of the pain, agony and trauma harbored by the disappearance of their loved ones. The impact of the training was so that most of the trainees have started to get realistic and have also started to busy themselves in income-generating programs. They have been the ones to take lead in the formation of groups, help fellow victims to purge their emotions by organizing healing sessions in their respective villages. The victims include both the persons who disappeared and the surviving families. On the one hand, the disappeared persons are deprived of their basic right to life, dignity and freedom and the families of the victims suffer from the absence of information about the whereabouts of their loved ones, the emotional and psychological pain of the families despite the passage of time, the economic dislocation it brought to the surviving families, on the other.

The first round of training, which was conducted in Dec 2007, dwelt on the basic concepts of the healing with a conscientious mapping of strategies to empower the family members of the victims and the survivors. Besides encouraging the victims to be more vociferous and united in their quest for

truth and justice, the experts also elaborated on the objectives and impacts of rehabilitation with extra emphasis on cathartic purgation of painful memories via recounting the personal saga of being victims. The program was also instrumental for the ultimate formation of a national level victims' organization named "Conflict Victims' Society for Justice" as the victims' representatives realized that the pain of being victims is the same for all whatsoever the cause might be.

At this backdrop, a second round of training was deemed essential as a refresher course to the victims so that they would have increased confidence about the issues and nuances of rehabilitation and healing, which the trainees, in turn, share with their fellow victims in their respective districts and villages. The aims of the program are: to empower victims' families of disappearances to become co-healers to their fellow victims' families; to reach out, rehabilitate and empower more victims of disappearances by creating a local pool of para-counselors in every district or area; to make it known to more families of the disappeared in the country that enforced or involuntary disappearances is a global problem and that along with so many other suffering families, they are one in the same pain, in the same hope and in the same struggle for truth, justice, reparation and recuperation of the historical memory of the disappeared; to ensure that the rehabilitation effort already started will gain strength and ground as it creates long and lasting effects not only to the participants but also to other families of the disappeared.

The planned second round of training was scheduled in February in view of the difficulty to do it in December as funds for this purpose was sent only on the third week of December. While Christmas may not be very much celebrated in Nepal, but Advocacy Forum already had a full schedule until the end of the year.

- 3. Psycho-social rehabilitation in Kashmir** - The implementation of the program has been delayed in view of the security situation in Kashmir, particularly the bombing of the house of AFAD's Council member, Parvez Imroz brought about by his participation in the tribunal to investigate more than a thousand remains of disappeared persons found in Kashmir. The work of the Association of Parents of Disappeared Persons has been disrupted because of this.

- 4. Psycho-social rehabilitation of IKOHI** – *IKOHI* conducted its two rehabilitation program activities during the year among family members of the disappeared in Indonesia. It was part of the series of activities that *IKOHI*, which has its own psycho-social program, conducted. This activity, supported by AFAD's funds, was conducted to 21 family members of the disappeared.

To note, the second event was done simultaneous with other activities to commemorate the 10<sup>th</sup> anniversary of *IKOHI*.

- 5. Psycho-social rehabilitation of Claimants 1081** - The Claimants 1081 conducted activities for two days for some members of the organization who are based in Metro Manila. It was given to those who underwent the first rehabilitation session in 2007 and also to new participants. A member of the secretariat and the focal person of AFAD for Claimants 1081 also attended.
- 6. Educational Assistance for Association of Parents of Disappeared Persons (APDP)-Kashmir** – Scholarship assistance was given to 50 children of the disappeared in the area for 12 months. The program served as a very important support to the families of the disappeared.

Below is an excerpt of the first report submitted by the APDP:

The amount is received by the APDP to provide Scholarship to the children of victims of EID for the first six months of 2008 was Rs. 1,62,880/-. 50 (instead of 60 in order that each family will receive a bigger amount) students are selected by APDP's Executive Council from different districts. The amount of scholarship is being paid to them on monthly basis. In 2007, we have decreased the number of students from the scholarship project as we were able to get the scholarships to these students from a local NGO called Jammu and Kashmir Yateem Foundation ([www.jkyf.net](http://www.jkyf.net)). The Jammu and Kashmir Yateem Foundation is providing the financial assistance to as many as 20 families and students selected by the APDP.



It was ensured that the amount received by the beneficiaries is used solely for the educational needs of the children. Without the support to these children, there is likelihood they would discontinue the education and it is likely that they may be get pushed towards child labor. For the APDP alone, it is difficult to cope up with the problems of children since the number is so high. The APDP managed to support only a miniscule number of children/students. APDP prioritized the families having no financial support. APDP has been raising more funds from local sources for the scholarships of the children of the disappeared.

[Families of victims of enforced disappearances in Kashmir during their psycho-social rehabilitation session.](#)

APDP believes that the education of the children cannot wait. It is very important for sustaining the campaign of APDP against disappearances and impunity, as the victims feel that APDP is doing some support to them. And they also feel that they are not alone in their fight for justice. It further reposes the confidence and hope of the parents on the association.

The campaign launched by the APDP for the education of the children of the disappeared has borne good results and many individuals have come forward to support the children. Now many other children who otherwise were not part of the APDP-AFAD Scholarship project are receiving the money from these individuals directly.

A programme "Victim-Donor Relationship" initiated by the APDP in 2003, is running successfully benefiting a large number of families. It is also helping in mitigating the problems of many families. Most of the donors lay emphasis on the education, as they believe by providing education to the children would make them self-reliant and their future will get secure. Largely, the donors want to remain anonymous in order to avoid the government's reprisal.

The remaining amount lying with the APDP had been disbursed to some of the students for the month of July. This scholarship money for 6 months was disbursed after ascertaining the continuity of their children's education. Due to the scholarship money, the children feel encouraged and are continuing their education in their respective places.

The scholarships have also strengthened the organization in the sense that the organization is not only fighting against the government but also partly supports the daily needs of the family members of the disappeared in a modest and meaningful way. The recipient families of the scholarship are regularly

attending the meetings and helping in compilation of data on disappearances. The continuation of scholarships is important particularly for the organization, which is fighting for the truth and justice and for providing the support to the relatives. The APDP is supporting the families in all the respects as a victim's organization within its mean.

7. **Advocacy Forum** – Nepal –Educational assistance was given to 50 children of the disappeared in the area for the first six months and to 70 children for the next six months. The money was given directly to the school administrations to make sure that the amount would be used for the purpose to which it is intended.

Below is an excerpt of the report of Advocacy Forum:

After a profound research of the socio- economic and family status of the children of the victim of disappeared family in five developmental regions, we have decided to provide scholarships on the basis of following criteria:

- economic status of the victim's family;
- children from the areas where there is a high-frequency of disappearances;
- children whose schooling was stopped after the disappearance of their family member (who was the sole earner of their family);
- children willing to continue their studies;
- children from minor group (Dalit, ethnic, disadvantaged and others).

On the basis of above-mentioned five major criteria, children were selected for scholarship. Situation of the children who were having their education in private boarding school prior to the disappearance of their family member but stopped their schooling after disappearance was somewhat panicky. Likewise, children who were attending school but were having hard time to manage the stationeries and clothing were found to have been working as manual laborers to meet their necessities. Most of the victims' families are from underprivileged community (Dalit and ethnic groups) like Tharu community. In Tharu community, most of the people are not aware of the status of their loved ones and even don't know where to go and how to file the application at authorities concerned. They are still afraid of the threats given by the opponents during the arrest of their relatives and don't want to share any information about the disappearance.

8. **Working Group on Justice for Peace** - Educational assistance was distributed to 29 children of the disappeared in Southern Thailand for 12 months. This was done during one of the rehabilitation activities conducted during the period. To note, the Working Group on Justice for Peace has conducted continuing support to the children as it was able to successfully solicit funds from other sources.
9. **Medical Assistance for Claimants 1081** – 45 family members of the disappeared and survivors of enforced disappearances received the much-needed medical assistance. The distribution was facilitated by the AFAD Secretariat and the focal person of Claimants 1081 for AFAD.

### **General Statement:**

The results of the summing-up, entitled, Sharpening Our Healing Capacities Towards Empowerment, which stated that AFAD's rehabilitation and direct assistance work was limited to only some families due to lack of resources remained the same during the period. The general summing point mentioning that the AFAD member-organizations principally rely on the limited resources of the Federation to conduct a limited number of activities to a limited number of participants remains valid. Majority of the member-organizations are unable to look for local resources to respond to the needs of the families of the victims in a sustained manner. This has been a problem which is vicious cycle in nature.

It is also very important to strictly implement monitoring system. With the limited resources, whatever available resources should benefit the most rightful and needy family members of the disappeared. Other victims of human rights violations, while needing equal help, are not part of AFAD's beneficiaries. Thus, whatever benefits given to the members should benefit solely the families of the disappeared or those disappeared who resurfaced alive.

## **F. ADMINISTRATION AND FINANCE**

### **ADMINISTRATION**

The AFAD Secretariat is composed of the following: The AFAD Secretary General, the Finance Officer, Admin. Officer, Librarian and the Research and Documentation Officer.

All of these personnel work full time. This is a relatively new team in view of the resignation of the former Admin. Officer and the former Finance Officer. Thus, efforts to facilitate enhancement of working and interpersonal relationship were made through series of staff development activities.

1. **Year-End Assessment 2007 and Planning for 2008** – At the beginning of the year, the AFAD Secretariat conducted a 2007 year-end assessment and planning for 2008. Bases of assessments included: Secretariat and Council plan for 2007; previous periodic assessments; assessments per activity. Bases of planning included a national situationer.
2. **Series of Discussions on Office Policies, e.g. Personnel and Finance Policies** – The AFAD Secretariat came up with series of discussions on personnel and finance policies. The discussions were based on the policies formulated during AFAD's years of infancy, thus, there was a need to update the policies based on the organizational developments of the Federation. Concrete experiences in



Members of the AFAD Secretariat assessing the activities and programs of the Federation during the Mid-Year Assessment and Planning session.

actual office situations also served as basis for discussion and recommendations. The policies were discussed by the AFAD Council in its meeting in Nepal. Majority of the recommendations of the Secretariat were approved for implementation.

What is lacking are the editorial policies. The first draft could not be found, thus, the need to draft a new one based on existing experiences especially in formulating statements and publishing magazines and books.

3. **Mid-Year Assessment and Planning 2008** – After the series of activities for AFAD's 10<sup>th</sup> anniversary, the Secretariat deemed it especially fit to assess its work from January to June in order to know where it was in terms of the implementation of its plan for 2008 and to adjust, if necessary, the plans for the next six months based on the changes of the situation politically and organizationally.

#### 4. Personnel Matters

**4.1. Hiring** – Two new staff members were hired, as above mentioned. They include the Administrative Officer and the Finance Officer. New focal persons were hired during the year in the following countries: Indonesia, Nepal.

**4.2. Evaluation** - The Admin. Officer underwent performance evaluation of her probationary status. Her status was upgraded to that of a regular worker. The same is true with the then probationary Campaign Officer, who later was appointed as Research and Documentation Officer, with some campaign tasks assigned to him. The position of the Research and Documentation Officer had been upgraded to that of a regular worker at the beginning of 2009.

Since the Finance Officer already worked as Bookkeeper of AFAD in 2007, she did not undergo any performance evaluation. However, like any other secretariat member, it is advisable that she and the rest of the regular staff members be subjected to performance evaluation for purposes of checking on the present status of each worker, bolstering his/her morale, and for improvement of performance and inter-personal and working relations with the rest of the team.

There is so far, no evaluation of the focal persons submitted to the AFAD Secretariat. This evaluation could have served as basis for improvement of performance and ways of cooperation with the AFAD member-organizations in various aspects. This could also have served as basis for renewal of contracts at the beginning of 2009.

**4.3. Termination** – The Board Members of Claimants 1081 agreed to terminate the employment of the focal person, Mrs. Corazon Estojero. The decision, however, was questioned because the person concerned was a regular worker, therefore, the decision was allegedly a violation of Philippine labor laws. On the other hand, however, since Claimants 1081 had no clear plan vis-à-vis the implementation of the work of AFAD, the said position was vacated, but not replaced. Ms. Estojero is still helping the AFAD Secretariat with its technical needs voluntarily and on an " on call basis."

**4.4. Quarterly Internal Reporting** – All members of the AFAD Secretariat are regularly submitting reports to the AFAD Secretary-General, through the Admin. Officer. This is a way of monitoring the outputs, outcomes and impact of the Secretariat vis-à-vis its plan and the job description of each personnel.

**4.5. Staff Development Activities** – For purposes of enhancing working and inter-personal relationship, the Admin. Officer initiated the conduct of the following activities:

- **Staff Outing/Bonding** - Staff members had, for the first time, conducted an out of town (outside the NCR) outing in Boracay. It was a venue for knowing each other, at least, initially. A process of knowing each other was facilitated by the Admin. Officer and a discussion on the situation of women family members of the disappeared based on the handouts taken from the proceedings of rehab. activities in different Asian countries.
- **Series of Enneagram sessions** – As a follow-up to the retreat sessions of the previous secretariat members, a series of sessions on enneagram were conducted with Fr. Luciano Pili. These activities were found to be helpful both for the individual secretariat members and to the secretariat as a team as it enabled them to know themselves better and to know their co-workers. These were also venues for spiritual nourishment and break from the day-to-day work.



Atty. Rowena Legaspi giving the paralegal training to the AFAD Secretariat.

**4.6. Staff birthdays** – Birthdays of secretariat members were celebrated through small parties either within the office or outside. These are small events, but valuable to each member of the secretariat.

- 4.7. Paralegal training** – A paralegal training was conducted by Atty. Rowena Legaspi with the AFAD Secretariat as participants. It also had a lobby planning component, in view of the cooperation between AFAD and the Children’s Legal Center on the issue of enforced disappearances.
- 4.8. Christmas Party** – The year ended with a Christmas party, wherein neighboring NGOs and some family members of the disappeared were invited to attend.
- 5. SSS/Philhealth/Pag-ibig benefits** – The Admin. Officer and the Finance Officer coordinated with each other in systematizing and completing the requirements of SSS/Philhealth and Pag-ibig so that both former and present staff members will be able to avail of the much-needed benefits whenever these are needed.
- 6. Registration with the Securities and Exchange Commission (SEC)**- Initial investigation on the requirements of the SEC for the renewal of its registration was done. This is for the purpose of updating AFAD's reports to the SEC and in order to maintain AFAD's name.
- 7. Renewal of Contracts** – Considering that at the end of the year, most of the proposals sent to funding agencies were, unfortunately, not approved and that there is no certainty of comprehensive funding, the AFAD personnel seriously discussed the immediate future, i.e. the renewal of their contracts, which had to be limited only to six months. To note, funding from HIVOS for 2009 is limited to only fifty percent of what it gave in 2008 because 2009 is the last year that HIVOS is funding AFAD. Because of the global financial crisis among other factors, proposals sent were not approved.
- 8. Communication with AFAD member-organizations** – The Secretary-General took charge of communicating with AFAD Council members through official communications and informal emails on issues of common and particular concerns. As before, much remains to be done to improve communication. The once regular YM conferences of the AFAD Council were no longer possible in 2008. It made things harder especially in terms of decision-making. She also took charge of communication with the rest of AFAD's contacts in Asia and in other continents.

The Administrative Officer took charge of communicating with focal persons, especially in matters re. their individual reports and reports on educational assistance and rehabilitation.

9. **Filing System** – The Admin. Officer has developed her own filing system. She has filed the following: funding agencies' communication and contracts; important official communication; reports of focal persons and member-organizations, reports of AFAD Secretariat, organizational files, such as SEC, etc.
10. **Daily Time Record, Leave of Absences, Vacation Leave, Sick Leave, Emergency Leave** – These have been implemented and further systematized during the period.

## FINANCE

Note: For purpose of relations with funding agencies, matters related to relationship with AFAD partners are put under finance.

1. **Budget 2008** – Budget for 2008 were based on what was approved by the funding agencies and partly discussed and approved by the Council, e.g. salaries; educational assistance; lobby budget
2. **Audited Reports** -required audited reports during the period were accomplished e.g. Audited Report 2007 was finished in March, January to June audited report to *EED* was finished in November and preparations for the 2008 audited were started at the end of the year. AFAD, then, was able to accomplish the requirements of the funders.
3. **Unaudited Report** – Other partners also needed unaudited reports, e.g. Diakonie, UNVFVT, Embassy of France in Manila, International Coalition Against Enforced Disappearances, Embassy of Switzerland in Manila.
4. **Narrative Reports** – Narrative reports were prepared by the Secretary-General and sent to the following: HIVOS, EED, Diakonie, French Embassy, ICAED, Swiss Embassy. These reports included reports from both the Secretariat and those member-organizations and focal persons who submitted.

5. **Project Proposals** – The Secretary-General wrote the narrative portion of the proposal while the Finance Officer wrote the budget. Several proposals were sent to various prospective partners, many of which, however, were not approved or still for consideration. The Evangelischer Engwicklungsdienst of Germany approved another three-year project for lobbying and direct assistance.
6. **Internal Reporting/Monitoring of Expenses** – there was a weakness in this regard in view of the fact that only one person is working on AFAD's finances, thus, monthly reports were not submitted. Hence, monitoring on the status of funds was not done, leaving the Federation unaware that at the end of the year, General Funds were depleted. Expenses for AFAD's 10<sup>th</sup> anniversary exceeded the budget.

### AFAD TOTAL EXPENSES AS OF DECEMBER 31, 2008

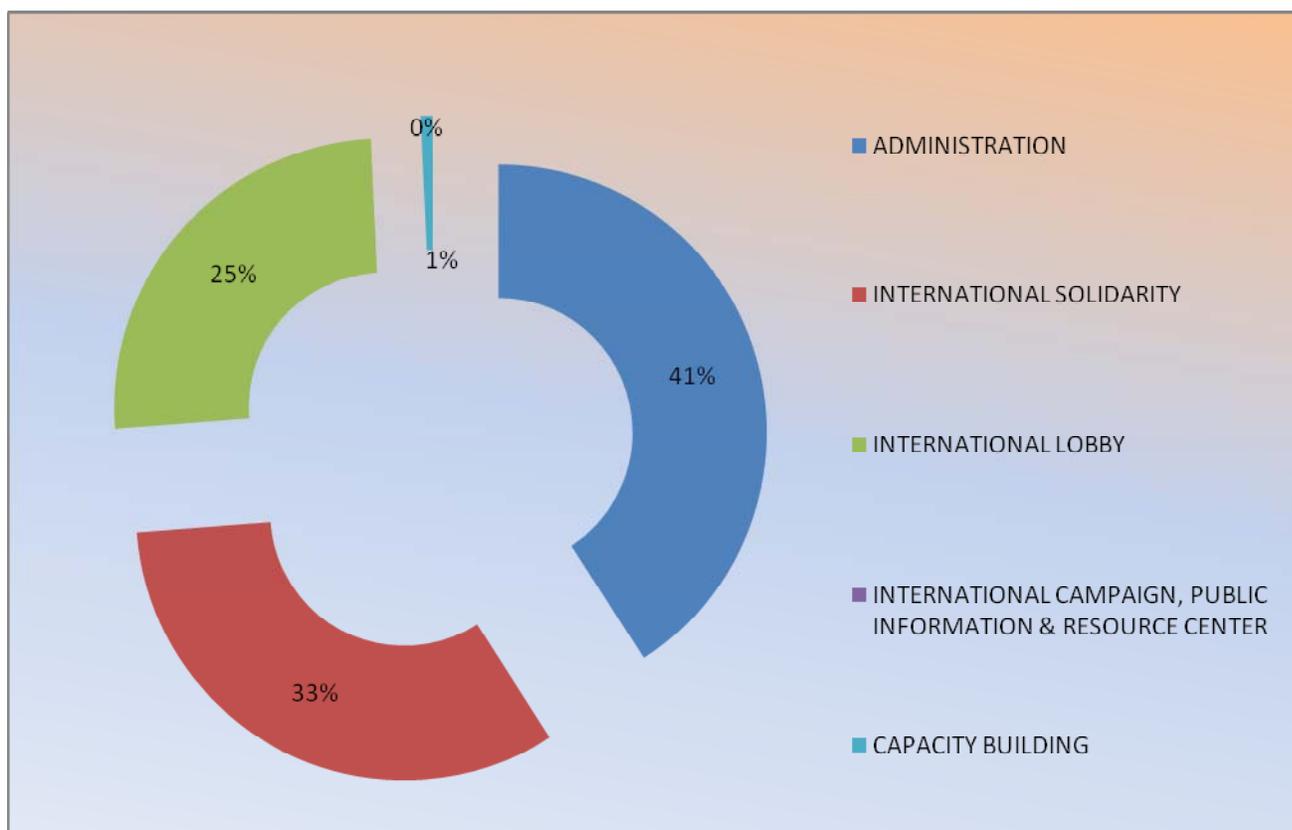


Figure 1: International Solidarity Expenses

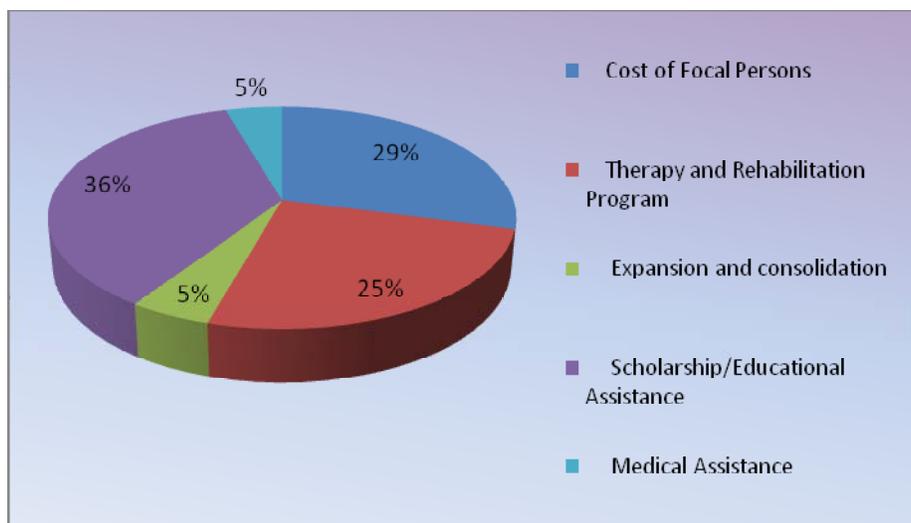


Figure 2: International Campaign, Public Information and Resource Center Expenses

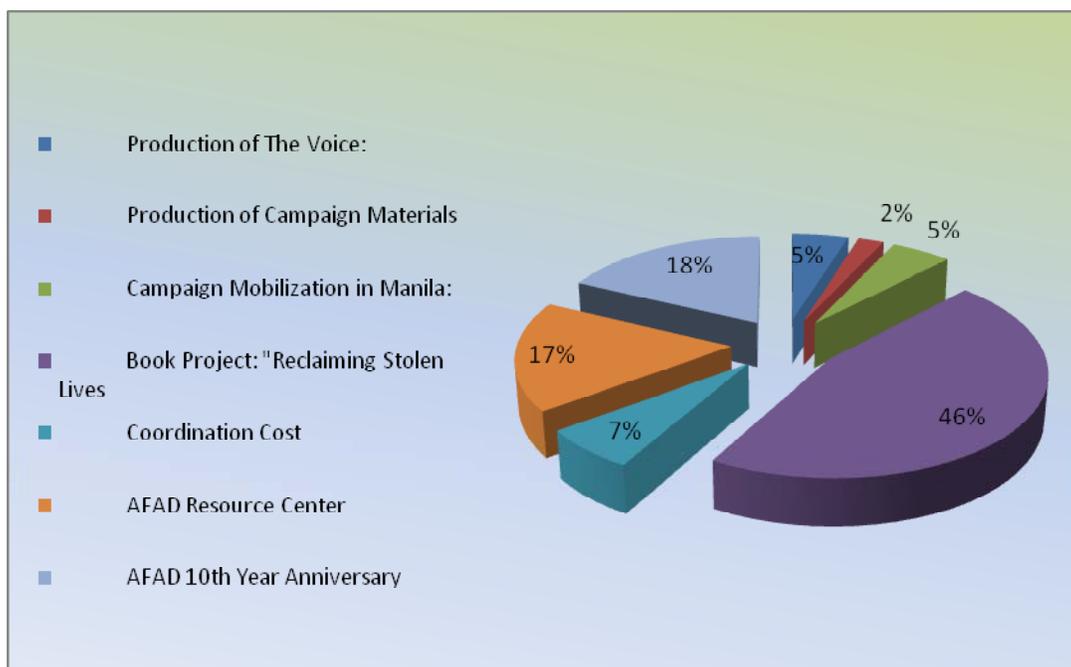


Figure 3: International Lobbying Expenses

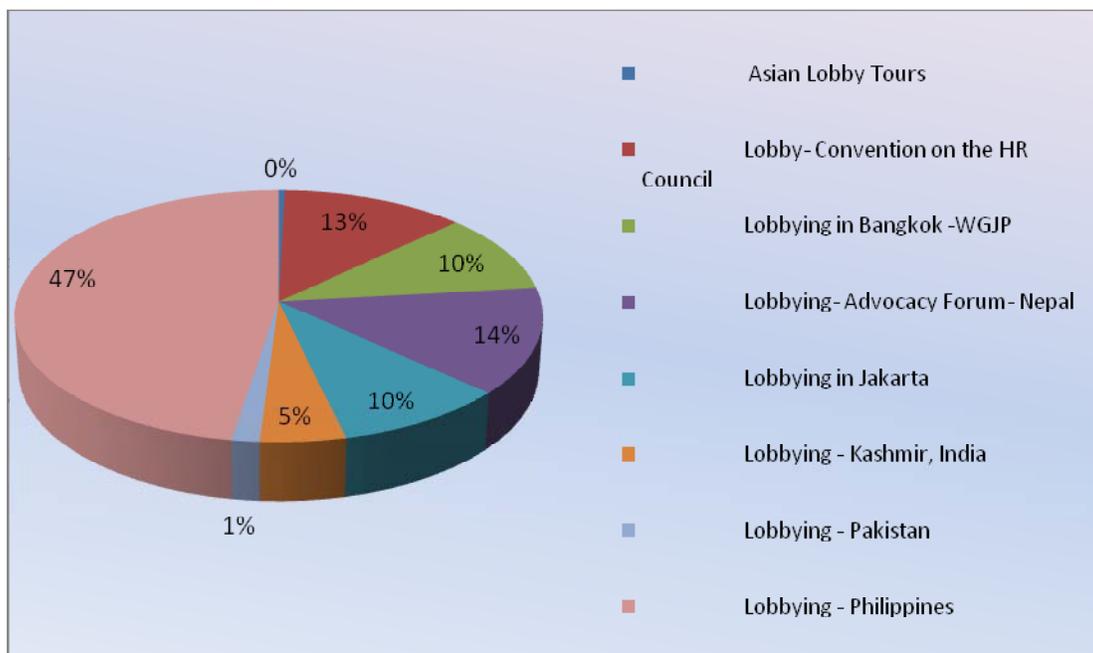
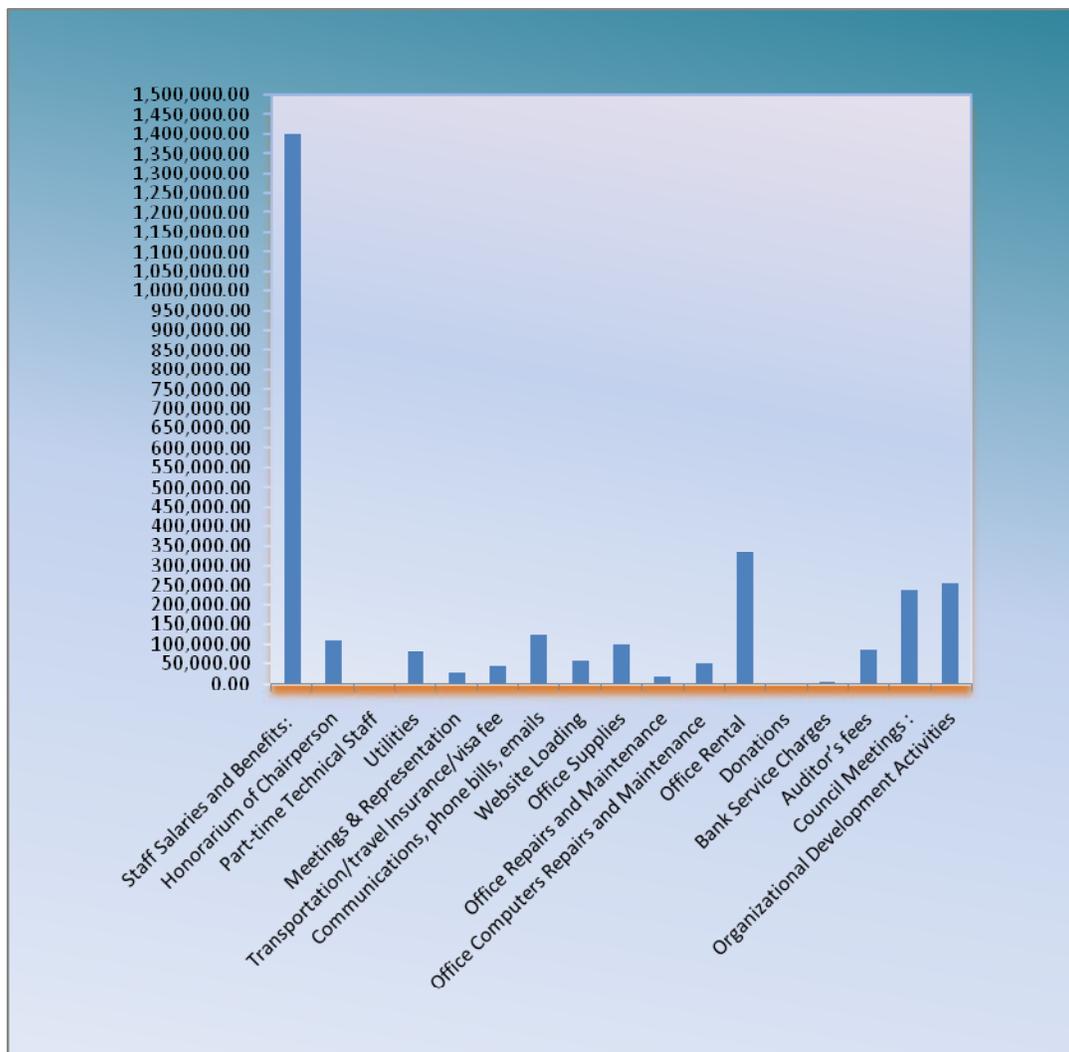


Figure 4: Administration Expenses



### AFAD TOTAL INCOME AS OF DECEMBER 31, 2008

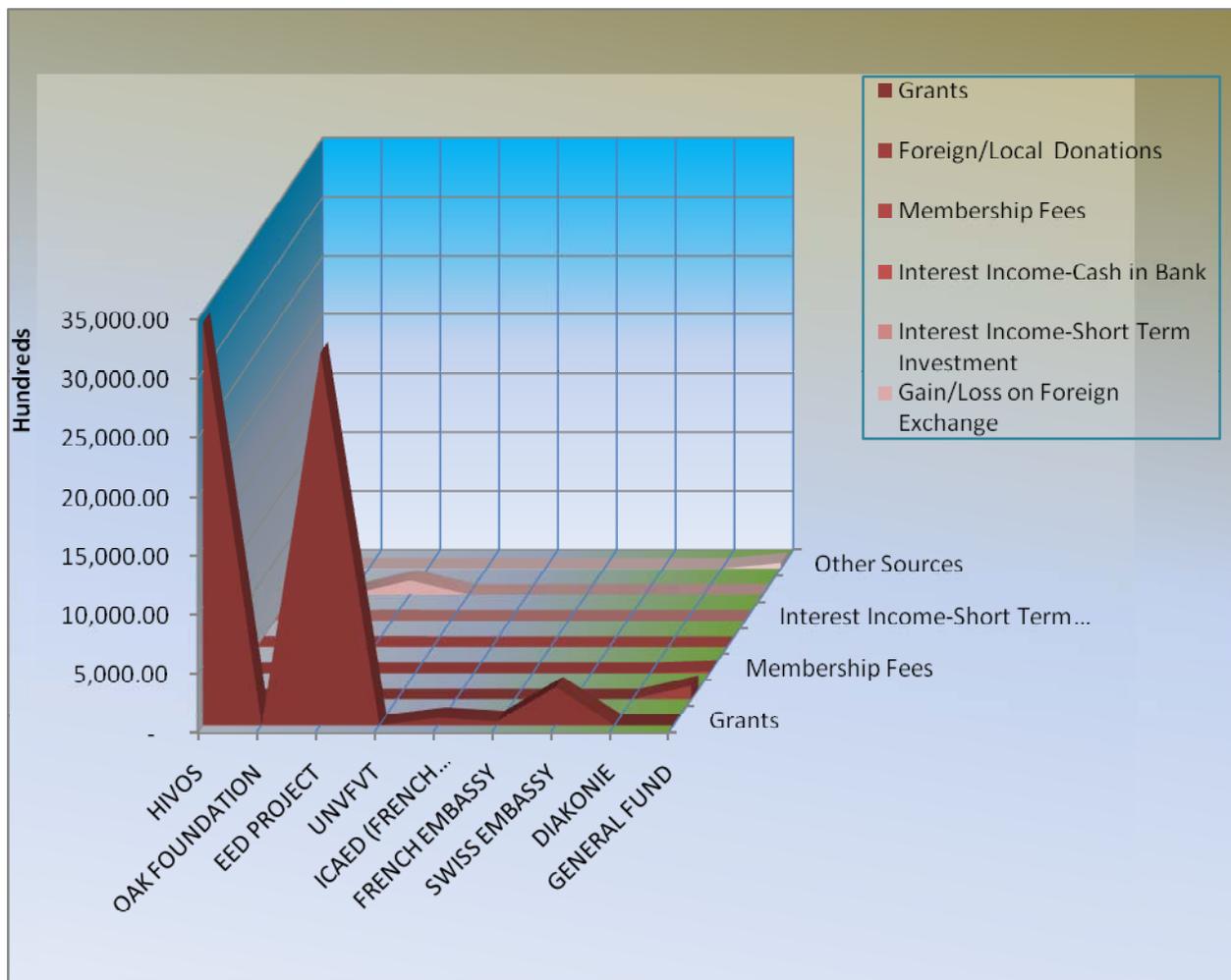
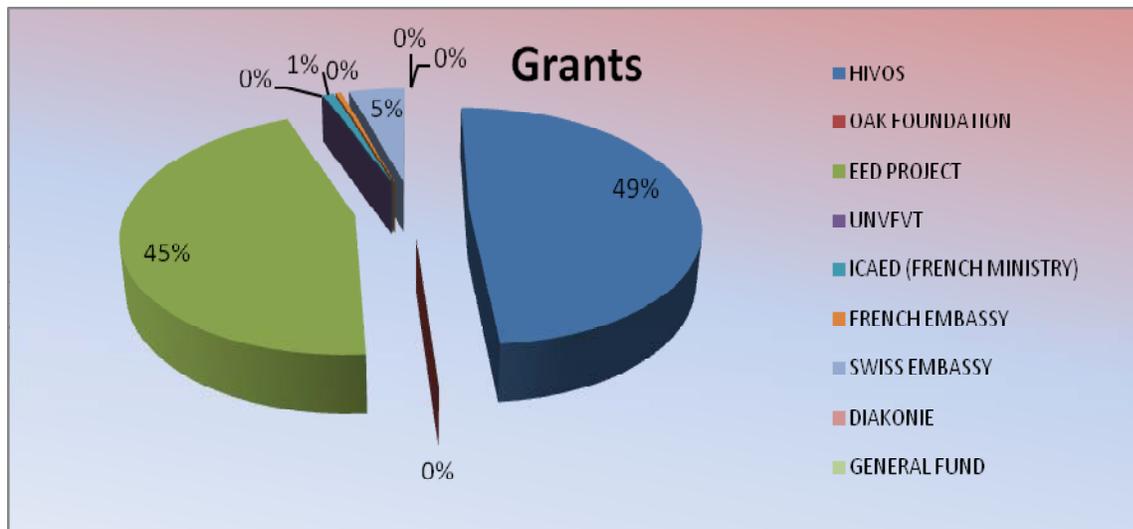


Figure 5: Source of Income: GRANTS



## IV. CONCLUSION

The year 2008 was, indeed, a significant year for the Federation as it commemorated its 10<sup>th</sup> anniversary, with the theme, "A Decade of Journey Towards A World Without *Desaparecidos*." While there was much to celebrate in terms of the Federation's accomplishments, the fact that AFAD's work is still as relevant as ever is also something to ponder on, considering the continuing reality of enforced disappearances in many Asian countries. AFAD's 10<sup>th</sup> anniversary publication, entitled, "Reclaiming Lives" attests to this dark night of the disappeared, particularly in Asia and the rest of the world.

The existence of AFAD as a lobby group is as relevant as ever in view of the major challenge to get the signature and ratification of Asian governments to the UN Convention for the Protection of All Persons from Enforced Disappearance. To note, no additional signatory to the Convention has come from Asia since the historic signing of the Convention on 6 February 2009. There is no ratification from Asia at all, which is, indeed quite alarming. The campaigning and lobbying efforts of AFAD, while resulted in information dissemination on the issue of enforced disappearances in Asia and on the Convention, did not result in concrete support of Asian governments in terms of signatures and ratification. None of the four countries, who signed, have ratified. An appropriate and effective lobbying strategy internationally, regionally and nationally has to be done at the soonest time possible. Corollary to this are the corresponding resources needed to realize such a strategy. What AFAD is presently doing is definitely not adequate to convince governments. Member-organizations have to sustain the lobbying at the national level and the support of the regional federation would complement the national efforts.

The training of experts on the Convention, to support AFAD in its lobbying at all levels has to be realized. Absence of resources had prevented the Federation from implementing the said training.

As a solidarity network, AFAD is as relevant as ever in view of the still unresolved and on-going cases of violations of rights of human rights defenders both in the AFAD network in particular and in Asia in general. A clear strategy has also to be seriously formulated in this regard. So far, the work is being done on a case to case basis. AFAD is reactive to whatever cases of violation of the rights of human rights defenders that continue to occur in the region. However, the prevention aspect as well as other aspects vis-à-vis the needs of human rights defenders have not been taken into serious consideration. AFAD's being a solidarity network is relevant

principally because of the outstanding cases of enforced disappearances in the Asian region. Thus, AFAD member-organizations' collective work in the fight against enforced disappearances has to be intensified in countries where member-organizations are based and must have to be extended to countries where enforced disappearances occur, but there are no AFAD member-organizations. The perennial need for additional member-organizations to expand the Federation is however, an uphill task. While a couple of member-organizations left the Federation, two new ones were added to the Federation. Much remains to be done to make AFAD an Asia-wide Federation. As of this writing, there are two applicant member-organizations from East Timor and Iraq respectively, whose applications have to be decided upon.

On the direct assistance program of AFAD expressed in the educational assistance/scholarship program as well as psycho-social rehabilitation, much remains to be done still to implement the lessons learned from the Summing Up of Experiences of Families of the Disappeared, dubbed: **"Sharpening our Healing Capacities Towards Empowerment."** A more comprehensive program at the national levels, using principally local resources of each AFAD member-organization and that could reach out to as many family members of the disappeared as possible in a sustained manner, is necessary. Relying solely in the resources of the regional Federation would make the program ineffective because regional resources do not suffice to meet the comprehensive needs of the members in a sustained manner. The imperative of close monitoring of the program is as relevant as ever to ensure an efficient and effective use of the limited resources for the families of the disappeared.

As AFAD has completed its 10 years of journey towards a world without *desaparecidos*, the challenge is for it to sustain its work to continue responding to the regional phenomenon of enforced disappearances. Much remains to be done in strengthening the internal capacity of the Federation at all levels of its structure - from the leading body, to its member-organizations and its regional secretariat. However, the Federation is also affected by the global financial crisis, since several of its project proposals were turned down. This is a major risk to the sustainability of Federation, especially to the full time members of the secretariat and its physical center, including the resource center.

The challenge is for the Federation to respond to both its internal and external challenges in order to continue the struggle for truth, justice, redress and the reconstruction of the historical memory of the disappeared.