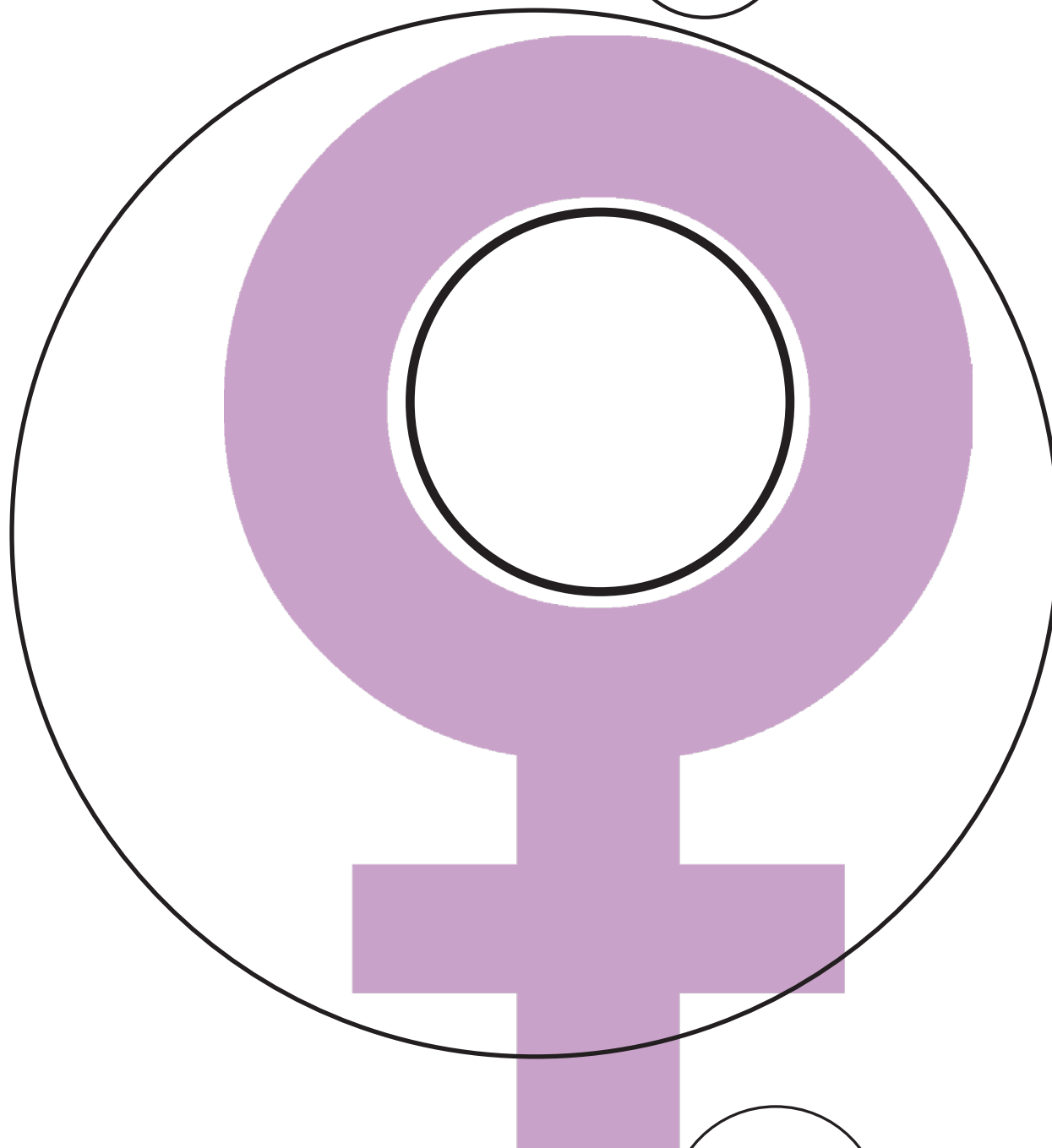


THE OFFICIAL PUBLICATION OF THE ASIAN FEDERATION AGAINST INVOLUNTARY DISAPPEARANCES

# THE VOICE



Struggles of Women  
in the Face of  
Enforced Disappearance

THE OFFICIAL PUBLICATION OF THE ASIAN FEDERATION AGAINST INVOLUNTARY DISAPPEARANCES

# THE VOICE

VOL. XVIII NO. 1 | December 2019

## Editorial Team

Khurram Parvez  
Editor-in-Chief

Nilda Sevilla  
Managing Editor

Tet Arcenal & Natasha Rather  
Associate Editors

Contributors:  
Celia Sevilla  
Caroline Sevilla  
Lyra Verzosa  
Sazzad Hussain  
Taskin Fahmina  
Dimas Bagus Arya  
Parvaiz Matta  
Om Prakash  
Jan Joy Louise Crismo  
Amina Masood  
Jiyoon Lee  
Vyshnavi Manogaran

Ben-Hur Bobis  
Layout Artist



## OUR MISSION

The Federation works for the attainment of truth, justice, redress and the reconstruction of the historical memory of the disappeared. In so doing, it actively participates in the overall struggle for social transformation which is a necessary requirement to realize a world without *desaparecidos*.

## Table of Contents

Editorial	
<b>Women of Substance</b> by Khurram Parvez	1
Cover Story	
<b>Struggles of Women in the Face of Enforced Disappearances</b> by Natasha Rather	3
Banner Story	
<b>Women Empowerment through Psychosocial Accompaniment</b> by Celia Sevilla & Caroline Sevilla	5
<b>Towards an Indigenous, Empowering, and Sustainable Framework for Mental Health and Psychosocial Accompaniment</b> by Lyra Verzosa	11
Bangladesh	
<b>Enforced Disappearance in Bangladesh: A Tool to Silence Dissenting Voices</b> by Sazzad Hussain	15
Bangladesh	
<b>Women’s Stories of Strength in the Face of Enforced Disappearances in Bangladesh</b> by Taskin Fahmina	20
Indonesia	
<b>Pillars of Hope and Strength in the Search for the Disappeared</b> by Dimas Bagus Arya	22
Jammu & Kashmir	
<b>Half Widows’ Steadfast Struggle for Wholeness and Survival</b> by Parvaiz Matta	25
Nepal	
<b>A Daughter’s Lamentation</b> by Om Prakash	29
Philippines	
<b>Rose</b> by Jan Joy Louise Crismo	30
Pakistan	
<b>“Neither Dead nor Alive”</b> by Amina Masood	32
South Korea	
<b>“Grief Was a Luxury I Couldn’t Afford”</b> by Jiyeon Lee	35
Sri Lanka	
<b>While Darkness was Surrounding Me...</b> by Vyshnavi Manogaran	39
Latin America	
<b>Women Building Justice and Democracy in Argentina</b> by Amy Rice	41
Nepal	
<b>Enforced Disappearance in Asia: Existing Laws, Challenges and Ways Forward</b> by Mary Aileen D Bacalso	44
Laos	
<b>Enforced Disappearance and the Absence of Law Concerns on Enforced Disappearance in Thailand and Asia</b> by Shui Meng Ng	52
<b>IDD Events Compilation</b>	57

## Editorial

## Women of Substance

*by Khurram Parvez*

In the struggle against enforced disappearances women throughout the world have pioneered the cause. Whether it is the mothers of the disappeared in Latin America, or the wives of the disappeared in Asia, or the sisters and daughters of the victims of enforced disappearances globally, the world has witnessed the immensely courageous fight by the women family members of the disappeared.

The Asian Federation Against Involuntary Disappearances (AFAD) has, over its last two decades of existence, worked with many of these courageous women who have personified resilience, courage and hope amidst cultures of tyranny, impunity, and hopelessness across Asian countries. In this issue of The Voice, AFAD has decided to pay tribute to these women whose unrelenting struggle is an inspiration not just for the present, but also the future generation.

In this issue of The Voice we have been able to document the story of Puja Shahi, a young girl from Nepal whose father was disappeared when she was three years old. She grew up feeling the absence of her father and 17 years later, her grief is still the same. She finds no consolation from anywhere and yet continues to fight for justice.

From Bangladesh we have stories of wives, sisters and mothers of the disappeared who, besides continuing their struggle to know the whereabouts of their loved ones, have also to find ways of economic survival in a deeply patriarchal society.

The story of Tahira Begum from Indian-administered Jammu & Kashmir provides a glimpse of the trauma faced by wives of the disappeared and how they have to continue to struggle for a very protracted period to fend for their families and within the climate of fear continue to fight for justice.

The story of Rose Acebedo from the Philippines who lost two of her brothers during Martial Law is a very inspiring story. Rose is still in pain; she has not moved on yet. She does not know when or how she can be healed from the pain but she continues the fight because she wants the state to realize that they should be the ones protecting, respecting, and fulfilling the rights of every Filipino, especially the marginalized.

From Indonesia, stories of Yulia and Damaris, a daughter and a mother of disappeared persons, have been documented for this issue of The Voice. Their stories are of a lack of closure that stems from not being able to know the fate of their loved ones.

This issue of The Voice carries stories of women family members of the disappeared from South Korea who have literally been living from hand to mouth. The wives of the disappeared usually did not even have time to feel sorrow or to seek justice for their missing husbands and instead had to work hard to take care of their children. Available jobs to women at that time were merely minimal chores; they usually dried fishes and squid for a living or travelled around cities to sell goods in small quantities. Their income was often not sufficient to sustain the whole family. When there were too many children to support, such financial difficulties even led to family separation.

We have the story of Sabiha Begum from Pakistan whose son was disappeared in 2001. The search for her son took her to DHR where she joined the campaign against enforced disappearance in Pakistan. Sabiha's husband travelled all over Pakistan on his cycle to look for his son and became famous as Parvana Baba. He was killed in 2012 by a gun wielding person. Sabiha continues to fight against the enforced disappearance of her son and the subsequent killing of her husband.

Sri Lanka has one of the world's highest numbers of disappearances, with a backlog of between 60,000 and 100,000 alleged disappearances since the late 1980s. Today, post-war Sri Lanka is seeing a rapid and widespread infrastructure development within rural and urban areas, never seen in the country before. But the sad reality is that the family members of the disappeared still have many difficulties in leading their lives, especially the women-headed families. This issue of The Voice carries stories of Veena and Seetha, the two women whose husbands have been disappeared and they are still fighting for justice.

These women family members of the disappeared in so many diverse cultural, religious and political contexts from various countries of Asia have a common thread connecting them, which is similarity in their suffering and the resilience with which they have chosen to not give up on anything. They have continued their struggle sometimes even alone, despite facing all kinds of problems whether it is economic adversities or political violence or gender based injustices and lack of opportunities. It is primarily these women who within their families are the ones taking forward the struggle against the enforced disappearance of their loved ones and through their struggle have created a path for human rights organisations to

advance this struggle in a more organized manner. The best tribute which organisations like AFAD and other human rights organisations can pay to these resilient women will be by strengthening their efforts against enforced disappearances globally and by helping them further in empowering themselves to continue to live their lives with dignity. ■

## Cover Story

# Struggles of Women in the Face of Enforced Disappearances

*by Natasha Rather*

Enforced disappearance is perhaps the most gruesome form of human rights violation that affects not only the person who is disappeared but also his/her entire family. Everyone working around the issue of enforced disappearance agrees that an overwhelming majority of persons who are disappeared are men, very often leaving behind women in the family to deal with the numerous consequences. In the Asian context where women are generally placed at a disadvantaged position in the society owing to a deeply embedded and widely accepted patriarchal system, the disappearance of a male family member only adds to this disadvantage.

Enforced disappearance brings with it an array of problems that the family has to deal with – financial, social, psychological, and legal. The burden of dealing with these issues falls upon the women. In addition to the tireless search for the whereabouts of the disappeared, women are in a constant battle for survival in a generally antagonistic society. Shouldering the economic responsibility of the family is one of the biggest challenges that women face, especially since fending for the family is essentially considered as the male domain in conventional societies.

Apart from this, women become responsible for the psychological health of the rest of the family members who are dealing with the loss of a beloved kin and harbouring hope of his surfacing. The struggle for truth and justice is long and tiring. Women are forced, in their search, to come into direct confrontation with a hegemonic state machinery and often find themselves in precarious situations. Threats and intimidation to women seeking answers about the fate of their loved ones are common.

This situation is exacerbated by the culture of inequality that prevails across countries. Women's identities are attached to the father or the husband and it is a challenge for women to survive on their own. The wives of the disappeared are sometimes blamed for their husband's disappearance owing to the lack of understanding of people in general about human rights violations and the culture that blames women for the misfortunes of men. In Bangladesh, Indian-administered Jammu & Kashmir, Nepal, and Pakistan, women have faced social ostracism and remarriage has been a concern. In Indonesia, Philippines, and Thailand, women have faced difficulty in accessing property owing to the disappeared status of the husbands.

*"In this situation, psychosocial work becomes important in preventing and dealing with the consequences of enforced disappearances particularly retraumatization of women family members of the disappeared."*

The anguish that comes with the disappearance of a family member, the social pressures along with the unending legal procedures that often leave families in a perpetual state of limbo, have grave psychological implications that are often not addressed. In this situation, psychosocial work becomes important in preventing and dealing with the consequences of enforced disappearances particularly retraumatization of women family members of the disappeared.

Undeniably inspiring is the brave resistance and steadfastness that these women have put up in the face of enormous challenges that enforced disappearance brings with it.

One cannot fail to mention the Mothers of the Plaza de Mayo – group of women who started a democratic movement against enforced disappearances that took place during the Dirty War in Argentina in the 1970s and 80s. The non-violent protest of these women inspired movements against disappearances across the world.

The Asian Federation Against Enforced Disappearances (AFAD) has always recognized the women's struggle and appreciated their contribution towards the collective aim of ending the brutal crime of

enforced disappearance. AFAD has known many women who have contributed greatly in the fight against enforced disappearances. Amina Masood Janjua from Pakistan, Angkhana Neelapaijit from Thailand, Edita Burgos, Mary Ann Burgos, and Nilda Sevilla from the Philippines, and Shui Meng Ng from Laos are family members of the disappeared who have contributed immensely to the work of AFAD. They have not just courageously pursued the truth about their family members but also paved a way for many other kin of the disappeared to demand the truth and seek justice for their husbands, fathers, sons, or brothers.

AFAD has worked to enhance the capacities of the women associated with its member organizations to assume bigger and more important roles as leaders in the fight for larger causes. Through its projects supported by the Women World Day of Prayer, AFAD has been able to capacitate the women to contribute to research and documentation. These women have been able to provide psychosocial accompaniment to families of the disappeared. These women have metamorphosed from victims to survivors to human rights defenders. ■

## Banner Story

### Women Empowerment through Psychosocial Accompaniment

*by Celia Sevilla & Caroline Sevilla*

*“We searched for them in every camp but they denied that they had them in their custody. My sister-in-law whose son was together with my son when they involuntarily disappeared lost her sanity after a severe bout of depression because of what happened.”*

Majority of enforced disappearance victims around the world are males and their family’s main provider. This leaves women, particularly mothers and wives, bearing the heavy burden of their loss. Family members and friends left behind by enforced disappearance victims often repetitively suffer physically, emotionally, psychologically, and financially. Aside from dealing with the demands of having to raise their children on their own while continuously searching for their missing kin and fighting for justice, there are reports of women experiencing acts of intimidation and/or sexual harassment during search missions in military camps, police stations, and other detention facilities.



Unsurprisingly, those left behind may develop mixed feelings of unresolved grief, anger, fear for their family's safety, exhaustion, despair, and lack of trust not only in other people but in the justice system as well. In some cases, these negative feelings are exacerbated by extreme poverty and homelessness caused by the sudden disappearance of the family's breadwinner, causing serious mental health problems such as anxiety, depression, post-traumatic stress symptoms, and social isolation. Moreover, without evidence of their kin's physical body, they are torn between unresolved grief and hope. This affects their sense of identity, ability to make life decisions, and attainment of closure.

Meanwhile, in cases of the disappeared surfacing alive, mothers and partners face a different level of anxiety hearing stories of horrendous experiences in torture camps. This includes the pain of imagining their loved ones being tortured and treated inhumanely. Stories of water curing; electric shock; deprivation of water, food, and sleep; and other inhumane acts of torture add to their stress and suffering. They may develop post-traumatic stress disorder which impacts families in many ways (Manalo, 2012; Paragat, 2012; Zia, 2013; Salih & Samarasinghe, 2016; Dulitzky, 2019).

### *Women Empowerment through Psychosocial Accompaniment*

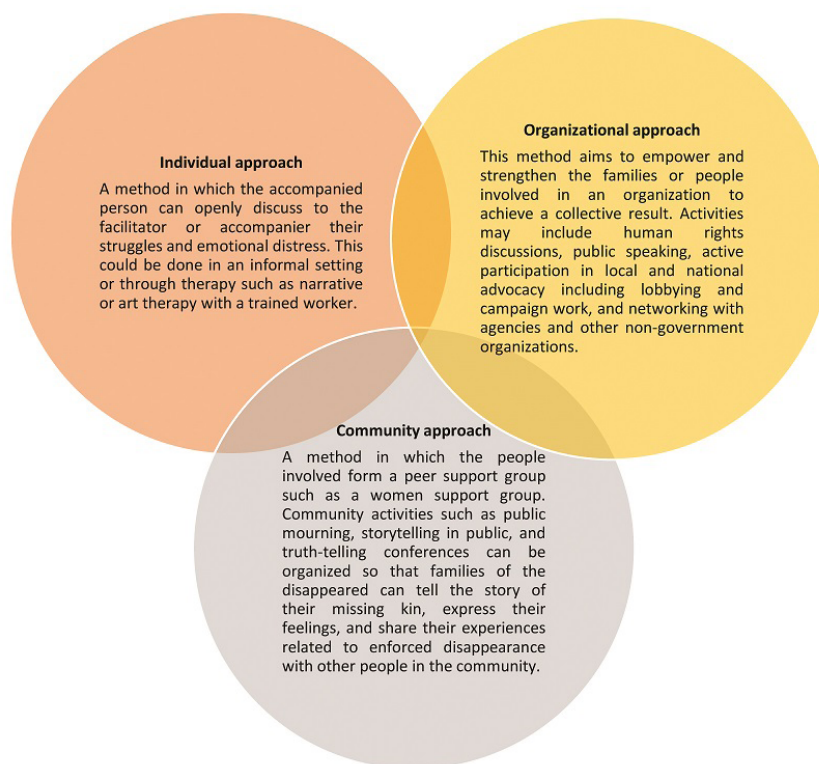
Many non-government organizations that advocate against enforced disappearance in Latin America and across Asia were predominantly founded by women (Dulitzky, 2019). One of them is a non-government organization called the Families of Victims of Involuntary Disappearance (FIND) in the Philippines.

FIND was formed in November 1985 by nine (9) women whose family members were victims of enforced disappearance. Together with their relatives, friends, and volunteers they drew strength from one another, shared experiences, gave and received support, sought justice together, and raised awareness of the public about enforced disappearance. FIND eventually developed four (4) distinct yet complementary programs, namely: Search and Documentation, National and International Advocacy, Psychosocial Rehabilitation, and Organizing and Education.

Psychosocial accompaniment has become a significant source of strength, hope, and motivation of women in searching for their missing kin as well as in caring for their family and fighting for their rights. It is a term which means "being with", "walking together", and "providing support" to a person or a group of people who are experiencing psychosocial challenges such as dealing with trauma, community issues, and human rights violations (Watkins, 2015).

Accompaniers may be involved in individual and community support. Regardless of the type of support accompaniers are involved in, what is important is for them to establish good rapport with the accompanied person or group. In addition, they must take into consideration the sensitivity, readiness, and preferred method of the family of the disappeared before involving them in any activity. They should watch out for the possibility of family members experiencing re-traumatization or reliving bad memories of their kin's disappearance. Some traits that are useful in developing a trusting relationship with the accompanied person or group include empathy, optimism, being non-judgmental, and an understanding of the nature of enforced disappearance as well as the family's situation. Clearly, both the accompanier and the accompanied person or group must participate in developing a trusting relationship through transparency, collaboration, mutuality, and empowerment.

Psychosocial accompaniment can be provided through different methods – individual or small group approach, community approach, and organizational approach (Chaparro, 2018).



For over three decades now, FIND has been implementing activities and facilitating different types of psychosocial accompaniment employing a mixture of individual, community, and organizational approaches to empower its members, especially women.

These activities include sessions facilitated by mental health experts during which the participants are given the opportunity first and foremost to bond with and support each other and share stories in a safe space. In one of these sessions which was dedicated exclusively to wives of the disappeared, a letter-writing activity guided by a psychologist led to participants actually managing to forgive the perpetrators of their husbands' disappearance.

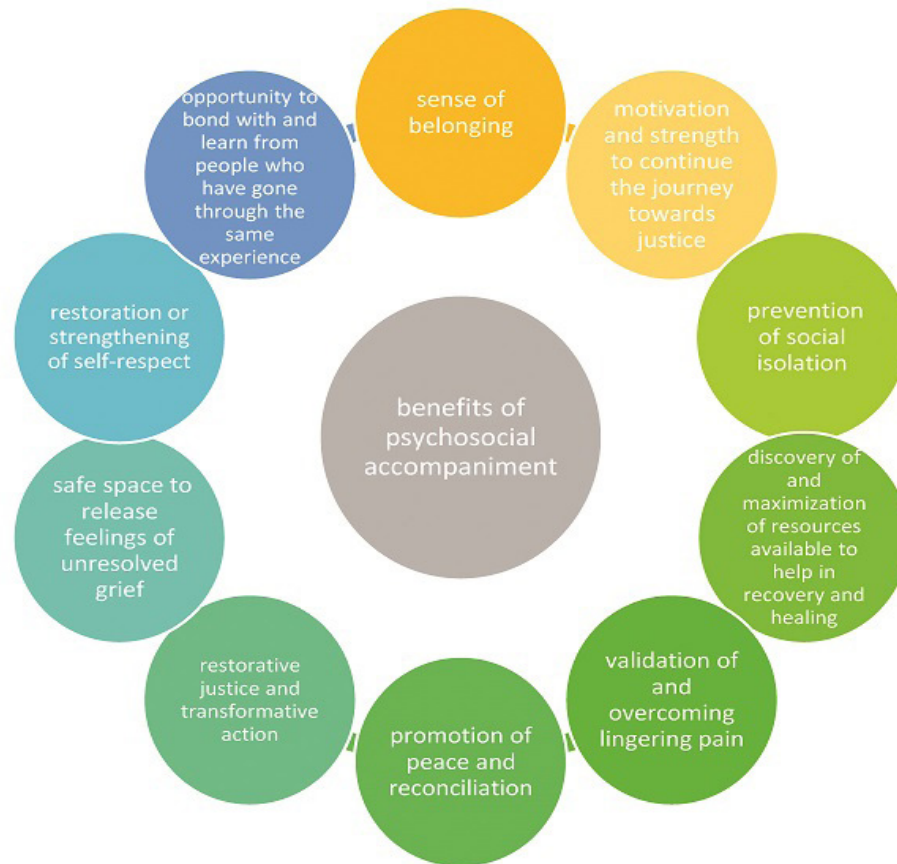
In 1993, Professor Edwin Decenteceo of the Department of Psychology of the University of the Philippines Diliman conceptualized the Wives' Theater Group composed of FIND members whose husbands were disappeared. This provided a venue for emotional release even as it eventually served to effectively project the issue of enforced disappearance to the general public mainly through the staging of street plays.

A similar formation composed of children of the disappeared was also established by FIND. The Samahan ng mga Anak ng Desaparecidos (SAD) or Association of Children of the Disappeared, also a brainchild of Professor Decenteceo, started as a theatre group geared towards the psychosocial wellbeing of its members and eventually evolved into a potent human rights advocacy medium. In a way, simply having their children be members of SAD was a form of psychosocial accompaniment. The wives of the disappeared were reassured that their children: 1) have a support group with fellow children whose fathers disappeared; 2) are also provided with psychosocial support; and 3) understand the causes their fathers fought for.

For the mothers of the disappeared especially the elderly, home visits by FIND workers are a much-appreciated method of psychosocial accompaniment. These visits reassure them that the cases of their disappeared children are not forgotten and that they are not alone in their struggle for truth and justice. The positive effects of these visits are felt not only by those who are visited, but also by the FIND workers who conduct the visits, most of whom are themselves relatives of the disappeared. They get a sense of fulfillment and experience healing in the knowledge that they are able to help fellow victims.

### *The Impact of Psychosocial Accompaniment*

Psychosocial accompaniment has multiple benefits, including but not limited to: a sense of belonging; motivation and strength to continue the journey towards justice; prevention of social isolation; discovery and maximization of resources available to help in recovery and healing; validation of and overcoming lingering pain; promotion of peace and reconciliation; restorative justice and transformative action; a safe space to release feelings of



unresolved grief; restoration or strengthening of self-respect; and an opportunity to bond with and learn from people who have gone through the same experience.

It is evident that psychosocial accompaniment contributes to the healing and recovery of families of enforced disappearance victims. In fact, there are numerous women FIND members who have transitioned from being accompanied to accompanier. They have become volunteers or field workers in their respective communities. Not only have they survived, they are now also actively participating in the work against enforced disappearance (Sacipa et. al, 2007; Manalo, 2012; Zia, 2013; Salih & Samarasinghe, 2016; Hofmeister & Navarro, 2017; Dulitzky, 2019).

From being victims, these women members of FIND are now courageous and steadfast human rights defenders. Through FIND, they are able to contribute in no small measure towards the attainment of the organization's vision of a society where there are no more human rights violations. This, according to Corazon O. Estojero, wife of disappeared community organizer Edgardo Estojero and former FIND-National Capital Region Chairperson, is hands down, the best form of psychosocial accompaniment. ■

## References

Chaparro, Á. M. M. (2018). Psychosocial Action with Women Victims of Sociopolitical Violence in Colombia. *Pedagogia Social*, (31), 135-147. doi:[http://dx.doi.org.aucklandlibraries.idm.oclc.org/10.7179/PSRI\\_2018.31.11](http://dx.doi.org.aucklandlibraries.idm.oclc.org/10.7179/PSRI_2018.31.11)

Dulitzky, Ariel E. (2019) "The Latin-American Flavor of Enforced Disappearances," *Chicago Journal of International Law*: Vol. 19: No. 2, Article 3.  
Available at: <https://chicagounbound.uchicago.edu/cjil/vol19/iss2/3>

Hofmeister, U., & Navarro, S. (2017). A psychosocial approach in humanitarian forensic action: The latin american perspective. *Forensic Science International (Online)*, 280, 35-43. doi:<http://dx.doi.org.aucklandlibraries.idm.oclc.org/10.1016/j.forsciint.2017.08.02>

Manalo, Annabel M. (2012). Traumatic Loss Among Families of Victims of Enforced Disappearance. *The Search*, pp. 6-9.

Paragat, Armando L. (2012). The Truth Must Be Told. *The Search*, pp. 14-23.

Salih, M., & Samarasinghe, G. (2017). Families of the missing in Sri Lanka: Psychosocial considerations in transitional justice mechanisms. *International Review of the Red Cross*, 99(905), 497-517. doi:<http://dx.doi.org.aucklandlibraries.idm.oclc.org/10.1017/S1816383118000516>

Sacipa, S., Vidales, R.A., Galindo, L.E., & Tovar, C.P. (2007). Psychosocial Accompaniment to Liberate the Suffering Associated with the Experience of Forced Displacement.

Watkins, M. (2015). Psychosocial Accompaniment. *Journal of Social and Political Psychology*, 3(1), 324-341. doi:10.5964/jspp.v3i1.103

Zia, A. (2013). The Spectacle of a Good-Half Widow: Performing Agency in the Human Rights Movement in Kashmir. UCLA: Center for the Study of Women. Retrieved from <https://escholarship.org/uc/item/3xx4n1zf>

## Towards an Indigenous, Empowering & Sustainable Framework for Mental Health & Psychosocial Accompaniment

*by Lyra R. Verzosa*

MA in Counseling Psychology  
Consultant for Mental Health & Psychosocial Services

Disclaimer: This article does not intend to provide an exhaustive evaluation of the Minimum Standards for Psychosocial Work in the Struggle Against Enforced Disappearances, nay rather, a partial commentary on deepening the framework and definition of psychosocial care based on the author's personal experience of accompanying surfaced desaparecidos and their families.

*“If you are coming to help me, you are wasting your time. But if you are coming because your liberation is bound with mine, then let us work together.” -An Aborigine Woman-*

**H**olistic, Integrative & Comprehensive. Despite the inclusion of the word “minimum” in the *Standards for Psychosocial Work against Enforced Disappearances*, the guidelines actually present more-than-the-minimum over-arching principles and concrete recommendations for integrating such in organizations and families seeking truth and justice for loved ones of desaparecidos.

But as society and history continue to evolve, the signs of the times urge us to improve and deepen our processes and strategies to be more effective in our psychosocial accompaniment for families of the disappeared and others who suffer from human rights violations. Collaborative and sustained gatherings for exchange of best practices and discerning on the appropriate interventions in our respective cultures has led to the minimum standards, yet we remain open in exploring further possibilities.

The core definition in the standards defines psychosocial work as:

“processes of individual, family, community and social accompaniment aimed at preventing, treating and dealing with the consequences of the impact of enforced disappearances ... This work is generally carried out by professional teams and mental health workers.”

The initial training and exposure of this author was for community-based mental health and psychosocial services (MHPSS) for disaster-stricken locales – which also includes armed conflict situations. The United Nations Inter-Agency Guidelines for Mental Health & Psychosocial Support in Emergency Settings, published in 2007 presents principles that parallel the *Minimum Standards ... for ED*. But notice the emphasis on distinguishing *Mental Health Services from Psychosocial Support*. The World Health Organization clearly delineates the two services by emphasizing that treatment of mental disorders is covered by the former while non-biological (non-medical) and more preventive interventions are under the latter, specifically for those who have not developed mental disorders. Professional mental health workers such as psychiatrists, clinical psychologists, and clinical social workers are involved in treatment but psychosocial activities can involve non-professionals with a broad spectrum of educational attainment, economic conditions, and cultural diversity such as loved ones of desaparecidos themselves or NGO and church volunteers who go through proper training.

Adapting the WHO definition is more empowering and appropriate for cases of ED since at the grassroots level, there is a tremendous dearth for access to mental health professionals. In the Philippines alone, there are less than 600 psychiatrists for a population of 100 million and most of them hold their practice in the capital cities. The UN-IASC guidelines however gives the assurance that less than 5% of the affected population develop cases of psychosis or extreme mental illness in need of referral to a professional. While statistical data are unknown for the exact number of cases of mental disorders related to enforced disappearance (paranoia, anxiety disorder, depression with suicidal ideation, and actual suicides, etc.), discussions among human rights organizations from Bangladesh, Nepal, India-administered Jammu & Kashmir, and the Philippines all agreed that such cases are minimal. Most families are in fact resilient and are able to develop their own coping strategies for continual healing. Provision of safety and survival needs, community-based support systems, and traditional practices for grief processing prevent majority of affected individuals from developing mental disorders. These basic services can be facilitated by non-professionals and are derived from the community of relatives and human rights advocates, not necessarily professional mental health workers.

### ***Reframing from Trauma-based Models to Resilience-centered Frameworks***

Being resilience-centered does not entail minimizing potential traumatic effects for cases of ED. But even the word “trauma” is a construct of debate

in the mental health community. Some clinical models state that a person is immediately traumatized upon witnessing death or personally experiencing a threat to life. But this is countered by field and community experts such as Dr. John Briere, the director of the Psychology Trauma program of the Department of Psychiatry in USC Medical Center, Los Angeles County who states that:

“... an event is traumatic if it is extremely upsetting and at least temporarily overwhelms the individual’s internal resources rendering them to be functionally impaired in their physical, social and occupational dimensions of well being.”

Upon exhuming the remains of a young man, 24 years buried in the boondocks of the southern islands of the Philippines, and turning them over to the lone surviving sister of the victim, her grief seemed inconsolable. And yet in a week’s time, after the remains had received the blessing of the priest and being properly buried in the community cemetery in the presence of relatives and friends from the community, she was at peace. The sister did not experience any form of dysfunction whatsoever.

In developing frameworks for psychosocial accompaniment, the perspective for emotional healing has to be derived from the myriad of community-based practices that have proven effective, especially at the grassroots level instead of the stereotypical clinical model of trauma. Sustainability of interventions need not be limited by budget constraints in transporting “foreign experts” so that they can directly facilitate healing activities for families. Instead, psychosocial accompaniment training should empower local service providers using language that is non-technical, non-clinical but easily contextualized or transliterated to various cultures. There is no “one size-fits all” form of psychosocial accompaniment. Resilience-based activities are already happening all over the globe but the challenge is in collating documentation-particularly practices of shamans and indigenous healers, identifying common themes, giving structure, and deriving a comprehensive framework that even families of the disappeared can recognize as their own, rather than a foreign theory forced upon them. Developing resilience-centered models will also empower grassroots workers to lead and innovate in designing their own psychosocial activities for emotional healing without being dependent on THE professionals.

But for the bigger gamut of integrative services such as legal and forensic consultancy, material and financial inputs, advocacy for states to provide restitution and comprehensive rehabilitation, the bigger community of human rights advocates with professional expertise need to be fully present.



## *The Most Vulnerable*

While we recognize the innate strengths and capacities of surfaced desaparecidos and families of the missing, focused and specialized services for those who are severely traumatized remains a grave concern. In countries where public health insurance remains limited, psychiatric services are few and difficult to access, while sustaining expensive psychotropic medication further adds to the burden of the marginalized. While we continue to advocate for state assistance, we cannot let the families of ED victims wait passively. There is a parallel need to enjoin the greater community of private citizens, NGOs and POs, church, and other civil society organizations to solicit these specialized provisions. Conscientization of mental health professionals can be added to our list of challenges and a database of their contact details is a practical tool as reference for desaparecido family associations.

The journey to psychosocial healing with loved ones of desaparecidos remains both trying and edifying. But therein lies a path of mutual empowerment and inspiration for the service provider and the victim-survivors. ■

### About the Author:

Lyra R. Verzosa is an advocate member of Families of Victims of Involuntary Disappearances (FIND) from the Philippines and has joined AFAD in exhumation missions and psychosocial training workshops for service providers for families of desaparecidos. She believes in a PRAXIS that integrates mental health concepts with indigenous grassroots knowledge for coping and integrative well-being and has applied this while empowering community-based workers in Burmese-Karenni refugee camps in Thailand and among the Burmese-Chin tribes in Malaysia. She is also serving her second term as board member of BALAY Rehabilitation Center, an NGO that caters to victim-survivors of torture and organized violence.

## Enforced Disappearance in Bangladesh: A Tool to Silence Dissenting Voices

*by Sazzad Hussain<sup>1</sup>*

### *Causes of enforced disappearances*

Over the last several years, incidents of enforced disappearance (ED) have significantly increased in Bangladesh and this crime has now become an accepted reality. The media is still struggling to maintain the little independence it has. They are still able to report such cases possibly because the government categorically claims that ED does not exist.

Government's attempt to silence media reporting on ED might be perceived as a means to cover up. A highly visible and worrisome number of enforced disappearances have been committed after the Awami League-led Alliance government came to power in 2009. According to reported data collected by Odhikar, between January 2009 and June 2019, law enforcement agencies have been involved in at least 529 cases of enforced disappearance. A large number of victims of enforced disappearance are political activists belonging to the Opposition parties and dissidents.

Enforced disappearances in Bangladesh stem from political vengeance, poverty and social injustice. Cases of enforced disappearance were committed by the state machineries to stifle dissent in the country.

Demonstrators, rights activists, political analysts, leaders and activists of the opposition political parties, academicians, journalists – anyone having a dissenting opinion or a critical voice against the government, is at high risk of being disappeared. The patterns of all the cases of enforced disappearance in Bangladesh have three elements in common: deprivation of liberty against the will of the person concerned; allegations of the involvement of governmental officials, at least indirectly by tolerance, support or acquiescence; and the refusal to disclose the fate and whereabouts of the person picked up.

### *Effects of enforced disappearances*

There are allegations of involvement of state security forces in each incident of enforced disappearance and in some cases evidence has been found. The government continues to deny the involvement of law enforcement agencies in this practice, despite numerous and credible allegations from eyewitnesses and the families of victims. In many instances,



*Relatives of Shohag Bhuiyan and Nur Hossain crying after the bodies of Shohag and Nur were found. (Bangladesh)*

victims of enforced disappearances have been released after being detained for a long time and then handed over to the police, shown being 'arrested' or produced before the Court after being falsely accused of criminal offenses.

Case: Bangladeshi-born British citizen Yasin Talukdar (37) who was picked up allegedly by members of a law enforcement agency on 14 July 2016 in front of the Banani Railway Station in Dhaka, was shown being arrested after three years, on 17 May 2019, by the Detective Branch of Police. He was produced before a court on 18 May, showing him as respondent in a case filed with Gulshan Police Station in 2013 under the Anti-Terrorism Act 2009 (amended 2011).

The resurfaced victims of enforced disappearance or their family members do not want to speak about their experience out of fear of further disappearance and threats. In some cases, bodies are found in different places and deaths are often explained as the result of 'crossfire'.

The families of the disappeared persons suffer from the devastating consequences. Its traumatic effects extend to the victims' next of kin, as it produces the severe anguish of not knowing the fate and whereabouts of the victims because of the continuous refusal of the State to acknowledge the acts of disappearance. This has been observed by Odhikar, as it maintains a liaison with family members of disappeared persons. In the context of Bangladesh where most of those who were disappeared are men, the sufferings of the victims' families are aggravated by economic hardship brought about by the sudden loss of the breadwinners.

The underlying problem of finding the truth behind enforced disappearances is the silence and the lack of reports about victims' experiences, as enforced disappearance generates great deal of fear. Victims of enforced disappearance who have resurfaced or have been returned alive are valuable sources of finding out the underlying reasons behind this heinous crime. However, they have been found to be traumatised, reluctant and in fear of reprisals.

Case: Former Ambassador Maroof Zaman became victim of enforced disappearance on 4 December 2017 when he was on his way to Hazrat Shahjalal International Airport to pick up his younger daughter Samiha Zaman. After taking him away, three well-built men went to Maroof Zaman's house and took his cell phone, laptop, and other accessories. After a large international campaign demanding his return, he was returned home on 15 March 2019 at 1:30 am, after 15 months of being disappeared. He and his family refuse to speak of this matter.

Some survivors of disappearance, after their return, have given statements to the media. Their accounts contained many similarities and even their detention experiences were almost the same. Those who resurfaced after abduction have also reported that their abductors were well-organised and had the necessary resources to make victims disappear .

### *Dysfunctionality of institutions and lack of state obligations*

Ironically, all the state institutions, including the National Human Rights Commission, Information Commission, Anti-Corruption Commission and the law enforcement agencies have been politicised and due to the lack of accountability of the government, made dysfunctional. Even the Judiciary has increasingly been subjected to political influence and manipulation by the government and the lack of transparency and corruption in the justice mechanism has eroded the justice delivery system . Law enforcement agencies, particularly the police force have failed to protect citizens' rights. Instead of upholding the rule of law, the police have been indiscriminately

used by government for self-serving interests. Consequently, the police enjoy political patronage and impunity. The NHRC seems to forget its main purpose and even forgets the rights of the people for which it was created. Instead it has become the mouthpiece of the government and is subservient to the ruling party. As a result, these institutions fail to take any effective measures to investigate, prosecute the cases of enforced disappearance and support remedies for the families of the disappeared persons.

Currently, Bangladesh is adorning a seat at the UN Human Rights Council (HRC) for the third term (2019-2021) despite its terrible human rights record during the reigns of the incumbent government. Recently, the Bangladesh ambassador to The Hague was elected to the Board of Directors of the Trust Fund for Victims (TFV) of the International Criminal Court (ICC) for the next three years. Regrettably, the government does not follow human rights obligations of the HRC and has not been cooperating with the Special Procedures of the human rights mechanisms and in most of the cases has not responded to their invitations. Many requests, including those from the Working Group on Enforced or Involuntary Disappearances, are kept pending for a long time without any response from the authority.

The Bangladesh government has not cooperated with the UN Working Group on Enforced or Involuntary Disappearances (WGEID), even as it failed to respond to the WGEID's request to undertake a visit to Bangladesh. In its Concluding Observations on Bangladesh's initial report to the UN Human Rights Committee in March 2017, the Committee expressed its concern about: 1) the lack of investigation and accountability for perpetrators; 2) the failure by domestic law to specifically criminalize enforced disappearance; and 3) the government's continued denial of the practice.

Moreover, on 23 March 2010, Bangladesh ratified the Rome Statute of the International Criminal Court (ICC) which entered into force in Bangladesh on 1 June 2010. Article 7(1) of the Rome Statute stipulates that enforced disappearances amount to a "crime against humanity" when they are part of a "widespread or systematic attack directed against a civilian population". There are at least reasonable grounds to determine whether the commission of enforced disappearances in Bangladesh amount to an attack that is widespread or systematic. The expression "widespread or systematic" in Article 7(1) of the Statute of the ICC excludes random or isolated acts of violence. The term "widespread" connotes the large-scale nature of the attack and the number of targeted persons. The term "systematic" refers to the "organised nature of the acts of violence and the improbability of their random occurrence."

The High Commissioner for Human Rights has urged the government of Bangladesh for a prompt implementation of the recommendations accepted in the UPR on enforced disappearance. The High Commissioner also urged the authority to take urgent measures for the promotion of human rights in the criminal justice system and by the law enforcement officials and address serious allegations of enforced disappearance. However, the government of Bangladesh has repeatedly refused to accept recommendations from various UN bodies and mechanisms, including the UPR to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPAPED), noting the absence of a definition of “enforced disappearance” in its domestic laws as one reason for not acceding to it. ■

End Notes:

<sup>1</sup> Author is the Programme Coordinator of Odhikar and Council Member of AFAD.

<sup>2</sup> Odhikar only collects data on enforced disappearances when the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

<sup>3</sup> A Senior Judicial Magistrate of Satkhira, Habibullah Mahmud, submitted an inquiry report to the High Court Division on 4 July 2017 that found the involvement of three higher police officials in the arrest of Sheikh Mokhlesur Rahman Johny and his subsequent disappearance. (<http://www.newagebd.net/article/19321/>) In another case, Narayanganj District and Sessions Judge Syed Enayet Hossain on 16 January 2017 gave a verdict on the killing of seven persons subsequent their disappearance. 26 accused, including 16 RAB officers and commanding officer RAB-11, Lt. Col. (Retrd) Tareq Sayeed were sentenced to death. (<https://www.jugantor.com/news-archive/first-page/2017/01/17/93821/>)

<sup>4</sup> Maroof Zaman (<https://www.jugantor.com/news-archive/first-page/2017/01/17/93821/>)

<sup>5</sup> For details, see Odhikar quarterly human rights report (January-March 2019), 17 April 2019

<sup>6</sup> “Mubashar, Utpal return, but what of the abductors”, the daily Prothom Alo, 23/12/2017; <http://en.prothomalo.com/opinion/news/168406/Mobashar-Utpal-return-but-what-of-the-abductors>

<sup>7</sup> “Bangladesh envoy elected to board of directors of Trust Fund for Victims”, The Daily Star, 7 December 2018; <https://www.thedailystar.net/country/news/bangladesh-envoy-gets-elected-board-directors-icc-trust-fund-victims-1670458>

<sup>8</sup> Country visits of Special Procedures of the Human Rights Council since 1998; [https://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=BGD](https://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=BGD)

<sup>9</sup> UN Human Rights Committee, 33 63rd meeting, Concluding Observations on the initial report of Bangladesh, 27 April 2017, UN Doc. CCPR/C/BGD/CO/1, Para. 19.

<sup>10</sup> FIDH report on enforced disappearances in Bangladesh titled “Vanished Without A Trace”, April 2019 [https://www.fidh.org/IMG/pdf/bangladesh735a\\_web.pdf](https://www.fidh.org/IMG/pdf/bangladesh735a_web.pdf)

<sup>11</sup> Letter from OHCHR on implementation in 3rd cycle of UPR. [https://www.upr-info.org/sites/default/files/document/bangladesh/session\\_30\\_-\\_may\\_2018/hc\\_letterbangladesh\\_30session.pdf](https://www.upr-info.org/sites/default/files/document/bangladesh/session_30_-_may_2018/hc_letterbangladesh_30session.pdf)

## Women's Stories of Strength in the Face of Enforced Disappearances in Bangladesh

*by Taskin Fahmina\**

**I**t was a bright sunny, mid-June day in 2019—the trees were green and washed spotless by the rain. However, the ambiance of the place where I sat with nine other women was gloomy. We were all sitting in a circle, on a carpet, most of them wanted to stay anonymous while their comments were made public. Apart from intimidation, threats or non-cooperation from state agencies, that day they were mainly discussing about many personal stories and problems. They did not only talk of their trauma and agony year after year, but also talked about how they were trying to mitigate their trauma and stress and learning to move forward. They were hopeful that their loved ones, who were the victims of enforced disappearance between 2012 and 2019, would be found.

Before the farcical elections of 5 January 2014, in 2012 and 2013, many opposition leaders and activists, mainly from the Bangladesh Nationalist Party (BNP) were disappeared allegedly by Rapid Action Battalion (RAB), police and Detective Branch of Police (DB). In fact, the crime of enforced disappearance has emerged as a new trend since 2009 in Bangladesh. According to the statistics of Odhikar, from January 2009 to June 2019, a total of 525 people were victims of enforced disappearance and among them 161 have not yet been found as of the writing of this article.

Afroza Islam, the sister of Sajedul Islam Shumon, and the general secretary of (Municipality) Ward 38, Shahinbagh Thana (police station), Dhaka unit BNP (Bangladesh Nationalist Party) who was allegedly picked up by RAB said that her elderly, sick mother asks for him every day. She said that they live in an extended family where, in the same building, her siblings, their families and mother live. She and her siblings try to console their mother as well as each other. With her and her sisters' efforts, they successfully built a disappeared victim family network, named 'Mayer Dak' ('A Mother's Call'), which now holds approximately 100 families. Afroza is a Coordinator of Mayer Dak. Under this network they are relentlessly doing advocacy to find her brother and other disappeared victims.

Another woman (who wished to remain anonymous) expressed that in Bangladesh's highly patriarchal society where arranged marriages often take place, her brother being a victim of enforced disappearance and still traceless, makes it harder to find a groom for her younger sister. She said that as her brother was an opposition activist who was picked up about six years ago, the government-affiliated people labeled him a "criminal". A few days back they wanted to arrange her sister's marriage and a potential groom's family wanted to know about her brother. When they learned that he was a victim of enforced disappearance, the family never showed up again. Later, she heard from the neighbors that the said family didn't show up as they thought he was a criminal.

Farzana, a mother of two and wife of Parvez Hossain, a BNP activist who was picked up on 02 December 2013, said that she lives in an area where most people are not educated and don't understand what enforced disappearance is. People in her neighborhood said that her husband had deserted her. This kind of conversation increases her trauma. She cannot sleep well and often feels miserable. The others also described the different kinds of stress and trauma they are facing. However, recently she and others learnt meditation techniques and are getting psychosocial support through the network that truly helps, added Farzana.

The women whose husbands were disappeared talked about financial problems, as their husbands were the sole earners of the families. All the women, except one, are unemployed. A mother of a twelve-year-old, who travels four hours to work every working day – looked very tired. She said, "I have no other option but to continue this job. It is hard to find a new job. Every day I start for the office at seven in the morning and get back home around 10 at night. Though it is very tiring, at least I have some money in my hand to help my son and myself." Other unemployed women were discussing whether there were any ways they could do something to help themselves financially. They mentioned that since their husbands disappeared, they have been unable to access their bank accounts or manage any of their assets.

Reshma, wife of Mohammad Hossain Chanchal who was an activist of BNP, said that it is hard when her eight-year-old son asks when his father will come home. Sometimes the boy is bullied by his friends for not having a father. This situation makes her sad. However, she said that she does not feel isolated, as she is under a network with Odhikar and Mayer Dak, and getting support; and that learning and sharing help. Under the network, the families get closer, try to help each other in any way that they can. She said, "Even though it's far from adequate, it means a lot!" ■

*\*Taskin Fahmina is a Gender Expert working with Odhikar*



## Pillars of Hope and Strength in the Search for the Disappeared

*by Dimas Bagus Arya*

The role of women in every aspect of human life is enormous. Women are always symbolized as new life givers in various contexts of Indonesian folklore because they play a major role in procreation. However, Simone De Beauvoir in her magnum opus, *The Second Sex*, described that as an identity, being a woman signifies a relationship of long-standing oppression to man through her relegation to being man's "Other". In the Indonesian context, during the New Order, the role and identity of women were really suppressed even as they were captured in an idiom, "women's duty is to cook, give birth and take care of their husbands and children". This idiom was tied from Javanese philosophy that was indeed highlighted during the New Order government. Some political and social policies that often appeared in the New Order Indonesia were always based on Javanese wisdom.

Yet, the above facts and social constructs about women are belied in the struggles of the daughters, sisters, and mothers of victims of enforced disappearance. The humbling of a woman becomes irrelevant when we look at, for example, the struggle of the Mothers of Plaza de Mayo of Argentina in seeking justice for their children who became victims of enforced disappearance. In Indonesia, a woman who has been persistent in the struggle against enforced disappearance is the late Tuti Koto who had contributed to the formation of KontraS.



This article will attempt to describe the struggle of other strong women in Indonesia who have the courage to work toward the elimination of enforced disappearance and to urge the State to build steps to prevent its commission.

*Yulia Sofiani, the Tear from Aceh*

“Dad was taken by soldiers when he was in the fields and immediately the life of our family became gloomy and without direction,” Sofiani uttered as tears streamed down her face. Nicknamed Yuli, she is one of many children who lost their parents due to the conflict between the Free Aceh Movement (Gerakan Aceh Merdeka — GAM) and the Indonesian military. Amidst the conflict, the Indonesian army conducted kidnappings and enforced disappearances of members of civil society who were in a situation of uncertainty and insecurity. In Yuli’s case, her father was accused of being a GAM sympathizer and an enemy of the state. The whereabouts and fate of Yuli’s father have never been revealed to this day.

“After dad was abducted and his fate was unknown, mom went up and down mountains from one military post to another every day to find out about dad’s whereabouts, but eventually mom was accused by GAM of being a spy.” Yuli added, “because of that mom had to lose her life to a piece of hot metal. She was shot in front of her children and family because she was thought to have spread damaging information about GAM to soldiers.”

Yuli’s sorrow was worsened by the peace agreement between GAM and the Indonesian government that provided neither healing nor revelation of her father’s fate. “I just want to know where Dad was buried, I want to visit his grave,” she says, while holding back her tears. Various efforts had already been pursued by Yuli, including urging the local as well as national government to reveal the truth and provide access to healing to victims of the conflict through audience as well as through public demonstrations.

*Damaris Hutabarat, the Agonizing Search for Her Son*

Damaris Hutabarat may have already had a bad feeling when hearing that her second child, Ucok Munadar Siahaan, could not be contacted by his friends at the time of the May 1998 riots in Jakarta. She uttered, “The night before Ucok went missing, he had said ‘Mom, can I sleep next to you?’” That premonition became a reality when there had been no news from Ucok for two days. Thus Damaris and her husband visited every police station, military office, and also hospital, but not one was aware of Ucok’s whereabouts. Finally, Damaris and her husband approached KontraS and found out that many other families reported that their loved ones had gone missing when the riots broke out.



Ucok's disappearance caused Damaris to experience shock and trauma, her mental condition became shaken and it affected her physical health. Damaris was no longer able to walk normally because of a problem with her hipbone, but that issue never slowed down her steps in her fight to find out the fate and whereabouts of her child. Damaris along with other victims' families became involved in the collective Indonesian Association of the Families of Missing Persons (Ikatan Keluarga Orang Hilang Indonesia — IKOHI) as well as KontraS in taking every step to exact accountability from government and to take responsibility for the acts of enforced disappearance committed by the state. These efforts resulted in actions such as a recommendation from a Parliamentary Special Committee (Pansus DPR) regarding the cases of disappearance of activists in 1997-1998 as well as the classification of those cases as gross human rights violations. But the path to Ucok's whereabouts was still not in sight. "I just want to know where Ucok is before I die," Damaris resolved.

The women family members of the disappeared have suffered in Indonesia, yet their stories are inspiring and motivating. Despite many obstacles, these women have survived and provided for their families, while keeping the struggle to find the disappeared alive. ■

## Half Widows' Steadfast Struggle for Wholeness and Survival

*by Parvaiz Matta, Campaign Officer*

Women are the worst sufferers of the phenomenon of enforced or involuntary disappearances in Indian-administered Jammu & Kashmir. The wives of the disappeared, known to be half widows in Kashmir, face various economic, social, and emotional insecurities. It is noteworthy that most disappearances have occurred in rural areas, where women generally enjoy less economic and social independence to begin with. The absence of husbands thus forces them to be economically reliant, most often on their in-laws, even as their property and custody rights are undetermined. Further, the uncertain nature and duration of the absence opens women to scrutiny and policing by their society as well as to threats, extortion, and manipulation by those in positions of power.

These various insecurities are compounded rather than addressed by the legal and administrative remedies. The punishing nature of the legal process including delays, costs, and harassments discourages the half widows from availing themselves of the remedies. Amid lots of odds and domestic challenges, the women members of Association of Parents of Disappeared Persons (APDP) have been struggling hard enough to search for their disappeared loved ones as well as to endeavor to do their best to seek truth, justice, and reparations.

### *TALE OF TAHIRA'S BATTLE*

Tahira Begum is from North Kashmir's Baramulla District, a half widow, who has been fighting to trace the whereabouts of her disappeared husband in the midst of diverse challenges including raising her children and sustaining her disconsolate family.

Tahira Begum, 45, an executive member and spokesperson of APDP in Indian-administered Jammu & Kashmir lost her husband on 10 December 2002. Tahira had

been married to Tariq Ahmad Rather 10 years before he disappeared. Tariq Ahmed, the father of three sons, was a mason by profession and worked in the Uri Civil Project in Baramulla district, a highly militarized border area in North Kashmir.

On 10 December 2002, Tariq left the house to go to New Delhi for an interview. He was in search of a better future. After leaving the house, he got into a shared cab to get to Baramulla Town, from where he would take another bus to Srinagar. He was last seen in Baramulla Town by a minor girl who happened to be his relative. Tariq had given her some chewing gums before he boarded the bus, subsequent to which no one ever saw him and nothing divulged as to where he vanished.

Tahira recounts that her husband was busy with his routine and was not affiliated with any political or any other activity which could have led to his enforced disappearance. On 10th December Tahira's husband left home saying that he would call her after reaching New Delhi. She continues to await that call. In those days there were no cell phones in Kashmir through which Tahira could contact her husband after he left home. When she did not receive any call for many days, she got restless and began searching at her in-laws' house and also visited many relatives and other places, but failed to find any clue. After two weeks of intensive search she approached the police and requested the filing of a missing person report. The Police was reluctant to lodge the report and instead made her visit the police station multiple times where she would be asked to wait for hours.

Recollecting the wretchedness of the Police Department, Tahira said that often the police would make her wait outside for some time and then they would keep staring and ogling at her as she was a young woman longing to trace the whereabouts of her disappeared husband. To avoid any harassment she started to wear the burqa to cover her body before visiting police stations, jails, and army camps in search of her husband. Neither did the police file a missing report nor did they investigate the disappearance of her husband.

Then Tahira would be accompanied by her brother to look for her husband. Whenever they heard about any rumor or information, they would rush to the place to ascertain about Tariq, but in vain. None of their efforts became successful. According to Tahira, she visited many jails including Udhampur jail, which is over 350 kilometers from her home when she heard that one Tariq Bhat was detained there, but it was not her husband.

Tahira remembers how her initial days and months passed in gloom after the disappearance of her husband. Many a times she would walk into the market or on the road side aimlessly and she met several accidents. Tahira was so depressed and often thought it best if her life ends forever. She remembers that during initial days they had nothing; her three kids namely Mudasir Tariq (Eldest), Rayees Tariq and Sahil Tariq (youngest) did not even have any shoes. She said, "Sometimes there would be no rice, no vegetables, and no milk. And when the kids would say, 'Mummy why don't you eat,'

I would say, 'I just did, don't you know?'" She was devastated due to the disappearance of her husband. She added that during the initial difficult days, her eldest sister would covertly give her some pulses, some grain, but of course her duty was towards her own family. Then, Tahira recognized that she has to battle to trace her husband and more importantly to bring up her kids with dignity.

Tahira took care of herself and her children and began doing domestic chores in peoples' homes to feed herself and her children. She went to assist in household work and made paper bags out of old newspapers for shopkeepers to provide for her family's needs and to support her children's education. Later, she also did some darning work for a local tailor. She strove hard to survive along with her three children. On one hand she carried on the relentless search for her husband and on the other hand she did continue her hard labor, day in and day out to meet her family's daily expenses. She would spend most of her hard earned money on searching for her husband.

Tahira maintains that she was 16 and her husband Tariq was a few years older than her when they got married after having a love affair. Soon after their marriage, the young couple had many domestic disputes with Tariq's parents which prompted them to move to New Delhi for some period. Then Tahira's father helped the couple and brought them back to Kashmir. According to Tahira, she had very little family support from her in-laws. Her in-laws were never happy that their son had chosen her. They also blamed her for her husband's disappearance and censured her for being a bad omen to him. She had a very difficult time living with her three kids in Baramulla and her social circle had also become stifling for her.

Then in 2003, one representative of APDP visited Tahira's home asking about her husband. The representative asked her how she made ends meet and also informed her about a stitching center for women in Srinagar where she could work. Tahira said, "There was nothing holding me back in Baramulla, so I moved to Srinagar. For five years I lived there in a tiny room with my three sons. Our landlords were very helpful. They would send over food and even buy clothes for my youngest. But we had to leave because, well, you know, my eldest son got pretty big. And it was one room. I used to sleep with half my legs into the kitchen."

After moving to Srinagar, Tahira started to work with a beautician. She would receive some salary on monthly basis to meet part of her daily expenses. Apart from working as an employee, she also did some beautician work from her rented home for local women who could not afford the beauty parlors. Despite family challenges, Tahira started to actively participate in all the campaigns and programs of APDP. She would take part in protests, sit-in programs and various other events held by APDP about searching for the disappeared persons.

Over two years later, Advocate Parvez Imroz, Patron and legal advisor of APDP, filed a writ petition requesting the Court to order filing of the long-overdue missing report on 31 March 2005. Like other cases, Tahira's case continues to be pending before the Court

as the Judiciary in Indian-administered Jammu & Kashmir is ineffective and unproductive in terms of searching for the disappeared persons or investigating the alleged human rights abuses.

Tahira continues to feel very insecure even now, when her sons have grown up. She is furious at the recent spate of violence in the Valley against young boys. Both her sons had been beaten in 2010 and 2016 by the police. She said, "My sons were beaten on the false charges of being stone pelters even as I pleaded for their innocence but I too got few blows and even the security personnel misbehaved with me and used abusive words." But she doesn't delve deep into her own insecurities or experiences as she always remains concerned and anxious about the security of her children.

Tahira is proud that despite facing difficult times, she never abandoned her children. She explains that her children are the reason she did not re-marry. She received many offers for remarriage, but she always said no, because she had vowed to live with memories of her husband until the truth is revealed about his whereabouts. She was also determined to give proper parental care to her children and raise them for a better future.

Braving all the challenges and woes, Tahira continued her struggle. Despite the challenges she endeavors to provide better education to her children. Tahira's eldest son Mudasir is completing his bachelor's degree. He also does some part time work with his uncle to support his educational and other basic needs. Her middle son after completing his Higher School started to work with some Transporter, while the youngest Sahil, a passionate cricketer, has also recently earned an engineering diploma after completing his schooling. After a decade-long battle Tahira managed to buy a piece of land in the outskirts of Srinagar and constructed her own small house. Nowadays she continues to work as a beautician in a parlor and lives a slightly better life with her three sons. Her burden of paying rent has ended and she is in an improved position to take care of her family.

Apart from raising her kids, Tahira also played a vital role in the struggle against enforced disappearances. She assisted in documentation of disappearance cases from North Kashmir and helped in linking many families with the APDP in the struggle against enforced disappearance in Indian-administered Jammu & Kashmir. Moreover, Tahira also travelled to far-flung areas of north Kashmir's Baramulla district and successfully helped in research and documentation of unknown and unmarked mass graves in Kashmir. She intends to assist in documentation of mass graves as she feels that her husband might be interred in any of these graves. She also believes that many of the disappeared in Kashmir might have been buried in any of the documented unmarked mass graves.

Initially Tahira was optimistic when the Government's State Human Rights Commission recommended a comprehensive forensic investigation into all the unknown, unmarked mass graves but all her hopes were shattered when the state government expressed

its unwillingness and inability to conduct such investigations. Tahira continues her fight and is determined that even if her husband is no longer alive, at least she will come to know about his fate and one day she along with all other families of the disappeared will get justice. ■

## A Daughter's Lamentation

*by Puja Shahi & Om*

My name is Puja Shahi. I am from Bardiya district of Nepal. My father Hukum Bahadur Shahi, was forcibly disappeared 17 years ago by the State during the Maoist armed insurgency. At that time, I was just three years old.

Since I was then a small girl, I don't remember what he looked like nor do I have any memory of the moments that we spent together. However, when I grew up, I started feeling his absence whenever I saw my friends walking and playing with their fathers. The realization that I could not have the same life as my friends put me in distress. Everytime I saw my friends holding their fathers' hands, I would cry because I missed my father. I even hated it when someone else would call me "daughter" because I couldn't get love and affection from my father.

My friends had a complete family with their father, mother and siblings but in my family, my father was missing. So, his absence started to make me feel hollow. My mother and I often shared this grief. As I grew up, I often used to imagine myself as a three-year-old girl playing on the lap of my father and chuckling and giggling happily saying "pa..pa..," sometimes toddling by grabbing his fingers and sometimes getting angry when my demands were not fulfilled. But often that sweet and happy imaginary world was destroyed by the harsh reality that I didn't have my father with me.

Because of the absence of my father, we had to face a lot of financial as well as social problems and challenges. I often heard the word 'orphan' as I grew up. The society had a feeling of pity towards us and we felt the same for ourselves. My father was the sole breadwinner of our family. So, with him being disappeared, there was no one to support our family. It was through the courage and hard work of my mother alone that we were able to survive through the hardest times of our lives.

Sometime I imagine that if my father were here with us, life would have been



much easier and we wouldn't have suffered this much. We could have lived a happy life with my father—the protector, supporter, guide, and breadwinner of our family.

Every Father's Day brings me grief reminding me that I don't have a father. I see my friends and relatives visiting their fathers and praying for their good health and long life. But alas! Me, the poor creature, can't even offer my father a gift and pray for 'good health and long life' or say 'rest in peace papa' as I don't know whether he is still alive or already dead. I just can say:

*Oh! My papa, where are you?  
We are waiting for you to come home,  
Your li'l daughter is missing you,  
Praying for your safety—me and mom.*

## Rose

*by Jan Joy Louise Crismo*

I spotted her at the mall entrance looking very smart in a striped maxi dress. She led me to the parking lot. Noting my surprise as she got behind the wheel, she explained, "I only drive short distances; and the traffic enforcers are more considerate to senior citizens." We were on our way to Binan, Laguna, where one of her sons' office was located.

Now 63, Rose looks so much younger than her age. And with her smiling face, one could never guess the anguish she holds in her heart.

Rose is the third and only girl among the four Acebedo siblings. She used to be an organizer in the anti-martial law movement along with her older brothers, Roy and Nolito, and their youngest brother, Boyet.

In 1975, her older brothers went to Mindanao to work fulltime as peasant organizers. A few months after arriving there, they were forcibly disappeared on separate incidents. Roy was captured when soldiers raided a house where he was attending a meeting and was later killed, while Nolito was killed by military men as he was on his way to another town. The brothers' bodies were never found. Years later, her youngest brother went to Mindanao to confirm the veracity of their brothers' disappearance. In 1985, he was also killed.



Rose always thought of her brothers, especially when the youngest one died. “It seemed scary. I felt that I was fighting against the world alone,” she says.

To this day, Rose finds it very difficult to talk about her brothers’ fate. Once she was asked to share her family’s experiences during Martial Law. “My blood pressure shot up and I was rushed to the infirmary; it would not go down until after two days,” she recalls.

She wishes she could have gone to therapy and psychosocial sessions that the Families of Victims of Involuntary Disappearance (FIND) had organized before. She laments that had she joined the therapy sessions, she would have been able to release her pain or forgive her brothers’ captors, like how others have been able to. Instead, she busied herself with supporting her children.

As she tries to cope with her brothers' fate, she lives in pain every day. "The pain of my brothers' deaths does not fade away," she says. "It is like a fresh wound that never heals, and I live with it every day."

Rose left the mass movement to support her family when her children were growing up, but now she has involved herself in the human rights work again. "I have accepted that I must continue their beliefs," she says. She added that she wants to help in the work of FIND because, "the memories of my brothers and friends are here."

Rose wants other FIND members to be active again, too, and so they are planning for a FIND members' General Assembly to be held in November 2019. More importantly, she engages their local government in Muntinlupa, as well as the organizations there, regarding human rights. Currently, she is working to persuade their local government in Muntinlupa to pass two measures: a resolution urging the House of Representatives to pass the Human Rights Defenders Bill, and a city ordinance on the protection of human rights defenders. They held a dialogue last July, and the local organizations' presidents seemed interested in the topic. They are set to have another consultation among local organizations this September, where they intend to sign a resolution that will hopefully pressure their city council to listen, and to pass the said resolution and city ordinance.

Rose is still in pain; she has not moved on yet. She does not know when or how she can be healed of the pain but she continues the fight because she wants the state to realize that it should be the one protecting, respecting, and fulfilling the rights of every Filipino, especially the marginalized. ■

### **"Neither Dead nor Alive"**

*by Amina Masood Janjua\**

Sabiha Begum, a poor yet proud Pashtun mother who lives in Peshawar is putting up a great fight against enforced disappearances. Sabiha is, in fact, a face of constant hope, resilience and courage, whose story of tragedy, heartbreaks, and hope began in 2001. The story revolves around Abdul Sattar who was the eldest son of Sabiha and Abdul Gaffar. Abdul Sattar, the father of two sons worked as a coach driver for a living. The wagon would go on different routes but mostly from Peshawar to Rawalpindi and back. One day after breakfast, Abdul Sattar kissed his sleeping boys and hugged his wife who was in the family way and looked beautiful.

Without making any noise, at the first light of dawn he slipped out of his tiny room. The next room opening in the veranda was of his parents and four younger siblings. Right outside in the veranda, Sabiha found him and fondly kissed and hugged her handsome son of whom she was so proud. “Come back before nightfall son,” she said as usual. Sabiha had five other sons who were healthy and naughty, keeping her hands full all the time.

*That day, the 16th of September, 2001 Sabiha’s world darkened.*

The house was out of order and she was shouting at her naughty boys for making a mess but for some unknown reason her heart was throbbing fast and she felt very sick and weak. As night fell without Abdul Sattar returning,



both parents were upset although the young boys in the home played on and were making high and low noises as usual. Abdul Gaffer became restless enough after sunset and went out to search for his son. He returned at dawn unsuccessful. His dejected face was enough to tell Sabiha what had happened. She started crying on top of her voice, not being able to cope with the situation. All of a sudden, the young boys of Abdul Sattar came and hugged their grandma. All of a sudden Sabiha stopped sobbing and wailing and started to calm the kids by taking them on her lap. The frozen gaze of Abdul Sattar’s wife standing on the veranda, silent and tearful, was chilling.

That day Sabiha made a tremendous effort to make herself brave, and since that day she gathered strength and stood up for the whole household.

A week later, the sky had fallen on Sabiha's family. The police found the coach standing midway between the routes somewhere hidden in the jungle. There were no passengers or driver inside. The same vehicle was stopped by the security check post on the way and maybe some wanted persons were spotted in the vehicle and were taken into custody along with the driver. The policeman made up an exclusive story. It did make sense in those days as cases of abduction and enforced disappearances were on the rise.

Sabiha's husband became famous and known as Parvana Baba. He took his cycle and travelled throughout Pakistan, trying to find his son. Both Sabiha and Parvana Baba came to meet the Chairperson of Defense of Human Rights (DHR), Amina Masood Janjua, in September 2006 and joined the camp outside Parliament House. In the same year, Amnesty International's team visiting Pakistan and DHR organized a conference on the disappeared and Sabiha and Parvana Baba joined it. They were interviewed and reported in international media and that was the turning point of Sabiha's activism in search of her son.

DHR organized a grand protest for the release of a hundred victims of enforced disappearance on 28 December 2006, in which Sabiha and her husband participated. Hundreds of families of disappeared citizens were on the Mall Road of Rawalpindi, preparing to take the first few steps in a rally, when police and paramilitary forces went loose on the families of the disappeared and started a brutal baton charge and crackdown. Women were cordoned off and forcibly taken at an undisclosed location in the police bus, with the children.

Sabiha was carrying the youngest son of Sattar, then 4 years old, when she and Parvana Baba fought bravely with the police to prevent them from beating the protestors and young children. Many women fainted with shock and grief. The world media reported the incident and criticized the brutal use of force on aggrieved families by the Musharraf regime. That day marked the downfall of Ex-President Musharraf. He resigned and left the country in 2008.

Sabiha's courage was undeterred even after that day's blatant violations and crackdown on young women and children. She decided to join the campaign of Amina Janjua on a daily basis, never looking back to the peace of her home. Sabiha was with Amina in a 13-day and night camp which started on 1 November to 13 November 2009. She carried with her Abdul Sattar's youngest son Abid, who was six years old—the youngest activist in the

small igloo tent outside the Supreme Court of Pakistan. Sabiha's mud house fell in 2017 but it could not stop her from being part of the struggle for the disappeared. She took heavy loans and pulled herself together braving whatever crises, grief or tragedy that came her way. On Eid day in 2012, Parvana Baba was shot dead by a random person who ran away and was never held accountable. It breaks Sabiha's backbone as well as her heart but she knew giving up is not an option.

She often tells her story in the protests camps of the disappeared organized by DHR and although she is now in her 70s, getting weaker, she is still fighting for truth and justice. Reflecting upon her relentless grief she says that, "This grief has left me neither dead nor alive." ■

-----  
 \* *Amina Masood Janjua*\* Council member AFAD,  
 Chairperson of DHRP and 25th July 2019

## **"Grief Was a Luxury I Couldn't Afford"**

*by Ji-yoon Lee, Citizens' Alliance for North Korean Human Rights*

Since 1950, the Democratic People's Republic of Korea has engaged, on a large scale, in the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons from other countries. One hundred thousand South Korean civilians were abducted by the North Korean government during the Korean War alone. Since the signing of the Korean War ceasefire agreement on July 27, 1953, at least 3,835 persons were abducted and taken to the North. Of the post-war abductees, 3,310 persons were returned to the South within one year of abduction, and nine abductees escaped and returned to the South as of 2014. The South Korean government acknowledges that at least 516 abductees remain in North Korea. The majority of the victims were male; especially in unresolved cases of enforced disappearance from the post-war era, over 98% of abductees were male, fishermen who had worked on vessels near the maritime border between the North and South.

Many of the post-war abductees were the head of their households, earning very little but still able to support their families. After losing the main breadwinner in the family to the North Korean abduction, victims' family members suffered financially to an even greater extent. Literally living from hand to mouth, the wives left behind usually did not even have time to feel sorrow or to seek justice for their missing husbands and instead had to work hard to take care of their children. However, available jobs to women at that time were merely minimal chores; they usually dried fishes and squid for a living or travelled around cities to sell goods in small quantities. Their income was often not sufficient to sustain the whole family. When there were too many children to support, such financial difficulties even led to family separation.

Beyond the financial burdens, the family members of abductees to North Korea also had to endure severe surveillance from the South Korean government, since the ideological conflict between South and North Korea was at its peak in the 1960s and 70s when 89% of the North Korean abductions occurred.

Rather than recognizing abductees as victims, South Korean authorities often accused them of being potential North Korean spies; remaining family members of the abductees were subjected to intense and intrusive investigations, with some even tortured during interrogations. Therefore, the victims' families often tended to stay silent rather than seek truth and justice. For instance, one of the abductees' wives, Mrs. Kim, gave testimony that she was a victim of constant South Korean surveillance. Her son always had trouble finding stable jobs in major South Korean companies. Because the copy of his resident registration contained information about his father's disappearance, he could not pass preliminary background investigations in order to be hired. Moreover, whenever there were changes in Mrs. Kim and her son's address and occupation, policemen showed up and asked questions. Her son was sometimes taken to the police office without prior notice and interrogated for days. Due to such conditions, Mrs. Kim could not take action to seek justice for her husband. Her story is not an exceptional case, but rather a common narrative given by the abductees' family members.

In October 2007, the "Act on the Agreement after the Abduction Victim Compensation and Support for the Military Armistice" was enacted by the South Korean government. Based on the Act, the Abducted Victim Compensation and Support Committee of Republic of Korea conducted numerous investigations, and the Ministry of Unification published the white paper "The compensation and support to the victim of post-war North Korean abduction" on October 26, 2011. The white paper includes a list of



abductees and relevant information such as their names, birthdays, dates of abductions, and circumstances surrounding abduction. The list was used when the government gave compensation to victims' family members. However, the compensation amount remained minimal. The South Korean government has not taken enough actions to cure the emotional and financial damages from the families' loss: the social and economic disadvantages that the victims' family members had to endure for decades; more practical measures need to be discussed. Moreover, the South Korean government has classified the South Korean victims of abduction and their families as separated families, not victims of enforced disappearances. Proper classification is a significant issue because enforced disappearance, unlike family separation, is considered an international crime.

There is not much time left for resolving the crime of enforced disappearance. As of 2019, more than 60% of abductees are over 70 years of age. However, the North Korean government has categorically and repeatedly denied the charges. Regarding the 516 unresolved cases of the North Korean post-war abduction of South Korean citizens, the Citizens' Alliance for North Korean Human Rights has focused on raising awareness and documenting the cases. Eighty-four (84) relevant petitions



were submitted to the UN Working Group on Enforced or Involuntary Disappearances by 2018. Amongst them, 64 cases were transferred to the DPRK. However, the DPRK government repeatedly responded that it had nothing to do with the enforced disappearances.. Although the petitions are based on thorough investigation and testimonies of victims' family members, the North Korean government categorically rejected the cases. This response is consistent with its answers to the questions about the South Korean abductees' fates during its third cycle of Universal Periodic Review in 2019. The North Korean government "affirmed that the abduction of other foreign nationals other than the Japanese does not exist."

Not knowing their loved ones' whereabouts and fates, families and relatives of the disappeared experience continuous mental anguish. To break the chain of sorrow, the North Korean government needs to admit to its abduction charges and clarify the fates of the 516 victims of enforced disappearance. It is also necessary to allow an independent assessment to determine whether those abducted willingly chose to remain in the DPRK and to provide a line of communication between surviving victims and their family members in South Korea. The South Korean government and the international community need to cooperate and pressure the North Korean government accordingly to induce North Korea's compliance to such desirable actions. Only when these measures are realized will both the enforced disappearance victims and their families be rescued from the limbo of endless suffering and longing. ■

## While Darkness was Surrounding Me...

by *Vyshnavi Manogaran*

Sri Lanka has one of the world's highest numbers of disappearances, with a backlog of between 60,000 and 100,000 alleged disappearances since the late 1980s. Today, post-war Sri Lanka is seeing a rapid and widespread infrastructure development within rural and urban areas that has never been seen in the country before. But the sad reality is that the family members of the disappeared still have many difficulties in leading their lives, specially the women-headed families. Two women from South and East still fight to know the truth and to get justice done.

Seetha, a Sinhala woman from the South, is a victim of youth-unrest related crisis in 1989. In 1988 her husband was made to disappear by the military.

She clearly remembers one dark night when six military officers came and took her husband with them. She tried to stop them, but was unable because the perpetrators threatened to kill her.



As her residence (Quarters) was situated on a hill top, she could see the Army camp situated at the foot of the hill. Thus, when the armed persons took her husband away she watched the light of the vehicle moving from her quarters up to the Army camp. Then after about one hour some vehicles left the army camp.

Next day in the early morning she went to the Army camp to inquire about her husband but they said they never took him in and chased her away. Like the other women she also searched in every camp in the area but did not get any news about him.

Seetha had gotten married to her husband without her parents' consent. So no one from her family helped her during that period. Though she went under lots of difficulties, she faced the challenge with her three year-old daughter as she engaged in many income generating projects.

Sri Lanka has a very dark history in the past thirty years. A critical civil war took place and it came to an end on May 18, 2009. War is over but wounds are not.

Veena is a victim of war from Batticaloa district. During the last stage of war she joined her husband, who was in the North, with her children. They all had to be on the move for many months with the other people in the North due to the war. When the war was over on 19th May 2009, they came out of the "No War Zone area" to the Government controlled area.



Under the orders of the Sri Lankan army, many surrendered as possibly having had some connection with Liberation Tigers of Tamil Eelam (LTTE). Veena's husband was also one of the surrenderees. Veena was admitted to the hospital as she was about to deliver her third child, a girl, and when she came back there was no news about her husband. Though she inquired from the army, ICRC and every relevant institution, no one gave her an answer. Even under the new government there was no answer, despite the promises of the President, Prime Minister and other ministers to reveal the truth about the surrenderees.

She was left behind with two sons (five and three years old, then) and the daughter who had no idea about her father. She encountered lots of difficulties bringing them up.

The Geneva resolution 30/1 gave new hope to both women, Veena a Tamil and Seetha a Sinhalese.

These courageous women, now struggle to get the Geneva resolution implemented by the government. Though the government is too slow in fulfilling the promises, yet there are moves in that direction.

Both Seetha and Veena hope that the government, after 30 years since the massive disappearances took place in Sri Lanka, will fulfill its promises. They now both take the leadership in their respective districts, organizing the family members in getting the Geneva resolution implemented. ■

## Women Building Justice and Democracy in Argentina

*By Amy Rice \**

Three mothers from different age groups, provinces, and families of Argentina may have commonalities and differences, but the tragedy of enforced disappearances made these three women become part of the same struggle for truth and justice. They share the same pain of not knowing what happened to their loved ones. They need answers, and they deserve justice. It is also their common fate that transformed their individual pain into collective action. Since that day of convergence they were never alone again.

Rosa Roisinblit's daughter, Patricia, was kidnapped by the armed forces in Buenos Aires during the last dictatorship (1976-1983). Patricia was a popular activist, had a daughter, and was pregnant. She was taken with her husband on 6 October 1978 and, before she gave birth to her son, Patricia was moved to Escuela Superior de Mecánica de la Armada (ESMA), one of the most known detention centers in Argentina during that time. Her daughter was given back to the family, but by the testimony of other prisoners, Rosa got to know that her daughter had a baby boy in November 1978 but he was given away. In Argentina more than 500 children were taken from their families and given for illegal adoptions by other families as part of a systematic plan.

Rosa tried to find Patricia, her husband, and the baby, and after a while she decided to join a human rights organisation called Abuelas (Grandmothers) of Plaza de Mayo that was founded in 1978. With other grandmothers like her, Abuelas already has found 130 of the stolen children.

In 2000 Rosa found her grandson, Guillermo, but she decided to keep working as always. She is the vice president of the organisation. Just a few weeks ago Rosa celebrated with her colleagues, Guillermo and other grandchildren her 100th birthday. She said that she will continue this struggle until the last missing grandchild will be found because her individual case a long time ago became a collective one.

Rosa Schoenfeld de Bru's son, Miguel, was a university student in La Plata, capital city of the Province of Buenos Aires. He used to live with a group of friends in a house in the city center. They were involved in different cultural, political and social activities. In 1993, he and his friends had problems with the local cops so Miguel decided to denounce them. Miguel, a journalism student, was disappeared on the 17th of August 1993. The family knew from the investigation that he was taken and tortured to death by the police. The trial exposed the prevailing culture of impunity, made worse by the collaboration between judiciary and corrupt police. The officers never revealed what they did with Miguel's body.

Miguel's friends joined Rosa and the family in their struggle. They founded a commission and since 2002 they became an organisation that helps young people and those who were victims of police abuse from Buenos Aires. Rosa, like the others, seek truth and justice. Every August they organize a vigil all night in La Plata with a main question "¿Dónde esta Miguel?" (Where is Miguel?) The urgency of the answer reverberates until now.

Susana Trimarco's daughter, Marita, used to live with her husband and little daughter in San Miguel de Tucuman, capital city of a province in the north of Argentina. On 3 April 2002, she went for a medical appointment and disappeared. She was kidnapped by a sex trafficking gang supported by corrupt policemen, politicians and judges. Her mother searched for her and got involved in brothel rescues where she met and saved more than 100 victims like her daughter. She discovered that Marita was taken to different brothels around the country, but Susana never found her. This case helped to show the impunity of human trafficking gangs in Argentina where every year young ladies go missing because of the same crime. In 2007 Susana founded an organisation to support human trafficking survivors and their children. They also worked in education programs and in designing public policies to prevent this from happening to other families. Marita's daughter, Micaela, and Susana still struggle for truth and justice with the same love and strength as when they started.

Enforced disappearance during a dictatorship is not the same as that committed in the context of police violence or human trafficking. But there are points of connection. Without the long-standing culture of impunity among the security forces in Argentina after dictatorship, it would have been difficult to have this awful level of impunity and corruption in police, justice, and local administrations. Also worth noting is the accountability and responsibility of the State as security forces in the three aforementioned cases. The State did not guarantee the right to life and the right to be protected from enforced disappearance of Patricia, Miguel, and Marita.

Without the human rights movement and the sustained efforts of the mothers, grandmothers, and families of the desaparecidos, our democracy would be much weaker. Thanks to these amazing women, Argentina was able to keep the memory of the desaparecidos alive. Because of these women, we are more aware of these human rights violations and we ourselves decided not to accept this situation anymore. Because of that, since 2004 we were able to start to judge and condemn the perpetrators of the dictatorship. Only when justice became truth, were we able to say that impunity was over. And to have this in order is the first step to build a different reality.

The struggle of Rosa and the Mothers and Grandmothers of Plaza de Mayo inspired Rosa, Susana, and other victims and their families to stand for justice, and to do it in a collective way. In Argentina, every year the women's rights movement grows and there are a lot of women to thank for that. These incredible mothers are the focal point of the struggle because they taught us to fight with love and strength for equality, justice, democracy, and solidarity. Until when? Until we find our desaparecidos and desaparecidas. Until we create a better world for us, our community and our families. ■

*\*Amy Rice Cabrera has a Degree in Political Science and a human rights activist.*

**References:**

*Abuelas de Plaza de Mayo: <https://www.abuelas.org.ar/>*

*Asociación Miguel Bru: <http://www.ambru.org.ar/>*

*Fundación María de los Ángeles: <http://www.fundacionmariadelosangeles.org/>*

## Enforced Disappearance in Asia: Existing Laws, Challenges and Way Forward

*By Mary Aileen D. Bacalso*

On the occasion of the International Week of the Disappeared, Nepal NGOs, INSEC and Advocacy Forum, in cooperation with the Asian Federation Against Involuntary Disappearances (AFAD) and the International Coalition Against Enforced Disappearances (ICAED), organized a workshop entitled: “Enforced Disappearance in Asia: Existing Laws, Challenges and Way Forward.” Sponsored by Bread for the World/Protestant Development Service, the conference aimed to discuss the then newly adopted UN Guidelines for the Search of Disappeared Persons. The workshop was participated in by a huge number of victims from various parts of the country and AFAD representatives from Bangladesh, the disputed state of Jammu & Kashmir, Indonesia, Laos, Nepal, Pakistan, Philippines, Sri Lanka, and Timor-Leste. The Swedish Amnesty Fund generously supported the participation of representatives from the International Coalition Against Enforced Disappearances (ICAED) from FEMED of Algeria, FEDEFAM of Argentina, We Remember-Belarus, ASOFAMD of Bolivia, Pro Busqueda of El Salvador, United States of America and the Philippines.

*The conference had the following objectives:*

- To share country-specific situations on EDs and the best practices in search of disappeared persons, taking into consideration facilitating factors, stumbling blocks and recommendations;
- To discuss the UNCED Draft Guiding Principles for the Search of Disappeared Persons, sensitize the stakeholders and seek their feedback and input from an Asian context;
- To pressure authorities to bring the law governing the CIEDP in line with international standards and Supreme Court rulings;
- To discuss the role of UN mechanisms on enforced disappearance issues in Asia and other regions; and
- To discuss strategies to lobby governments to ratify the Convention in Asian countries.

Nepal Foreign Minister Pradeep Gyawali opened the program. He stated that as the country is gearing towards peace and stability, the government prioritizes truth, justice and reparation to the conflict victims.

The Vice Chair of the UN Committee on Enforced Disappearances, Dr. Rainer Huhle said that the Convention for the Protection of All Persons from Enforced Disappearance is a result of the struggle of human rights activists for 40 years. “Rather than adding responsibilities, the ratification of this Convention will create a good impression of Nepal at the international level,” Dr. Huhle said.

UN Resident Coordinator Ms. Valerie Julliard focused on the state responsibility to its citizens. Mentioning the draft law on disappearance, she emphasized that its amendment be done based on the Supreme Court decision and international standards.

Founding Chairperson of Advocacy Forum, Atty. Mandira Sharma emphasized the importance for the government to be result-oriented and should make the forthcoming transitional justice processes transparent and trustworthy by incorporating the issues raised by conflict victims, human rights activists, and the international community.



### *The Voice of the Victims*

The conference was held against the backdrop of enforced disappearances and several human rights violations in Nepal, traceable from 1951. Human rights violations were on the rise during the Panchayat era of 1981-1989 and were perpetrated against those considered anti-monarchy. Even after the restoration of democracy, state actors increased during the armed insurgency. The period of 1996-2006 witnessed the height of enforced disappearances in the country. To recall, in 2004, Advocacy Forum submitted the highest number of cases to the UN Working Group on Enforced or Involuntary Disappearances (UNWGEID).



The scourge of disappearances soared after the declaration of the State of Emergency in November 2001 and the issuance of the Terrorist and Destructive Activities (Control and Punishment) Ordinance, mobilizing the then Royal Nepalese Army. The Communist Party of Nepal Maoist (CPN-M) accordingly perpetrated the disappearances of civilians and security personnel. With glaring impunity, for more than two decades, victims' families continue to suffer vis-à-vis government's indifference towards accountability in the long delayed transitional justice (TJ) process.

In November 2006, the armed insurgency ended with the signing of the Comprehensive Peace Agreement (CPA) between the government and the CPN-M. In February 2015, the government formed the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) to deal with human rights violations during the conflict. But such commissions miserably failed to fulfill their mandate – resulting in the collapse of the TJ process. Victims filed more than 65,000 complaints at both commissions but due to absence of political will in providing the required legal framework, reform and resources, the commissions failed. There is no investigation. No case from the conflict has been examined. None of these commissions is able to even get a statement from an alleged perpetrator.

The mandate of the commission ended mid-April 2019. The government has now formed a recommendation committee headed by former Chief Justice Om Prakash Mishra to recommend commissioners for both commissions. Dissatisfied victims and human rights communities demand a credible, consultative process which should revise the TRC act in line with the Supreme Court verdict.

On April 12, 2019, four UN Special Rapporteurs and the Working Group on Enforced or Involuntary Disappearances (WGEID) wrote a joint letter to Foreign Minister Mr. Pradeep Kumar Gyawali expressing concerns about the slow transitional justice process.

There is no wonder that victim-participants of the conference expressed utter disappointment. In the presence of government representatives, a number of victims of enforced disappearances, in an emotional tone, vocally expressed their disappointment in the lack of outcomes of their incessant search for truth and justice.

### *Sharing the Asian Phenomenon of Enforced Disappearances*

Two panels were organized to share varying situations of enforced disappearances in countries where AFAD member-organizations are based. Representatives from Bangladesh, Indonesia, Laos, Nepal, Pakistan,

Philippines, Sri Lanka, Timor-Leste participated and shared the varying contexts of enforced disappearances in a region that submitted the highest number of cases to the UN.

In a nutshell, representatives of AFAD member-organizations presented the contexts of poverty and social injustice, dictatorship, authoritarian rule, internal conflict, struggle for freedom and independence, war on terrorism, war on drugs. Victims are generally from the poor sectors of society, who are bereft of resources and access to justice. Yet with the support of non-government organizations, they were able to bond themselves together to form associations. As Asian governments continue to commit enforced disappearances, they remain apathetic to the resolution of cases that occurred in the past and in fact, continue to commit more cases. As a matter of fact, in the Philippines, for instance, the government is taking efforts to “delist” the 626 cases, most of which occurred during the Marcos regime.

Except for Sri Lanka, which ratified the International Convention for the Protection of All Persons from Enforced or Involuntary Disappearance (Convention), the rest of the Asian countries where AFAD has members remain non-parties to the Convention. The Philippines has its Republic Act 10353 or the Anti-Enforced or Involuntary Disappearance Act of 2012. However, almost 7 years since its passage, the law remains to be fully implemented.

While the present situation on enforced disappearances in Asia is bleak, what is, however, a sign of hope is the reunification of more than 70 stolen children originally from Timor-Leste taken to Indonesia by soldiers during the occupation. It is a major breakthrough, attributable to both the Timorese and Indonesian NGOs. While much remains to be done by the governments of both countries, the search of the stolen children and their reunifications with their families are grand victories in the struggle for a world without desaparecidos.

The drafting of the Human Rights Defenders’ Bill in the Philippines is also a sign of hope for human rights defenders and victims of human rights violations who are facing major threats vis-à-vis the Duterte administration’s war on drugs.

### *Sharing on the Global Phenomenon of Enforced Disappearances*

ICAED representatives from Algeria, Belarus, Bolivia, El Salvador, France, and the USA presented their respective situations and expressed solidarity with the Nepalese and other Asian families of the disappeared.

Irina Krasovskaya, President of We Remember-Belarus, and wife of a disappeared businessman in Europe's remaining dictatorship, stressed the global magnitude of enforced disappearances. To wit: "Enforced disappearances are not exclusively phenomena of Asia or Latin America. Disappearances have occurred throughout European history and are still happening in Europe: Spain, Balkans, Euro-Mediterranean region, Caucasus - we still have thousands unsolved cases of disappearances.

"I am from a part of Europe called the post-Soviet world. I am from Belarus, a country situated between Russia and Poland and which, like neighboring countries, was a part of the USSR. And like other countries in this region, Belarus became independent after the disintegration of Soviet Union in 1991. Fifteen countries became independent but the problems, which created disappearances, did not vanish together with the Soviet Union's collapse. Ethnic divisions, territorial disputes, outright wars, and many forms of conflicts dominate our region. And, of course, undemocratic governments are everywhere."

Atty. Adnan Bouchaid, representative of FEMED, which brings together 27 member-organizations from the whole region, said that his federation strengthens the exchange of experience between associations of families of missing persons from the European Union, Spain, Cyprus, Bosnia-Herzegovina, Kosovo, Serbia and from North Africa such as Algeria, Morocco, Libya and from the Middle East such as Iraq, Lebanon, Syria and Turkey.

He shared, among several situations in other Euro-Mediterranean countries, the exceptional Algerian experience of a "real peaceful popular uprising that took the form of impressive and peaceful weekly demonstrations," which resulted in the departure of the former president and the imprisonment of his family, due to corruption." He further shared the FEMED experience of the Women of Srebrenica, which for 24 years have sustained their work in reconstructing historical memory so that the rights of massacre victims are respected and that truth and justice are attained.

Atty. Adnan also shared that Spain's regional government created the program for genetic identification of missing persons. In 2017, the Catalan Parliament adopted a law related to the compensation of victims of the Franco government. FEMED's member in Catalonia is very active on the issue.

FEDEFAM representative Ruth Llanos from Bolivia presented the struggle for truth and justice of families of the disappeared in Bolivia. She critiqued officially sanctioned actions, publications and declarations that attempt to conduct revisionism of history and twist the reality of enforced

disappearances and other grave human rights violations that were committed in Latin America. Ms. Llanos presented examples of Argentina, Brazil, Chile and Bolivia and the responses and mobilizations conducted by organizations of families of the disappeared that would combat revisionism of history and memory. Concretely, President Bolsonaro denied that there was any dictatorship. Worse still, he prohibited the identification of remains found by the Truth Commission. Also, she synthesized the efforts of organizations of victims that led to major breakthroughs in the search for truth, justice, reparation and non-repetition.

Pamela Fabre of the Association of the Search for Missing Children (Pro Busqueda) of El Salvador, shared the best practice of finding disappeared children during the civil war and were taken for adoption mostly to other countries. Through DNA, the results of which has 99.9 percent accuracy, Pro Busqueda has been able to find almost 500 children, many of whom have been reunified with their biological families.

Andrea Barron from the Torture Abolition and Survivors Support Coalition (TASSC) in Washington DC, which provides services to survivors of torture, discussed the need to educate Members of Congress and their staff about enforced disappearances. She said that it is especially important to inform Congress about August 30, the day designated by the UN as the International Day of the Victims of Enforced Disappearances. Some Congress members such as Rep. Brad Sherman, a Democrat from California and Chair of the House East Asia Subcommittee, have already spoken out. In 2018, Sherman said: “The international community must do more to put a stop to these crimes (enforced disappearances), demand justice, and provide closure to the countless families who still cannot account for their loved ones.”

These sharings manifested the global magnitude of the crime which urges a global response. These had convinced the Nepalese victims that they are not alone in the struggle for a world without desaparecidos.

### *Sharing and Discussion on Guidelines for the Search of Disappeared Persons*

During the workshop, Dr. Rainer Huhle shared the UN Guiding Principles for the Search of Disappeared Persons (UN-CED). A better understanding from organizations working on ED will be extremely useful in the imperative fight to find disappeared persons.

Reflections during the workshop said that the guidelines are based on concrete experiences in searching for the disappeared, which will indeed

serve as a practical guide in the continuing search for the truth. It was agreed that it be disseminated to as many stakeholders as possible from government and non-government agencies alike.

That the document be translated to various languages for wider dissemination and popularization was a recommendation of the workshop participants.

Needless to say, the document emphasizes the primacy of the lives of the desaparecidos and the welfare of their families in the search process. The most ethical standards in the search process are given utmost consideration.

### *Ways Forward...*

In a press statement, the conference resolved that:

“ To prevent enforced disappearance and ensure truth and justice to the victims, the participants of the workshop unanimously made the following demands to the Asian Governments including Nepal:

- That the Asian countries ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
- That the cooperation between civil societies and victims' groups be strengthened to create pressure and awareness to increase the accountability of the government against enforced disappearance.
- That transitional justice process be completed and that institutions for protection and promotion of human rights of people be strengthened.
- That a victim-friendly law be drafted and adopted to ensure the meaningful participation of conflict victims in transitional justice process and create an environment to develop trust among stakeholders, advance the credible and impartial investigation process for the search for truth, prosecution and justice, reconciliation, reparation, memorialization and institutional reforms.
- That the recommendation process to fill the vacant positions of the transitional justice commissions should not be taken forward without the amendment of Truth and Reconciliation Commission Act, 2014 in accordance with the decision of the Supreme Court of Nepal and International standards.

In a report to the Swedish Amnesty Fund, AFAD stated that the workshop had the following foreseeable impact:

- Further sustaining of international solidarity and community of human rights workers and advocates and seekers of truth and justice. Sharing country contexts provide for the sharing of expertise and knowledge on ED advocacy and programming. International solidarity not only helps strengthen the resolve of individual HR workers but also puts more pressure on the state to take notice of the issue of ED and the plight of the victim's family.
- The fine-tuning and eventual publication of the UNCED Guiding Principles for the Search of the Disappeared Persons will help governments and advocates in handling ED cases. UNCED Guiding Principles, if disseminated and popularized, will help standardize actions and policies in relation to EDs.

The conference served as one of the many steps to respond to the worrisome situation of enforced disappearances in a continent notorious for its bleak human rights record. But the world without desaparecidos is far from being achieved. ■

Footnotes:

<sup>1</sup> [https://www.ohchr.org/Documents/Countries/NP/OHCHR\\_Nepal\\_Conflict\\_Report2012.pdf](https://www.ohchr.org/Documents/Countries/NP/OHCHR_Nepal_Conflict_Report2012.pdf)

<sup>2</sup> <http://www.ciedp.gov.np/content.php?id=>

<sup>3</sup> [https://www.ohchr.org/Docume.../Issues/Truth/OL\\_NPL\\_1\\_2019.pdf](https://www.ohchr.org/Docume.../Issues/Truth/OL_NPL_1_2019.pdf)

<sup>4</sup> [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CED/GED/15/27939&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CED/GED/15/27939&Lang=en)

*This presentation was given by Shui Meng Ng on August 30, 2019 to mark the IDD in Bangkok. Shui Meng Ng was invited as wife of Sombath Somphone who disappeared in 2012, as well as a representative of AFAD. Shui Meng was asked to speak about AFAD as well as the issue of Enforced Disappearance in the region. Also present together with Shui Meng Ng on this occasion was Ms. Angkhana Neelapaijit, wife of Dr. Somchai Neelapaijit who disappeared in 2004, and Ms. Phinnapha Phrueksaphan, wife of Mr. Porlajee Billy Rakchongcharoen who disappeared in 2014.*

## **Enforced Disappearance and the Absence of Law Concerns on Enforced Disappearance in Thailand and Asia**

Thammasat University, Faculty of Law  
International Day of the Disappeared  
30 August 2019

***Presentation  
by Shui Meng Ng***

**T**hank you for inviting me to be a part of this panel this afternoon. I will be speaking at this panel, both as a victim, wife of Sombath Somphone, who disappeared seven years ago in December 2012, and also as a representative of AFAD.

In my presentation, I will focus on three areas:

1. What is AFAD and what does it do?
2. What is the situation of enforced disappearance in the Asian Region, and
3. What actions can we take to address the issues of enforced disappearance in our society and community

As many of you are probably unfamiliar with AFAD, let me just say something about AFAD. AFAD stands for the Asian Federation Against Involuntary Disappearances.

AFAD was founded in June 1998 in Manila, mainly through the efforts of Families of Victims of Involuntary Disappearance or FIND (Philippines), the Association of Parents of Disappeared Persons (disputed state of Jammu & Kashmir), and the now defunct Organization of Parents and Family Members of the Disappeared or OPFMD (Sri Lanka).

The founding of AFAD was essentially motivated by the increasing problem of enforced disappearance in Asia, which necessitated a regional response from similar organizations working on a common issue.

AFAD grew from three organizations in three countries, now to become a federation of 14 member-organizations spanning countries of Bangladesh, India, Indonesia, Nepal, Pakistan Philippines, Sri Lanka, South Korea, Thailand, and Timor-Leste, with two (2) individual members from Geneva (Switzerland), and one (1) from Laos. And we hope that Malaysia's CAGED (Coalition Against Enforced Disappearance) will also become a member in the near future.

In Thailand, the organization Justice for Peace founded by Khun Angkhana Neelaipajit, is also a member of AFAD. I want to use this opportunity to congratulate Khun Angkhana. I am sure many of you already know that for Khun Angkhana's human rights work and dedication to the cause of enforced disappearance, she is one of the 2019 Recipients of the Ramon Magsaysay Award, Asia's Nobel Prize. So Khun Angkhana, warmest congratulations to you.

The formation of AFAD did not only help bring together organizations and networks working with families of victims of enforced disappearance. But one of the biggest achievements of AFAD was the role it played in lobbying the UN and negotiating for the adoption of the International Convention for the Protection of all Persons from Enforced Disappearance in December 2006.

Since adoption passing of the Convention, AFAD has worked tirelessly to lobby states in Asia to sign and ratify the Convention as a means to hold states accountable to give truth and justice for all victims of enforced disappearance, and to end the horrendous practice .

Now, let me turn to the issue of Enforced Disappearance in the Asia Region.

I don't think many people know that the practice of enforced disappearance actually dates back to Nazi Germany when Adolf Hitler officially adopted this tactic in an official Nacht und Nebel Erlass (Night and Fog Decree) issued on 7 December 1941. It's the official decree from the Nazi Government to use Enforced Disappearance as a tactic of terror. Indeed ED's aim was and still is to spread terror and insecurity within the whole society because victims were spirited away by State agents or by groups/individuals who acted on behalf of the State, and placed outside the protection of the law. The victims are literally disappeared into "the night and fog."



Enforced Disappearance is today still used by many states as a weapon of terror to silence political opponents, labor activists, journalists, academics, students, lawyers and anyone deemed critical of the government. ED victims cut across all social economic classes and political affiliations.

In Asia, enforced disappearance was used as a terror tactic during the Suharto regime in Indonesia, the Marcos regime in the Philippines, and throughout the civil war between the Sinhalese and Tamil ethnic groups in Sri Lanka. And despite the end of the Suharto and Marcos regimes, and the end of the civil war in Sri Lanka, enforced disappearances continue to take place regularly in these countries today. It also occurs frequently in Bangladesh, India, the disputed states of Jammu & Kashmir, Pakistan, China, Thailand, Vietnam and Laos. And recently, it also happens in Malaysia.

The UN Working Group on Enforced or Involuntary Disappearances (UN-WGEID) has, since its inception, recorded more than 50,000 active cases of enforced disappearances in 88 countries, with Asia reporting the largest number of cases.

AFAD and its member organizations have also been trying to collect and update their data on Enforced Disappearance, but we all believe that the data are incomplete because many victims of Enforced Disappearances do not report the cases.

So just to illustrate, Kashmir reported more than 8,000 cases; Sri Lanka stated that it has more than 5,600 cases “reviewed”. In the Philippines, some 2,300 people remained missing since the 1970s when martial law was declared in the country; while Nepal reported about 500 cases, Timor-Leste more than 400, India 350, Indonesia 162, Pakistan 99, Thailand 86, China 30, North Korea 20 and Laos 12. All these are cases with the UNWGEID and as stated, it’s only just the tip of the iceberg because people are not reporting for fear of reprisals from authorities.

What is worse is that in many countries in the region, enforced disappearance has recently become more prevalent. In the Philippines for example, the current war on drugs has led to many more cases. In Bangladesh, enforced disappearance cases are also on the rise with many political opponents being disappeared under the pretext of being terrorists. And now in Jammu & Kashmir and in Papua, the situation has become even more precarious as the state governments have cut off internet access and media coverage in both these places. Reports smuggled out from these places indicated widespread violations of human rights, including enforced disappearance, incarcerations, extra-judicial killings, rape and sexual abuses of children and women.

So what can we from civil society, human rights organizations, the legal professions and the academic community do to address enforced disappearance?

Unfortunately, despite the adaption of the International Convention for the Protection of all Persons From Enforced Disappearance (ICPED), countries in Asia not only continue to record the largest number of enforced disappearance cases, but also remains the region with the smallest number of countries which have ratified the Convention. To date only Cambodia, Sri Lanka and Japan have ratified the Convention. Thailand has indicated that it would be willing to ratify, but it stated that it must first review, revise and align its law to align its domestic laws with the international laws on enforced disappearance before it can ratify.

However, the ratification of the ICPED by Asian countries would be important. It would be the minimum needed to help strengthen legal protections against enforced disappearances, because the convention mandates that each state party has the duty to ensure that enforced disappearance constitutes an offense under the country's criminal law, and hold those responsible accountable for the crime. In the absence of a law that criminalizes enforced disappearance, the journey to find truth and justice would be extremely challenging.

We should also do more to provide help to the families of the victims of enforced disappearance. These families and victims need tremendous emotional, psychological, social, and economic support. The act of enforced disappearance is so emotionally and psychologically violent that it is very difficult for the families to overcome the trauma. Worse, there seems to be no end to their suffering – as many victims never come back and the families are left to wait endlessly in limbo.

More importantly, the families of the disappeared also often face social and political discrimination from their friends and even family members who want to dissociate themselves from these families for fear that they would also be politically tarnished. I have experienced this and so have others. I am sure the families of the disappeared here have many testimonies they can give of the kinds of social and political discrimination they faced and continue to face.

Last but not least, as most of the disappeared are men, the wives and mothers are left behind to bear the burden of taking care of the family. Most face economic difficulties because the main breadwinner of the family has been taken. Most have difficulty gaining access to the victims' assets for economic survival because there is no proof of death or other

documentation to prove their loved ones are disappeared. In some places women have no rights to property, etc. As a result, many victims' families face tremendous economic hardships.

Hence, support systems should be set up for the victims to render to them economic and social assistance. However, the real situation is that very few civil society groups actually work with the victims and their families. Our experience in AFAD is that the victims and their families often have to come together to form their own associations or organizations to help themselves.

But the bright side of this is that many of the victims have become fierce fighters for human rights and have become stronger in the process. In fact, most of AFAD's member organizations are actually formed by victims' families who band together to support each other and courageously fight for truth and justice for their loved ones. One good example in Thailand is of course Khun Angkhana's organization, Justice for Peace, which has grown in strength and recognition and is extending support to others.

Lastly, we need to publicize the issue of enforced disappearance more broadly in the public realm and show how unacceptable and unjust it is. Unfortunately, it still does not receive the attention it deserves even in the work of most human rights defenders (HRDs), or even within many human rights organizations. Public knowledge about enforced disappearance is limited, and even for many HRDs, the issue is still a little distant. All this means that there is a great need to systematically conduct advocacy, awareness and public education campaigns on enforced disappearance, and to put this offense in the public consciousness. The advocacy campaign must highlight the heinousness of the act, the need for justice, and the need to stop the impunity of such grave human rights violation.

To you the audience, I want to make this plea – enforced disappearance is a crime and it can happen to anybody – to your family, your neighbor or your friend. Let's pledge seriously to raise our voice and take serious and concerted actions at every venue and occasion to bring an end to this horrendous crime, not only on occasions like today, the International Day of Victims of Enforced Disappearance, but on a regular basis. Let's educate others and ourselves about the issue, and let's not be silenced.

Thank you. ■

## 2019 IDD Activities

### BANGLADESH:

Odhikar and AFAD issued a joint statement on the occasion of International Day of the Victims of Enforced Disappearances on 30 August.

While commemorating this remarkable day, Human Rights Defenders Network of Odhikar and “Mayer Daak”, a platform of the family members of the disappeared persons, jointly organised a series of programmes to mark the occasion in different areas, including Dhaka. The families of the disappeared in various parts of the country joined the programme at the National Press Club in Dhaka carrying portraits of the victims and described how their near and dear ones were picked up and in many cases how their mutilated bodies were later found dumped while the rest remain disappeared. They gave testimonies on the incidents of enforced disappearance they witnessed and named the officials who were behind the crimes.

Odhikar held rallies and discussion meetings and formed human chains with the local human rights defenders and members of the victims’ families in 10 districts of Bangladesh. Politicians, lawyers, academics, students, and cultural activists joined them. While speaking at the meetings, many families alleged law enforcers were behind their disappearance, but the government denied this. They demanded the return of the disappeared persons to their families.

Rights activists and families of the victims of enforced disappearance called on the government to allow the UN Working Group on Enforced or Involuntary Disappearances to visit Bangladesh and examine the relevant allegations denied by the government over the years. They also urged the government to ratify the International Convention on the Protection of All Persons from Enforced Disappearance since Bangladesh repeatedly denied its alleged involvement in over 500 cases of enforced disappearances recorded or reported by human rights organisations at home and abroad since 2009.

## INDONESIA:

On 29 - 31 August 2019, the Commission for Disappeared and Victims of Violence (KontraS) together with other organizations namely the Asian Federation Against Involuntary Disappearances (AFAD), Amnesty International Indonesia and the Indonesian Association of Family of the Dissappeared (IKOHI) took part in a human rights festival called “45:45 Breaking Boundaries with Survivors” in order to commemorate the International Day of the Victims of Enforced Disappearances and also organized a documentary screening titled “21 Years of Reformation, What Next?” This documentary film seeks to record the testimonies of some historical actors who were affected in the student movement 21 years ago before the reform and also the testimonies of families of victims of enforced disappearances who lost their sons during the process of fighting for reform. This documentary film is a collaboration between a youth start-up company engaged in the social field called Becoming Human (Menjadi Manusia) and KontraS.

KontraS distributed several publications on enforced disappearances produced by KontraS and AFAD.

## NEPAL:

As in previous years, Advocacy Forum Nepal, together with different human rights organizations and victims organizations commemorated the International Day of the Victims of Enforced Disappearances in Biratnagar, Janakpur, Kathmandu, Pokhara, Nepalgunj, Butwal, Kanchanpur, Dhangadi and other parts of the country. The program was mainly attended by conflict victims, human rights organizations, and representatives from the international community, government authorities, media persons, and civil society leaders among others. The activities include submission of a memorandum to the Chief Minister. Activities at the provincial level include: (Pokhara, Biratnagar and Janakpur) blood donation (Nepalgunj), and tree plantation in memory of the disappeared persons, theatre play (Kathmandu) discussion program on the day and candle vigil among other activities.

With an aim to build pressure on the government to ensure truth and justice to the victims of disappearance and to remember those who have been disappeared in the past and whose fate is still unknown, the IDD has been commemorated in Nepal in collaboration with the victims and human rights community for the past many years.

During the program, the victims' families were provided with information on the ongoing debate on Transitional Justice and human rights situation particularly focusing on impunity issues. Victims shared their painful stories and expressed suspicion and worries that they will die without knowing the truth and getting justice. However, victims expressed their commitment to continue their struggle for truth and justice. In a discussion program, victims reiterated that their demands to revise the TRC law in line with the verdict of the Supreme Court and international standards should be advanced prior to the recruitment of the officials in the TJ commissions.

## PAKISTAN:

On the occasion of the International Day of the Disappeared, Defence of Human Rights organized a conference to discuss a way forward for the victims of enforced disappearance. The conference consisted of three sessions. The first session started with the stories of the victim family members of the disappeared. They shared their struggles, stories and progress in the cases so far. The next session was based on the discussion on the proposed anti-disappearance law and the perspective of civil society, psychologists, human rights defenders and lawyers working on the issue of enforced disappearance in Pakistan. The third and the last session consisted of the perspective of parliamentarians followed by a question and answer session.

## PHILIPPINES:

In observance of the UN-declared International Day of the Victims of Enforced Disappearances, the Families of Victims of Involuntary Disappearance (FIND) and the Asian Federation Against Involuntary Disappearances (AFAD), in cooperation with Task Force Detainees of the Philippines (TFDP) and the Philippine Alliance of Human Rights Advocates (PAHRA) launched at the Bantayog ng mga Bayani (Heroes' Monument) auditorium two video documentaries.

Students from the University of Makati produced "Paglaho" ("Vanishing") under the direction of Mykee Mae Dellatan. The video focuses on enforced disappearance victims during martial law under Ferdinand Marcos. The other video, "Kasama" ("Ally"), is a FIND-TFDP-PAHRA collaboration directed by award-winning director Pia Duran. It features the challenges faced by trade union HRDs. The video also presents the struggles of a mother of an innocent boy summarily killed in an anti-drug crackdown. As she continues to seek justice for her son, the mother has transformed into a courageous HRD.

Each film screening was followed by a talk-back where the audience was given the opportunity to ask questions to the people behind the films, and to express their reactions to and opinions on what they watched onscreen. Panelists for the “Paglaho” talk-back were the producer John Philip Bravo, one of its researchers Elvira Andres, and Nilda L. Sevilla, FIND’s Co-Chairperson who was one of the two relatives of the disappeared featured in the film. For the “Kasama” talk-back, panelists were the film’s director Pia Duran, and the two HRDs who were featured in the film: labor leader and lawyer Atty. Luke Espiritu, and Nanette Castillo, mother-turned-HRD whose son was an EJK victim of the war on drugs.

The commemoration ended with deeply moving cultural performances of the DulamBuhay Philippine Playback Theater who portrayed onstage the emotions and human rights defense stories of audience members. Some 100 individuals attended the event.

## **SOUTH KOREA:**

### **NKHR Facebook Campaign for the International Day of the Disappeared**

**N**KHR with the support of the Asian Federation Against Involuntary Disappearances (AFAD) and the International Coalition Against Enforced Disappearances (ICAED) created Facebook postings that spread awareness against enforced disappearances and state-sponsored abductions by North Korea for the International Day of the Disappeared on NKHR’s Facebook page.

## **SRI LANKA:**

**T**he Families of the Disappeared (FOD) organized a campaign to handover petitions to the Swiss Embassy, Japanese Embassy, British High Commission, European Union and United Nations office on Friday 30th August 2019.

At 5:00 pm the family members of the disappeared demonstrated and picketed at the Town Hall in a peaceful way. They carried placards. Their main requests to the government were to expedite the arrangements to give the interim relief, consider about the difficulties while converting the death certificate into the Certificate of Absence (COA), seek the truth asap, take steps to completely vanish the disappearances in the future. ■



## Asian Federation Against Involuntary Disappearances (AFAD)

### Council Members



**Sazzad Hussain**  
Bangladesh



**Zahir Uddin**  
India  
(Jammu & Kashmir)



**Malik Feri Kusuma**  
Indonesia



**Zaenal Muttaquin**  
Indonesia



**Tanka Prasad Dulal**  
Nepal



**Janak Bahadur Raut**  
Nepal



**Celia L. Sevilla**  
Philippines



**Joanna Hosaniak**  
South Korea



**Pratubjit Neelapaijit**  
Thailand



**Sisto dos Santos**  
Timor-Leste



**Edita T. Burgos. OCDS**  
Philippines



**Brito Fernando**  
Sri Lanka



**Boonthan Verawongse**  
Thailand



**Amina Masood Janjua**  
Pakistan

### Executive Council

**Khurram Parvez**  
Chairperson

**Yati Andriyani**  
Treasurer

**Nilda Lagman Sevilla**  
Secretary General

**Adilur Khan**  
Executive Council Member

### Individual Members

**Alan Harmer**  
Switzerland

**Shui Meng Ng**  
Laos

**Kate Harmer**  
Switzerland