



INTERNATIONAL COALITION AGAINST ENFORCED DISAPPEARANCES

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The Right NOT to be Subjected to Enforced Disappearances: An Imperative 30 August 2017

30 August 2017 – Today, the International Coalition Against Enforced Disappearances (ICAED) pays tribute to all the *desaparecidos* of the world. So strong is the importance of the Latin American Federation of Associations of Disappeared-Detainees (FEDEFAM) and other federations working on enforced disappearances (ED) that the United Nations officially adopted this significant occasion - first commemorated by our Latin American sisters and brothers in 1981 in San Jose, Costa Rica. In the record of the UN Working Group on Enforced or Involuntary Disappearances (UNWGEID), there are 43,250 outstanding cases, many of which have more than one victim. This is not to mention underreporting.

Asia has submitted the highest number of cases of ED to the UN Working Group on Enforced or Involuntary Disappearances (UNWGEID) in the last decade or so. On this occasion, the Asian Federation Against Involuntary Disappearances (AFAD) states that South Asia has the biggest number of ED cases. It further said that “Pakistan’s Defence of Human Rights (DHR) has documented 2,445 cases as of June 2017, out of which 1,276 victims are still disappeared, 316 found and released, 152 traced, and 51 dead. Odhikar Bangladesh has reported from January to June 2017 that there were 57 persons forcibly disappeared by government forces and 14 by the Indian Border Security Force (IBSF). In Indian-administered Jammu & Kashmir, there are an estimated 8,000 cases as a result of massive military response of the Indian State on the pretext of armed insurgency that started in 1989. Sri Lanka has suffered the most with at least 60,000 cases because of the 30-year civil war and families continue to cry for truth and justice despite the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Convention). Nepal, which rose from an internal conflict like Sri Lanka, is in a long process of transitional justice and has reported 1,360 cases.”

AFAD further states that the Philippines has more than 2,000 cases from the 1970s, during the Marcos dictatorship, and under succeeding administrations. In 1965-1966, Indonesia, under Suharto’s rule, forcibly disappeared 32,774, while 18,600 were disappeared from 1975-1999 during the Indonesian occupation of Aceh. Again, from 1989-1998, military operations in the Aceh province resulted in some 1,935 forced disappearances. From 1984-2013, KontraS of Indonesia has documented 154 cases. South Korea, on the other hand, has documented 64 cases, which were reported to the UNWGEID. Laos has five new cases, including that of the internationally-acclaimed development worker Sombath Somphone, whose disappearance in December 2012 was recorded in the police CCTV. These are but the documented ones in some countries in the vast Asian continent.

In Europe, thousands of cases of disappearances in Belarus, Ukraine, Georgia, Chechnya, Ingushetia, and Dagestan still remain unsolved. After 18 years, Belarusian authorities suspected

to be involved in the disappearances of four prominent politicians, journalists, and activists continue to ignore the demands of international institutions and decisions of the UN Human Rights Council to investigate the cases properly. The Belarussian government as well as Russian authorities have neither signed nor ratified the Convention.

In Zimbabwe, the disappearance of Paul Chizuze in 2012 and Itai Dzamara in 2015 are still unresolved. Recently, there have been abductions of activists who were dumped after they had been tortured and, in some instances, having been injected with an unknown substance. Zimbabwe has still not ratified the Convention. This heinous crime is likely to be perpetrated with impunity and the government is not worried about the security of its citizens. No one speaks out about this crime against humanity. With elections coming in 2018, most citizens are worried about crimes of this nature increasing.

ED in Latin America mostly occurred in the 1960s, in the context of dictatorship and pseudo-democracy. FEDEFAM was established and dreamed of an international treaty on ED during its founding Congress in San Jose, Costa Rica. Such a dream had come into reality and is continuously being pursued and realized through the universal ratification and implementation of the Convention. However, ED remains unresolved in many countries and continues to occur in huge numbers in Mexico and with complete impunity in Colombia. In Argentina, Santiago Maldonado was recently taken by members of the Gendarmeria agents, country border police and his whereabouts remain unknown despite global campaigns for his reappearance. Moreover, there are dozens of disappeared persons, some Indians among them, by security forces in Argentina during the last years.

There too are signs of hope. There are 16 states in the Latin American region that have signed and ratified the Convention, while some have reservations and four States Parties have not ratified. In Peru, there have been inroads such as the ratification of the Convention, the recognition of the competence of the UN Committee on Enforced Disappearances, and the promulgation of Law 30470 on the Search of Disappeared Persons during the Period of Violence from 1980-2000 as well as the formation of a Working Group that promotes the recovery of remains of victims of political violence. In the new government, despite the lack of political will, the Ministry of Justice and Human Rights has revised Provision 320 of the National Penal Code on the crime of ED within international standards. Moreover, in Bolivia, the establishment of the Truth Commission was achieved after 34 years since violations were committed – a demonstration of commitment for truth and justice. Former FEDEFAM president, Nila Heredia, is one of its members. Despite these achievements, however, FEDEFAM states that there are 219,800 detained-disappeared and emphasizes the continuing character of the crime.

In the Euro-Mediterranean region, disappearances are worsening. This is notable especially in Egypt, Iraq, Libya, Syria, and Turkey. In Egypt, individual and collective rights are violated on a daily basis and reinforced by the current atmosphere of impunity. Due to the anti-terrorism law, the army detains people, which result in ED cases, having considerably increased since 2014. Hundreds of students and political activists, including 14-year old teenagers, have been disappeared by authorities.

In Iraq, civilians continue to suffer from the violent internal armed conflict as well as the attacks of armed groups such as the Daesh and several militias. The tactic of ED is still widely used by all belligerents. The authorities have not undertaken any effort to investigate the fate of thousands of victims of ED, abducted by militias and government forces since 2014.

In Libya, despite the significant UN efforts to implement a peace process, the country remains in crisis. The public order has collapsed, the number of militia has increased and violent armed groups such as the Daesh are participating to the extreme human rights violations. Since 2014, all belligerents against their opponents commonly use abduction and ED. More recently, a government-protected militia abducted ex-Prime Minister Mahoud Mohammed Abdellatif Cherif and Ali Zidane in Tripoli on the 13 August 2017.

In Syria, the government is responsible for human rights violations such as mass arrests, arbitrary detentions and ED. According to Amnesty International, a black market of ED has emerged in the country where families are required to pay large amounts of money in exchange for information on a disappeared relative.

In Turkey, the authorities have always used the practice of ED, particularly in the South East of Turkey against Kurdish separatists. Despite several convictions by the European Court of Human Rights, the authorities still continue to use EDs today. The Decree No 677 released in November 2016 has forced the closure of 375 associations and NGOs working on human rights and EDs, including two of the FEMED's association members. Because of the emergency law, every activist is threatened of ED, as the arrest and disappearance of directors of Amnesty International Turkey in July can show it.

In every nook and cranny of the world, disappearances occur depriving victims of their right to life and liberty and many other basic rights and causing untold sufferings to their families. It has been thirty-seven years since the establishment of the UNWGEID in 1980. It remains relevant with the continuing and unabated cases of EDs. It has been a decade and a year since the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance. The Convention has achieved 57 ratifications and 96 signatures. The number of states parties and signatories to the Convention is still far from attaining universal ratification and implementation.

On the occasion of the International Day of the Disappeared, we pay tribute to our beloved *desaparecidos*. To concretize this, the ICAED never tires in knocking at doors of UN member-states to call for their signature, ratification and implementation of the Convention and for the recognition of the competence of the UN Committee on Enforced Disappearance. The provisions of the Convention are more present than ever.

ICAED supports the UN which, today, launches a campaign to double the number of ratifications of the Convention in the next five years. Under the campaign, Stand Up, ICAED has to do its level best to help in achieving at least 114 ratifications in 2022.

The struggle for a world without *desaparecidos* is far from over.

Signed and authenticated by:



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ICAED Focal Person

