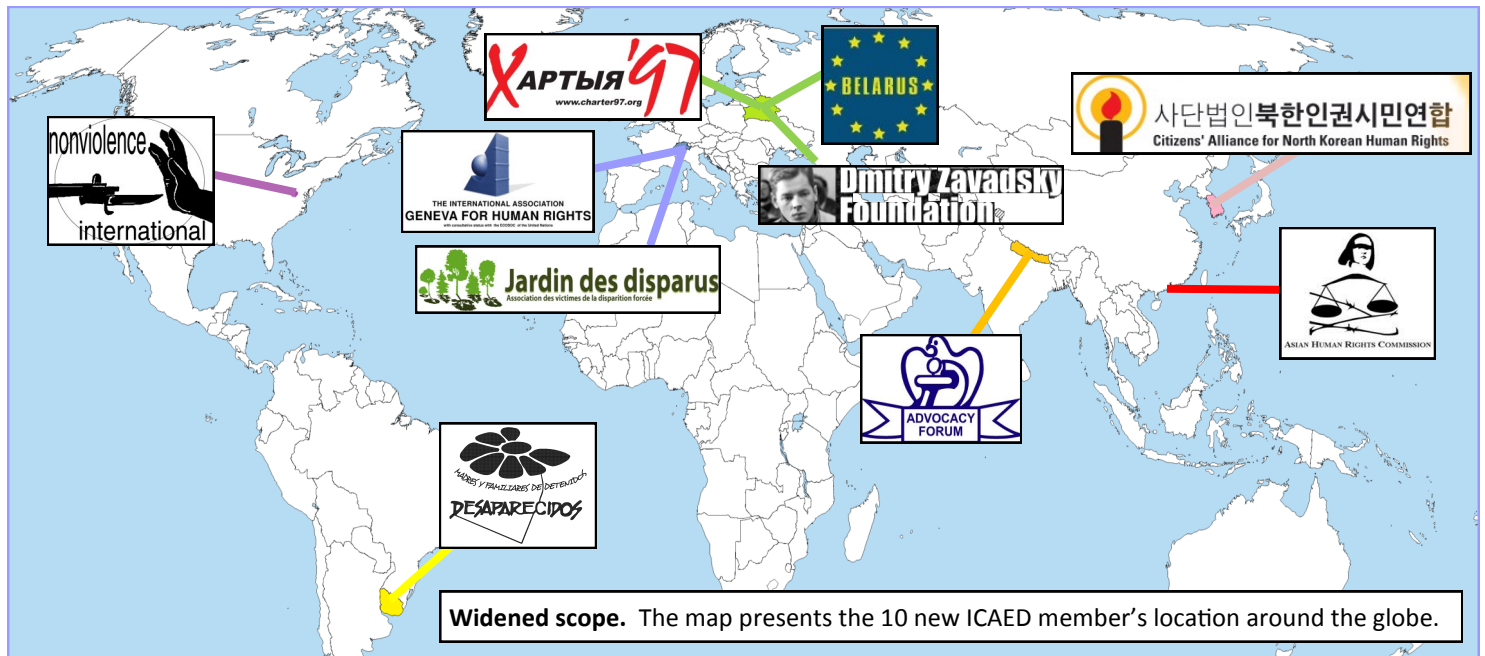


ICAED now with 50 members and counting



The year 2012 was a productive year for the International Coalition Against Enforced Disappearance as it increased its member organizations to 50 during its successive Skype meetings in June, Steering Committee meeting held in Geneva, Switzerland on 29 October 2012 and over its follow up Skype meeting towards the last week of November 2012.

The ten (10) newly added organizations are Advocacy Forum, Asian Human Rights Commission, Citizens' Alliance for North Korean Human Rights, Dmitry Zavadsky Foundation, European Belarus Civil Campaign, Foundation "Charter '97", Geneva for Human Rights, *Jardin des Dis-*

parus, Madres y Familiares de Uruguayos Detenidos Desaparecidos, and Nonviolence International. The approval was based on the organizations' contribution to the campaign for ratification and universal implementation of the anti-disappearance Convention.

Advocacy Forum, an organization recognized for two (2) consecutive years by Human Rights Watch as one of Asia's most respected and effective human rights organizations, promotes the rule of law and upholds international human rights standards in Nepal. The organization is also a member of the Asian Federation Against Involuntary Disappearance (AFAD), ICAED's

current focal point.

One of the many areas of human rights concern of Asian Human Rights Commission (AHRC) is enforced disappearances and abductions. Founded in 1986 by a prominent group of jurists and human rights activists in Asia, AHRC seeks to promote greater awareness and realization of human rights in Asia. As it constantly promotes civil and political rights, as well as economic, social and cultural rights, the organization utilizes modern technology through regular uploads of their urgent appeals on cases. The organization also opens its doors for internship and volunteers.

The Citizens' Alliance for North Korean Human

Rights invited Ms. Mary Aileen Bacalso, ICAED focal person, shortly after it had been approved as member of ICAED. The visit on November 20-22 included a meeting with the NKHR staff and family members of the disappeared and discussion on immediate actions vis-à-vis cases submitted to the United Nations Working Group on Enforced or Involuntary Disappearances (UN WGEID), planning of initial activity contribution of the organization to ICAED, a lobby visit to the Ministry of Justice and a presentation on cases of enforced disappearances in the Philippines and the importance of the anti-disappearance Convention in a seminar the NKHR organized in cooperation with the Handong Law School. As NKHR endeavors to protect and promote equal rights to all persons especially their brothers and sisters abducted by the North Korean government, it believes that all facets of the different sectors of government should come together.

Dmitry Zavadsky Foundation, established in the memory of the disappeared Belarusian journalist, works to support independent journalists whose lives are at risk due to their passion to report the real situation of the country. Nonetheless, the Foundation also aims to continue the investigation on the case of Mr. Zavadsky. The ICAED values journalists' right not to be subjected to enforced disappearance hence, the Coalition believes that the work of Zavadsky Foundation will highly contribute to capacitating the media sector in different

parts of the world.

Aside from Civil Initiative We Remember Belarus and Dmitry Zavadsky Foundation, the European Belarus Civil Campaign also exemplifies the value of preventing the scourge of enforced disappearance in Belarus and other parts of the world. Mainly, the organization aims to release prisoners of conscience, hold free democratic elections, and obtain EU membership.

Foundation "Charter '97" owns the leading independent political website in Belarus as it attracts 120,000-150,000 unique users per day. This new media utilization can be a powerful means of information dissemination and campaign for ICAED especially on the call for ratification of the Convention. Charter 97 is dedicated to both filling the information gap and thus, facilitating fundamental political change so that Belarus enjoys the kind of freedoms tak-

en for granted in most of Europe and North America.

Geneva for Human Rights is an organization that upholds the basic principles of equality, interdependence and indivisibility of all civil, political, cultural, economic, and social rights. Being situated in the neutral country of Switzerland, the Geneva for Human Rights is significant to ICAED in terms of expanding the latter's scope of influence. GHR offers expertise in imparting international human rights standards and procedures as national and international implementation strategies - a valued investment for human rights organizations, such as members of ICAED.

Jardin des Disparus has worked with the Coalition since the drafting of the Convention but it was only after the first gathering of the Coalition in 2011 that it expressed its intention of becoming a member. After completion of



Walk the talk. NKHR Chairperson Benjamin Yoon and ICAED Focal Person Ms. Mary Aileen D. Bacalso discuss further collaboration on the issue of enforced disappearance and actions to be taken for the immediate ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.

the requirements and the approval of the Steering Committee over a skype meeting on 7 June 2012, *Jardin* officially became the 41st member of the Coalition with Ms. Jenny Bettancourt, current chairperson, as its contact person.

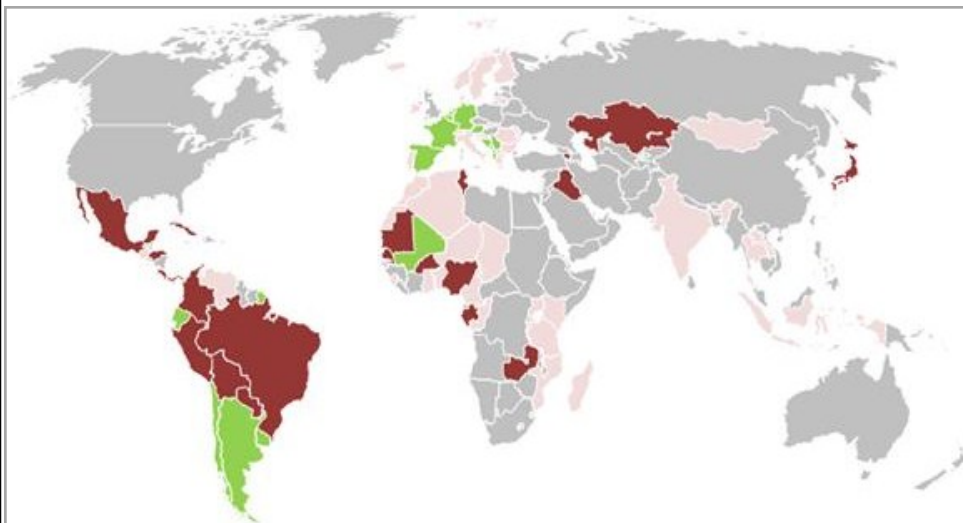
Madres y Familiares de Uruguayos Detenidos-Desaparecidos is an organization of mothers and families of the disappeared in Uruguay from the '70s. Similar to all families' organizations, its hope is to know the whereabouts of their disappeared loved ones. Its objectives include the search for the truth, justice, memory, and non-repetition. This organization is perceived to bring solidarity among other members of the human rights community.

Nonviolence International believes that every culture and religion can employ appropriate nonviolent methods to attain international peace and a positive social change. NI is a decentralized network of resource centers that promote the use of nonviolent action through the conduct of researches and the promotion of nonviolent actions and the reduction of the use of violence. It considers enforced disappearance as a form of violence.

All of the ten (10) new members vow to uphold the mandate of ICAED. Each is expected to promote the urgency of ratifying the Convention and ensure justice to the disappeared and their families.

The strength of ICAED stems from the strength of its member-organizations.

2012: A fruitful year for the Disappearance Convention



Source: <http://www.ohchr.org/EN/HRBodies/CED/Pages/CEDIndex.aspx>

Year 2012 came along with much approbation for the International Convention for the Protection of All persons from Enforced Disappearance (ICPAPED). The Convention garnered one (1) signature, seven (7) ratifications, two (2) recognition of the competence of the Committee on Enforced Disappearance (UN CED) setting the record of being the most fruitful year yet after it has been adopted by the United Nations in 2006.

On 9 January, Thailand signed the Convention. Thailand is the 91st and the latest signatory. Thailand's signing is only the third in Southeast Asia after Lao People's Democratic Republic and Indonesia in 2008 and 2010, respectively. Although the country is currently a notch advanced com-

pared to most Asian states which have done nothing to prevent disappearance, the ratification of the Convention is still an imperative for Thailand as it will pave the way to justice for the cases of disappearance in Thailand between 1981 and 2011.

Latin American countries noticeably prioritized the issue of disappearance based on the number of ratifications for the year 2012. Costa Rica ratified the Convention on 16 February - the first for 2012. The state has been symbolic for the Latin American families of the disappeared when FEDEFAM convened for the first time in 1981. In July, Colombia also ratified the Convention. Both are among the states that signed the Convention in 2007. In addition, Peru acceded to the Convention on

26 September 2012. None of the states, however, declared its recognition of the competence of the Committee on Enforced Disappearance.

Countries in the European community intensively participated in the Universal accession as Bosnia and Herzegovina and Austria in March and June 2012 respectively. While Austria recognized the competence of the Committee directly after ratifying the Convention, Bosnia and Herzegovina made a decla-

ration under article 31 and article 32 of the Convention accepting the competence of the Committee only on 13 December.

In Africa, Mauritania and Samoa also ratified the Convention. Almost a year later after it signed the Convention, Mauritania ratified on 03 October 2012. Samoa, also one of the first states to sign in 2007, ratified on 27 November 2012. However, both have not yet expressed its recogni-

tion to the Competence of the Committee.

Together with these states' accession to the Convention are two (2) local state mechanisms as the Philippines and Leon Haya in Mexico enacted their respective Anti-Disappearance laws that both refer their definition of enforced disappearance from the Convention. Indeed, ICAED is reaping what it has sown for the last five (5) years of its existence in favor of the Convention.

Knocking at the UN, ICAED resolutely campaigns to end disappearances

On the 20th Anniversary of the UN Declaration on the Protection of All Persons from Enforced Disappearance (Declaration), the International Coalition Against Enforced Disappearances (ICAED) once again made its presence visible internationally through its series of activities at the *Palais des Nations* in Geneva, Switzerland from 29 October to 2 November 2012.

20th Anniversary of the UN Declaration on the Protection of All Persons from Enforced Disappearance

The UN Working Group on Enforced or Involuntary Disappearances (UN WGEID), draw-



Celebrating 20 years and beyond. Panel of speakers reaffirming the importance of the Declaration to the victims of disappearance and the international community.

ing its mandate from the 1992 Declaration, conducted an event on 30-31 October, entitled, *“Twenty Years of the Declaration: Looking Back and Looking Forward, Exploring Best Practices and Challenge to Protect Women from Enforced Disappearance and its Impact.”*

Olivier de Frouville, Chairperson of the UN WGEID said that the significant knowledge accumulated in 20 years of interpretation of the Declaration was relevant for the Convention and stressed that the Declaration remained the document of reference for non-States parties.

Emmanuel Decaux, Chairperson of the



Peace for us. Mugiyanto, Chairperson of the Asian Federation Against Involuntary Disappearances (AFAD), participates in the presentation of cases during the ICAED meeting with the UN Working Group on Enforced or Involuntary Disappearance.

Committee on Enforced Disappearances (UN CED) stressed on the complementary roles of the UN WGEID and the UN CED. He stated that both bodies must reinforce each other; they have different mandates and methods of work, but shared the same objective of the fight against the heinous crime of enforced disappearances. The situation of vulnerable groups such as women and children received particular attention from the Committee which started reflecting on this issue from the very start of its work.

The ICAED Focal Person, Mary Aileen D. Bacalso delivered an oral intervention focusing on the fight against disappearances and the role of women as catalysts for change. The ICAED focal point centered on the devastating effects of disappearances on women in South-east and South Asian countries, where status of women is low. *“Witnessing steadfastly amidst the dark night of the disappeared, women victims of enforced disappearances in Asia, as in many parts of the world, have become a formidable force. They founded associations of families of the disappeared in their search for mutual strength and solidarity in finding their loved ones. Refusing to be cowed by the horrors of enforced disappearance, they muster all their innate strengths and in the process,*

transform themselves from pathetic victims to human rights defenders,” she stated.

Nassera Dutour, Chairperson of the Association of the Families of the Disappeared in Algeria, said that enforced disappearances continued to be used today throughout the world. Twenty years ago, it had been impossible to imagine that there would one day be a Declaration on the Protection of All Persons from Enforced Disappearance, she noted. She narrated her experience on her son’s disappearance and on her fight for truth and justice.

Several other speakers enriched the discussions on the topic. There was also an open forum for government and NGO delegations to comment.

ICAED Side Event: Respect the Right Not to be Disappeared...

Parallel with the simultaneous sessions of the UN WGEID and the UN CED, the ICAED, in cooperation with the International Commission of Jurists and the Permanent Mission of France to the UN in Geneva organized a side event with the theme, **Respect the Right Not to Be Disappeared: Universal Accession and Implementation of the Convention Against Enforced Disappearances.** Attended by government and NGO representatives, the forum was facilitated by Mr. Wilder Tayler, Executive Director of the International Commission of Jurists. It was graced by the French Ambassador to the UN in Geneva, His Excellency Nicolas Niemtchinow, who delivered an encouraging welcome note emphasizing the imperative of the International Convention on the Protection of All Persons from Enforced Disappearance (Convention).

Mr. Olivier de Frouville, Chair of the UN WGEID spoke about the value of both the 1992 UN Declaration on the Protection of All Persons from Enforced Disappearance and the Convention (Declaration). *“The Working Group, together with all the other players working to*

end enforced disappearances are struggling to reach the aim of promoting the ratification of the Convention by the highest possible number of countries... It never misses a bilateral meeting of both the Working Group and the UN Committee on Enforced Disappearances. The interpretation of the Declaration will be based on the interpretation of the Convention.” He clarified that it neither meant that the Declaration will lose its importance nor the Working Group be asked to leave its functions. The Declaration will serve as reference for states constrained by conventional text of either the Convention or the Inter-American Convention on the Protection of All Persons from Enforced Disappearance.

Amnesty International (AI) Legal Adviser Hugo Relva, stated that his organization has been calling on states to accede to the Convention without reservations since its adoption in 2006. One important reason is that the Convention expressly recognized that states parties may exercise universal jurisdiction, it facilitates bringing perpetrators to justice in countries other than where enforced disappearances were committed. The broadest acceptance of the Convention is of fundamental importance, even if the state where crimes were committed is not a state party. AI has also been calling on all states parties to recognize the competence of the UN CED to receive and consider communications from or on behalf of victims or other states parties. If states parties do not recognize such a competence, potential victims will largely be deprived of the protection of the Convention. In addition, a state which ratifies the Convention will, in most cases, have to enact implementing legislation to fulfill its obligations under the treaty. AI has also been calling for all states to take effective steps to implement the Convention into national law and practice.

The last speaker, the ICAED Focal Point stated that the road ahead is long and arduous, but we will be guided by the cry of all disappeared people and the never-ending pain of their families. *“We also take courage from Mr. Bernard Kessedjian who, in this very Room XII of Palais des Nations, 6 years ago, banged his gavel and announced the fi-*

nalization of the present text of the Convention. Lest we forget, we also take inspiration from the commitment of ICAED former focal person, the late Patricio Rice, who, 2 years ago, came from Switzerland to work hard on the Convention and who, in the course of his work, died on his way back from Switzerland, France and Ireland to his beloved Argentina.”

ICAED and AFAD Meeting with the UN WGEID

The ICAED also submitted cases and general allegations from Asian countries and followed up cases already submitted. These cases were submitted from AFAD member-organizations and network from Indonesia, India, Nepal, Sri Lanka and the Philippines.

In view of its distinct situation and needs, the FEMED had its own separate meeting with the WG.

While the WGEID has several backlogs, it committed to work on all cases submitted to them, taking into consideration its existing resources, albeit limited.

Steering Committee Physical Meeting

To maximize the presence of ICAED Steering Committee members, ICAED convened the latter on 29 October 2012 in order to discuss both internal matters and immediate campaign plans. It was during this event that the Steering Committee approved 9 new ICAED members to further strengthen itself and to draw up on immediate plan of action for the rest of 2012.

A strong coalition will guarantee the attainment of its vision of ending enforced disappearances.●



L-R: Mary Aileen Bacalso, ICAED Focal Person; Lionel Grassy, FIACAT Representative to UN; Ilaria Vena of International Commission of Jurists; and Irina Krasovskaya of We Remember Belarus.