



Asian Federation Against Involuntary Disappearances (AFAD)

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AFAD COMMEMORATES THE INTERNATIONAL WEEK OF THE DISAPPEARED, 2020

Philippines (24th to 30th May, 2020): The Asian Federation Against Involuntary Disappearances (AFAD) commemorates the International Week of the Disappeared, 2020 and stands in solidarity with the families of the disappeared across continents. Most of these families have been struggling for decades to know the truth about the fate and whereabouts of their loved ones.

Amid the extraordinarily difficult circumstances arising from the COVID-19 pandemic, enforced disappearances along with torture, extrajudicial killings, arbitrary arrests and detention, and other gross violations of human rights and fundamental freedoms persist.

Declarations of national emergencies coupled with the imposition of strict lockdowns have blatantly derogated from human rights standards enshrined in international human rights instruments. It is deplorable that these transgressions assault the dignity of people who are generally poor and at the margins of society.

In this global context, where the people in the lower economic folds and vulnerable sections of the population across Asia have been exposed to additional risks, the situation of the families of the disappeared also worsens.

In Bangladesh, the poor families of the disappeared have been struggling hard to make ends meet owing to the economic shutdown. Moreover, there are innumerable people languishing in jails some of whose whereabouts are unknown to their families. Already vulnerable to COVID-19 in view of the congested jail condition, they are further put at a high risk of prolonged enforced disappearance. As Bangladesh grapples with a weak health system, more poor families including those of the disappeared worry over contracting the deadly Corona virus infection. The number of COVID-19 infections and deaths in the country is constantly increasing.

In Jammu & Kashmir, the economic hardships of the families of the disappeared have increased manifold. The Indian state imposed a strict lockdown using its military apparatus in the region, thus putting a complete halt to all economic activities. Hence, families of the disappeared have been greatly struggling to earn their daily bread. Moreover, the complete closure of the State Human Rights Commission in October 2019 and suspension of work at the courts have further delayed the justice process for the families and they are left in a state of limbo. The Government of India has used the COVID-19 situation as an opportunity to further its occupation of the region by extending the right to citizenship and domicile to people from various states of India.

In Indonesia, the authorities use the country's long-abused criminal defamation laws to crack down on public criticism of the government's response to the outbreak. It is alleged that Indonesian authorities use the pandemic as a pretext for a police crackdown on free expression. The Indonesian government has shown its apathy towards the victims of enforced disappearances by failing to ratify the International Convention for the Protection of All Persons from Enforced

Disappearances (CPED) for a decade despite many promises. It appears that within the current context, the pursuit of the agenda of the families of the disappeared shall be further postponed.

Laos has a history of curtailment of freedom of expression, association and peaceful assembly. The State exercises strict controls over media and civil society. The citizens do not ask questions for fear of serious reprisals. Even with the COVID-19 pandemic, there has been little or no information from the government. There is no trace of the disappeared citizens of Laos and the government refuses to answer questions.

In Nepal, the COVID-19 pandemic has given rise to a serious humanitarian crisis where thousands of migrant labourers have been stranded within the country without basic necessities like food and water. Thousands of Nepalese are stranded in other countries. Many have died trying to walk back home. Apart from this, the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) have struggled for survival for quite some time now. The UN recently expressed concern over conflict victims' complaints that the January consultations for amending the Transitional Justice Act were just a farce and formality. It remains to be seen whether the families of the disappeared shall have justice and whether the COVID-19 situation will be used as a cover for its delay.

On the 24th of March 2020, Pakistan confirmed the first COVID-19 positive case from central jail in Lahore, which is an overcrowded facility. At least 49 more prisoners tested positive after this case was confirmed. It is pertinent to mention that the hundreds of disappeared persons are languishing in detention centres and jails across Pakistan, some of whom have surfaced alive at various points.

It is also important to note that Pakistan's Commission of Inquiry on Enforced Disappearances (COIED) temporarily suspended its work in the wake of COVID-19 without any notice to the families of the disappeared about the fate of their pending cases. This has put tremendous psychological pressure on the families who are not able to seek answers to their questions.

In the Philippines, the implementation of public health emergency measures to contain the COVID-19 contagion has been marked by numerous violations of human rights and fundamental freedoms. The restrictive lockdown directives have resulted in arbitrary arrest and detention, torture and public shaming, enforced disappearance, and even outright extrajudicial killing of alleged violators. Most of the victims are the poor and underprivileged who are already reeling from sudden loss of income resulting in inadequate food, health and medical care, and other basic necessities.

In Sri Lanka, many human rights issues have arisen out of the COVID-19 pandemic. President Gotabaya Rajapaksa pardoned in March Sunil Rathnayake, who is a war criminal and was on death row. He was convicted of killing eight Tamil civilians, including a five-year-old. This clemency demonstrates the dysfunctional domestic process of exacting accountability.

The Office of the Missing Persons (OMP) urged the Sri Lankan government to ensure that the families of the disappeared are included as beneficiaries for ration and other state assistance schemes to alleviate the difficulties brought about by the COVID-19 pandemic. But the OMP still has not received a response from the government and the family members of the disappeared are not treated as a priority in relief distribution.

In South Korea, enforced disappearances were committed as early as 1950 as the North Korean government has systematically abducted foreign citizens. North Korea abducted 100,000 civilians during the Korean War alone, and 3,835 more after the War. Among the post-war abduction cases, 516 confirmed cases remain unresolved. The COVID-19 situation has derailed the work on ED.

In Timor-Leste, the issue of stolen children and their reunification with their families has been full of challenges. Civil society has been demanding the governments of Indonesia and Timor-Leste to fulfil the recommendation of the Truth Commission and Friendship (CTF) to establish the Missing Person Commission. For over a decade, government has shown no willingness to achieve this. With the COVID-19 pandemic to deal with, this will almost certainly get further delayed.

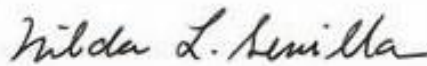
AFAD urges the States to protect human rights of the people amid this pandemic and ensure that the process of ensuring justice to the families of the disappeared is continued as the world transitions to the post pandemic period.

Signed by:



Khurram Parvez

Chairperson



Nilda L. Sevilla

Secretary-General

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The Asian Federation Against Involuntary Disappearances (AFAD) is a regional federation of human rights organizations working toward a world without desaparecidos. AFAD members are based in Bangladesh, Indonesia, Kashmir, Laos, Nepal, Pakistan, Philippines, South Korea, Sri Lanka, Thailand, and Timor-Leste. It advocates truth, justice, redress, reparation, and empowerment for the victims and the reconstruction of the historical memory of the disappeared towards the eradication of enforced disappearances.