



Asian Federation Against Involuntary Disappearances

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RATIFY THE CONVENTION NOW TO PROTECT THE RIGHT OF ASIAN PEOPLES NOT TO BE DISAPPEARED

The Asian Federation Against Involuntary Disappearances (AFAD), on the opening day of the International Week of the Disappeared, which falls on the 25th to 30th of May calls on Asian States to sign and ratify the International Convention Against Enforced Disappearance (CAED) to protect the right of Asian peoples from enforced disappearance.

Many States in Asia, which are in situations of conflict and political instability, continue to use enforced disappearance as an instrument to silence political dissent. Victims are either men or women who are political activists, leaders and members of mass organizations or institutions that assert their rights to land, water, jobs, food, housing, education, free expression, and environmental protection among others. In armed conflict situations, even innocent bystanders caught in the crossfire of competing armed forces have been enforcedly disappeared while some are victims of a flawed justice system where short cuts to due process have become the norm such as in the arrest and disappearance of suspected criminals.

On 16 May 2014, the UN Working Group reviewed 38 new cases from 11 countries that occurred from January to March of this year under its urgent appeals procedure. Except for the Dominican Republic and Egypt, all the remaining nine countries are in Asia which includes Bahrain, Cambodia, China, Indonesia, Pakistan, Syria, Thailand, United Arab Emirates and Yemen. Documentation of enforced disappearance cases is difficult, thus the number pales if compared to what has been happening on the ground. Still, according to the UN Expert Group, "This high number of recent cases demonstrates that unfortunately enforced disappearances are not an issue of the past but continue to be regularly used in many countries." (<http://www.ohchr.org/EN/NewsEvents>)

The above statement of the UN Expert Group gives AFAD more reason to be alarmed on the practice of some governments that use ominous laws to quell dissent, further constrict the democratic rights of its citizens or exempt those guilty of human rights violations from punishment.

In Bangladesh, the Information and Communication Technology Act of 2006 was invoked to arrest and detain Odhikar Secretary and AFAD Council member, Adilur Rhaman Khan.

In Sri Lanka, the Prevention of Terrorism Act is being used to label diaspora organizations and over 400 individuals as having links with the defeated Liberation Tigers of Tamil Eelam (LTTE), an armed group that fought for self-determination in the North of Sri Lanka. In fact, a wife and mother of a disappeared, Balendran Jeyakumari, continues to languish in jail on this ground.

In Thailand, the seizure of political power by the military supposedly to put order and stability in the country that was mired in political crisis for months is a veiled condition that puts the right of its citizens not to be disappeared at risk.

In Jammu and Kashmir, the government of India continues to shield its military personnel, where 500 of them were identified in a research by the Association of Parents of Disappeared Persons (APDP) as alleged perpetrators of extra-judicial killings and enforced disappearances among other cases of human rights violations.

In Nepal, while it is good news that the President on 12 May approved the transitional justice bill paving the way for the formation of the Commission on Investigation of Enforced Disappearances, the Act also provides for amnesty for perpetrators of grave human rights violations.

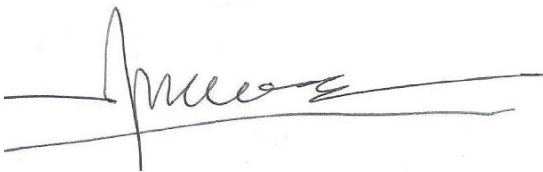
On the 33rd year of the commemoration of the International Week of the Disappeared, AFAD emphasizes the importance of States to ratify the Convention Against Enforced Disappearance as a policy mechanism to address the problem.

AFAD sees rays of hope in the Philippines, Indonesia and Timor Leste if its respective governments ratify the Convention.

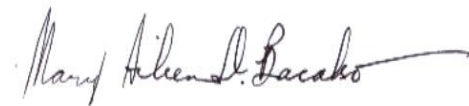
"The Philippines already enacted a law in 2012 criminalizing enforced disappearance, thus we do not see any reason for the government of President Aquino to delay its ratification", Mary Aileen Bacalso, AFAD Secretary General opined. In Timor Leste, the current President, Taur Matan Ruak and many members of his party had relatives who were disappeared and "AFAD could not help but hold high expectations of his government's support for the Convention", Bacalso further said. In Indonesia, the Presidential elections in July offer an opportunity to campaign for candidates who support the Convention and to warn people to refrain from voting human rights violators such as Presidential candidate, Prabowo Subianto, a former Army general.

"The above situation needs the collective support of Asian peoples to call on their respective governments to ratify the Convention, institute domestic laws and seriously implement existing laws that uphold human rights including the right not to be disappeared" Bacalso said. Finally she calls on Asian peoples to support the campaign call: CONVENTION NOW! UPHOLD THE RIGHT OF ASIAN PEOPLES NOT TO BE DISAPPEARED!

Signed by:

A handwritten signature in black ink, appearing to read 'Mugiyanto', written over two horizontal lines.

MUGIYANTO
Chairperson

A handwritten signature in black ink, appearing to read 'Mary Aileen D. Bacalso', written over a horizontal line.

MARY AILEEN BACALSO
Secretary-General