

Asian Federation
Against Involuntary
Disappearances (AFAD)

**Year-end
Report
2011**

Year End Report 2011

Outline

1. Background

1.1 Regional Phenomenon of Enforced Disappearances

1.2 Organizational Situation

2. AFAD Activities

2.1 Philippine Project funded by Misereor

2.2.1 Campaign, Public Information and Lobby

2.2.2 Documentation and Research

2.3 Regional Campaign, Public Information and Lobby funded by the *Evangelischer Entwicklungsdienst (EED)*

2.2 ICAED Activities as an integral part of AFAD Advocacy Work, Principally funded by PSO and Pax Christi/IKV, Netherlands

2.3 Documentation and Research

2.4 Psycho-Social Rehabilitation

2.5 Coordinative Activities funded by EED and Misereor

3 Results vis-à-vis Targets

YEAR-END REPORT 2011

Asian Federation Against Involuntary Disappearances

1. Background

1.1 Regional Phenomenon of Enforced Disappearances

The practice of enforced disappearances remains prevalent in the Asian region particularly in a period wherein democracy is continuously under assault.

The issue of disappearance in Bangladesh is not a new one. Large numbers of disappearances took place during the country's liberation war in 1971. It continued even after the independence. It has re-emerged in the recent years and needs to be reversed immediately or it could herald the onset of yet another serious trend on crimes.

The latest first quarter of 2012 report of the AFAD member-organization, Odhikar states that during the last 3 months of 2012, six people have been 'disappeared' after being picked up by men claiming to be members of law enforcement agencies. The families of the victims claim that the members of the law enforcement agencies are making the arrests and thereafter whereabouts of the arrestees are becoming unknown.

However, the Minister of Home Affairs, Shahara Khatun commented on 14 March 2012 in Parliament that most of the victims of enforced disappearances have been affiliated with criminal groups and were abducted by their rivals. While replying to the question made by one Parliamentarian on enforced disappearances, she admitted the fact that some people had been abducted in and around the capital by criminals, who identified themselves as members of law enforcement agencies.

In war-torn area of Jammu and Kashmir, around 8,000 people disappeared since the onset of armed conflict across the state in 1989, who are generally attributed to Indian security forces. The Association of Parents of the Disappeared Persons (APDP) has recently found more or less 2,900 unmarked graves in cemeteries of 18 villages near the Line of Control, dividing Kashmir between India and Pakistan. Families believed that their disappeared relatives could have ended up in these unmarked graves. On 17 August 2011, the Association of Parents of Disappeared Persons (APDP) received the Inquiry Report of the Jammu and Kashmir State Human Rights Commission (SHRC) on the issue of unmarked and mass graves in Jammu

and Kashmir. The SHRC took suo-motuo cognizance on the issue of unmarked and mass graves in 2008. The APDP and International People's Tribunal for Human Rights and Justice in Indian Administered Kashmir (IPTK) were approached by the office of the Senior Superintendent of Police from the Police Investigation Wing of SHRC. The APDP has cooperated in the investigation of SHRC by submitting all relevant information, so far.

In Indonesia, human rights is still a major concern that needs to be immediately addressed particularly the impunity for past abuses including cases of enforced disappearance, the slow pace of military reform, and lack of investigations on the atrocities in Aceh and Papua. The unresolved murder of Munir, Indonesia's most prominent human rights lawyer and former AFAD Chairperson killed by arsenic poisoning in a Garuda flight from Singapore to Amsterdam on 7 September 2004 continuously undermines the rule of law with the acquittal of Major General (ret.) Muchdi Purwopranjono. The cases remain unresolved.

The Commission on Inquiry of the Disappearances that is investigating the case of 13 Indonesian Activists of 1997 -1998 came up with a four-point recommendation to President Susilo Bambang Yudhoyono as a result of the meeting with human rights organizations which include the establishment of the *Adhoc* Human Rights Court; the undertaking of appropriate steps to immediately locate the whereabouts of 13 people cited as still missing by *Komnas Ham*; the rehabilitation and satisfactory compensation to victims and/or the families of the disappeared; and the signing and ratification of the UN Convention For the Protection of All Persons from Enforced Disappearance (hereinafter referred to as the Convention). One important development was the signing on 27 September 2010 of the Convention, a breakthrough in the campaign for the Convention which was made possible because of the series of activities held by AFAD in the country and through the series of local pressures conducted by the families association, *IKOHI* and *KontraS*.

The Indonesian government signed the Convention immediately after families of the disappeared picketed in front of the presidential house, and stayed overnight and were dispersed. The strong pressure convinced the Indonesian government to finally sign the Convention.

A new development in 2012 was the granting of the Certificate of Status to Victims of Abduction and Enforced Disappearance. *KontraS* and *IKOHI* commended it as a good move made by *Komnas HAM* in the absence of state accountability in cases of 1997-1998 kidnapping and enforced disappearance. This Certificate is needed by families of victims which were presented to the National Human Rights Commission as a state institution that has conducted a "*Pro-justisia*" investigation of the 1997-1998 abductions and forced disappearances. The *Certificate of Status for Victims of Enforced Disappearance* is needed due to uncertainty of fate, the condition and whereabouts of victims. Not only do families of victims have to bear the psychological burden, but also create legal uncertainty which affects the unclear legal status of victims of enforced disappearances. Meanwhile,

families of victims both as individuals and as part of social groups and citizens need certainty about the status of their family who were disappeared in order to take care of errands that are familial, civil and legal.

Granting *Certificate of Status for Victims of Enforced Disappearance* by the National Human Rights Commission is expected not only to address administrative and civil problem but is also a stepping stone for the government to immediately conduct a search of victims who are still missing to ensure legal certainty and rehabilitation for victims and their families.

As the follow up of the granting of the Certificate, the *IKOHI* and *KontraS* urge the government:

- To acknowledge the Certificate as an official document for the families of the victims to deal with their familial, civil, and other related legal matters;
- To urge the President of Indonesia to follow up the recommendation of the Parliament to find out the whereabouts of the 13 disappeared persons;
- To initiate other measures in providing the legal certainty and justice for the victims and their families;

In Timor Leste, approximately 186,000 to 250,000 people died and made to disappear during the Indonesian occupation of Timor Leste based on report of the Truth, Reparation and Reconciliation Commission of Timor-Leste, entitled, "*Chega!*" But after achieving the independence in 1999, both the Indonesian and Timor Leste governments have continually ignored the recommendations submitted by the Commission on Truth and Friendship and the continuing cry of victims' families for justice. The release of indicted militia leader, Martenus Bere, who is suspected to be one of those responsible for the past atrocities is not only an insult to the families and survivors but also a breach to the spirit of friendship and reconciliation. A lobby group of the Asian Federation Against Involuntary Disappearances (AFAD) met with President Jose Ramos-Horta on 25 November 2009 in Dili, Timor Leste. The president made a clear commitment that he would undertake all efforts to sign and ratify this international treaty before the end of 2009. He noted that had he been alerted earlier, the government of Timor-Leste could have already been a State Party. As of this writing, however, the promise remains unfulfilled. In a visit of the UN Working Group on Enforced or Involuntary Disappearances, the latter called on the Government of Timor Leste to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

The government of Nepal has not established the commission of inquiry on disappearance and truth and reconciliation commission as promised. Both the bills to establish commissions are still pending in the parliament.

Unfortunately, the political parties are still proposing amnesty for the crimes committed in the past including the disappearances. However, the human rights organizations and victims groups are continuously pressuring political parties not to provide amnesty for serious human rights violations including disappearances. Nearly 40 human rights defenders including the representatives of AFAD's member organizations, the Advocacy Forum (AF) and the Conflict Victims Society for Justice also got arrested for the demonstration that human rights organizations made against the proposal for amnesty to those who are involved in serious human rights violations. The legislation to criminalize disappearance is still in the parliament. The government has not prioritized the ratification of the Convention on Enforced Disappearances. Two cases, which AF had filed in to the UN Human Rights Committee have been decided by the committee and the committee has found the violations of multiple articles of ICCPR. The government, in both the cases, has agreed to pay the interim relief, but the investigation has not been done. The government continuously argues that these investigations will be done once the commissions of inquiries are established. In Surya Shama's case Nrs 200000 is provided to the wife. In Giri's case, the cabinet has decided to pay Nrs. 150,000 as interim relief. Victims groups and human rights organisations are continuously putting pressures through various ways on government and political parties to pass these pieces of legislation without the provision of amnesties for the serious human right violations.

In Sri Lanka, there were three uprisings of Youth in 1971, 1988 to 1991, both by Sinhala and 30 years last war in North and East by Tamils. Disappearances were used in these uprisings by the ruling governments and continue to increase in numbers with each passing day. A strong campaign was built up demanding justice for the disappeared in 1991 by the opposition with the civil societies and it was one of the main factors in ending the 17 years ruling of the responsible government. But there is no strong internal campaign against the disappearances due to the war and unfortunately it helped the Government in power become stronger in increasing Sinhala chauvinism among the majority of Sinhalese.

A presidential commission appointed to inquire into the disappearances in 1989 uprising made 23 recommendations but only 3 were implemented and yet no campaign could be built up. Now the LLRC which was appointed to inquire into the happenings during the last period of the War, in North and East, due to international pressure, came out with many recommendations including about disappearance. The ruling government is building up a strong campaign against the implementation of these recommendations and is still using disappearances as a weapon to instill fear. In a very recent incident when the people caught 5 army officers, red handed when they tried to abduct a person, they were just released even transferring the Police officer who handled the case. So the government is not showing any interest in making disappearances stop in the country.

The Families Of the Disappeared (FOD), engaged in disappearances since 1991, has been organizing annual commemorations since 1991. It was

able to build a monument for the disappeared in 2000. Though it is not easy to do much work in North and East against the disappearance, even now, due to the heavy presence of military and the resistance from them, the FOD is engaged in building up a joint campaign to stop this worst crime against humanity.

Still the country is not a signatory to the UN Convention against the Disappearances on which the FOD has started a campaign.

In the Philippines, more than 2,000 people are victims of enforced disappearance since martial law up to the present. Disappearances are mostly carried out as a result of the counter-insurgency operations of the government against alleged communist groups. Although, the number of cases of disappearances had dropped significantly in 2007 after the visit of Mr. Philip Alston, then UN Special Rapporteur on Extrajudicial Execution to the country, the political persecution against known progressive and opposition leaders through trumped-up criminal charges, continues unabated. Impunity still holds sway as the Philippine government has failed to pass a domestic legislation penalizing enforced disappearance and neglects its voluntary pledge to the UN Human Rights Council stating that it would sign and ratify the The Convention. The government has still to positively respond to the 2007 request of the UN WGEID to visit the country for the second time and to implement the latter's recommendations during its first visit in 1990.

The AFAD and the Families of Victims of Involuntary Disappearance (FIND) had a meeting with His Excellency Benigno Aquino on 6 October 2010 to discuss specific cases of disappearances and the need for the enactment of the anti-enforced disappearance bill into law and the signing and ratification of the Convention. President Aquino promised to study the Convention. He stated that in 2011, a law criminalizing enforced disappearances will most probably be enacted but the existing bill be further studied to incorporate cases perpetrated by non-state actors. On the Convention, he stated that the government still has to study it.

A follow up meeting in Malacanang Palace was conducted on 18 July 2011 supposedly with President Aquino, but he delegated Executive Secretary Paquito Ochoa to face the body, who delegated Undersecretary Geron to meet the group of representatives of the AFAD, FIND, the Latin American Federation of Associations of Relatives of Disappeared-Detainees (*FEDEFAM*) and the Euro-Mediterranean Federation of Associations of Families of the Disappeared (*FEMED*) and former Aim For Human Rights representative. While there is hope that the anti-disappearance bill be enacted into law in 2011, Undersecretary Geron told the body that nothing was heard from the president on the said treaty. President Aquino's State of the Nation Address (SONA) did not mention anything at all about enforced disappearances and again, is bereft of human rights agenda.

Towards the end of 2011, there were developments in the anti-enforced disappearance bill. It was approved on third reading by the Upper House. It was also approved on final reading by the Joint Committee on Human Rights and Committee on Justice. At the first quarter of 2012, the bill was approved on third and final meeting by the House of Representatives and is presently to be scheduled for a bicameral discussion and approval within 2012. After 17 years of painstaking lobbying, the bill will finally be enacted into law – most probably the first in Asia.

In Thailand, enforced disappearance continues unabated. The recent escalation of political violence in central district of Bangkok between the police forces and the Red-Shirt protesters and the ongoing military operations in southern provinces are feared to have resulted in more cases of disappearances. While recent cases have not been fully investigated by the authority, the perpetrators of past human rights violations particularly the military crackdown on pro-democracy demonstrators in Bangkok in May 1992 remain unpunished. The unresolved disappearance case of Atty. Somchai Neelaphajit, a human rights lawyer who disappeared in Bangkok in 2004 was dismissed by the court for lack of evidence.

At the beginning of 2011, the Thai government signed the Convention and is presently in the process of drafting a domestic law criminalizing enforced disappearances.

Except for India and Indonesia, which signed the UN Convention for the Protection of All Persons from Enforced Disappearance, the governments of most of the above-mentioned countries have not signed and ratified the said international treaty. No Asian country has a domestic law that criminalizes enforced disappearance. The phenomenon of enforced disappearance is just one of the several human rights issues in the Asian region. The bleak human rights situation is aggravated by the absence of effective regional human rights mechanisms for protection. Worse still, judiciaries in many countries are weak, resulting in the difficulties in the prosecution of perpetrators and contributing to the perpetuation of the climate of impunity.

The AFAD, which has member-organizations in some Southeast Asian countries, sees the need to explore lobbying before the newly established ASEAN Inter-governmental Commission on Human Rights vis-à-vis the Convention., which, as of this writing, already has 88 signatures and 29 ratifications. The AFAD will also explore possibilities for cooperation with the South Asian Association for Regional Cooperation (SAARC).

On 23 December 2010, the Convention entered into force. As of this writing, it has been signed by 92 States and ratified by 31. On 31 May 2011, the UN Committee Against Enforced Disappearances was established. It is composed of ten individual experts, one of whom is from Japan, a State that ratified the Convention and recognized the competences of the Committee. Looking into the list of States Parties, Asia, which is the region that has the highest number of outstanding cases submitted to the UN WGEID, has the

lowest number of ratifications. Only Japan, Iraq and Kazakshstan have ratified the treaty and not one of the countries where AFAD members are located have ratified the Convention.

1.2 Organizational Situation

Organizationally, the beginning of the year was marked by the completion of the 2007-2010 Internal Evaluation of the Federation. With the help of the AFAD Secretariat and the expertise of the evaluator, the evaluation was finally completed, with recommendations for implementation by the different bodies of the Federation, e.g. the AFAD Council, Executive Council, Secretariat and Member-organizations. The results of the evaluation was presented to the *Evangelischer Entwicklungsdienst (EED)*, who funded it and the OAK Foundation which asked for it as part of the requirements for the eventual approval of its project proposal.

The results of the Internal Evaluation were, in the course of the year, disseminated to the AFAD member-organizations' leadership and constituency through focus group discussions (FGDs). These FGDs were conducted by the AFAD leadership and some Secretariat members with the AFAD member- organizations in Indonesia, Nepal, Timor Leste and Sri Lanka. It served as basis of reflection and planning of the Secretariat and member-organizations which took into consideration the recommendations mentioned.

In 2011, there were already 11 member-organizations in 8 Asian countries. In Indonesia, Nepal and Thailand, there are two member-organizations in each of these countries. The following is the list of AFAD member-organizations:

- Odhikar-Bangladesh
- APDP-Kashmir
- IKOHI-Indonesia
- KontraS-Indonesia
- Advocacy Forum-Nepal
- CVSJ-Nepal
- Truth and Justice Commission-Pakistan **(under suspension because of some unanswered questions by the AFAD Council)**
- Families of the Disappeared (FOD)-Sri Lanka
- Justice for Peace Foundation-Thailand
- Relatives Committee of the May 1992 Heroes-Thailand
- HAK Association – Timor Leste

During the year, AFAD had two new member-organizations, e.g. Odhikar in Bangladesh, whose membership was approved during the 4th AFAD Congress in June 2010 and the FOD in Sri Lanka whose membership was approved during the AFAD Council Meeting held in Kathmandu, Nepal in December 2010.

At the beginning of the year, the AFAD Secretariat's individual performance was evaluated as part of the whole process of internal evaluation with the aid of an external evaluator. Job descriptions were also reviewed and updated taking into considerations actual functions stipulated in the 2010 job description.

At the middle of the year, there were changes in the composition of the AFAD Secretariat. The former Documentation and Research Officer, Candy May Nabaunag resigned in May and was replaced with a new Documentation and Research Officer, Ms. Candy Diez. Further, the former Finance Officer, Rosanna Contreras also resigned and was replaced with Jun Revaldo. Rosanna Contreras continued working in the AFAD Secretariat in a different capacity - as part time bookkeeper.

In the December 2010 AFAD Council meeting held in Kathmandu, Nepal, one of the major decisions was the acceptance by the Federation as Focal Point of the International Coalition Against Enforced Disappearances (ICAED). In view of this, the AFAD Secretary-General was appointed as the focal person of the ICAED on the condition that that AFAD Council members would do their part to help the AFAD Secretary-General in the implementing the work of the Federation. A corollary development in this regard was the hiring of additional persons to compose the team that would implement the project, entitled, "**A New Initiative to Linking Solidarity In Support to the Struggle Against Disappearances.**" Thus, three persons were hired for this project. Gay Guimbaolibot served as full time Project Assistant from August to December 2011 and is still presently working, but on a part time basis. Ms. Rosabella Quindoza served as Research Supervisor for Researcher, Razaille Elaine Besa.

At the national level, the Federation had the following focal persons in each of the following countries:

- Parvais Matta from the Association of Parents of Disappeared Persons, Kashmir
- Rabindra Gautam from the Advocacy Forum in Nepal
- Pratubjit Neelaphaijit from the Justice for Peace Foundation

The term of focal persons ended in December 2012 with the end of the three-year funding of EED of 2018-2011.

In terms of funding situation in 2010, the following is a narrative statement of the status of funding vis-à-vis projects from funding agencies:

- Third year of the 3-year funding from the *Evangelischer Entwicklungsdienst (EED)* for regional and international campaign advocacy and approval at the end of 2011 another three-year project;
- Second year (entering third year) of the three year Philippine project funded by Misereor for documentation, campaign and public information;
- Second year of the admin. Project funded by DKA-Austria;
- First year of the Psycho-Social Rehabilitation Project being funded by the Women World Day of Prayer;
- Funding received from PSO for the revival of Linking Solidarity, being a program of ICAED;
- Funding received from the remaining funds of Aim For Human Rights for ICAED;
- Approval in December 2011 Proposal on Documentation and Research to the OSI
- Approval of a joint proposal submitted by AFAD and FIND for a Film Production
- Verbal commitment of OAK Foundation, who visited the AFAD Secretariat, to fund AFAD for two years for institutional support, documentation and research, campaign and lobbying.

There were other efforts to raise funds both for AFAD and the International Coalition Against Enforced Disappearances, e.g. the proposal submitted to the French Government and the National Endowment for Democracy.

The year ended with the meeting of the AFAD Council held in Bangkok, Thailand in November 2012. It was an opportunity to assess the work planned, to share the human rights situations focusing on enforced disappearances in different countries and planning for 2012. It is important to note that the Outcome and Impact Orientation of the *Evangelischer Entwicklungsdienst* was introduced as a preparation for projects implementation, monitoring and evaluation for 2012.

The year ended with a promise that there will be more resources for implementation of projects for 2012-2014.

2. AFAD Activities

Note: This report covers the activities of the Federation and its member-organizations using the funds sourced from the AFAD's different partners. It does not include other activities related to AFAD's work, initiated and solely funded by AFAD member-organizations. There were certainly more activities related to AFAD's work of AFAD member-organizations conducted during the year, but are not incorporated in this report due to space limitations.

2.1 Philippine Project funded by Misereor

2.1.1 Campaign, Public Information and Lobby

- **University hopping** – There were series of presentations conducted both by AFAD in partnership with the Ateneo Human Rights Center and its other partners. These were held in the following universities with corresponding number of students:

- St. Thomas Aquinas College, Sogod, Southern Leyte (300 students);

- Adamson University in Manila (150 students)

- University of the Philippines, Tacloban City (400 students)

- Holy Spirit University, Gen. Santos City (200 students)

- St. Joseph Formation Center, Quezon City (15 seminarians)

- Rizal University (200 students)

- Redemptorist Community (100 students)

- St. Theresa's College, Cebu City (400 students)

- Letran University (500 students)

- Ateneo University, Quezon City (30 students)

The presentations with the Ateneo Human Rights Center and its partners dealt with the issues of extrajudicial execution and enforced disappearances. For those activities self-initiated by AFAD, these dealt on the

phenomenon of enforced disappearances in the Philippines; the bill criminalizing disappearances and the International Convention for the Protection of All Persons from Enforced Disappearance (the Convention or the Anti-Disappearance treaty).

These activities served as opportunities to project both the issue and the organization to the academe and to get their moral and political support to the issue.

As a recommendation for 2012, these activities be continued by AFAD and possibly with other partners with clear partnership with schools in such a way that students will do something concrete after the presentations, e.g. writing of term papers or theses on the issue; conducting reflection sessions, etc.

➤ **Build-Up Activities for the International Week of the Disappeared:**

Diplomatic briefing held on May 4, 2011, 9:00 a.m. – 12:00 noon at the Manila Intercontinental Hotel-The AFAD convened a high level diplomatic briefing in cooperation with the Families of Victims of Involuntary Disappearance (FIND) and the French Embassy in Manila on May 4, 2011.

Entitled: **The Imperative of the Philippines' signing and Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance,"** the forum was attended by 16 foreign embassies in Manila. The event was also graced by heads of the Department of Justice, Commission on Human Rights, the respective human rights affairs offices of both the Armed Forces of the Philippines and the Philippine National Police and the Presidential Adviser for

Political Affairs including representatives of civil society organizations.

Professor Gabriella Citroni, member of the Italian delegation of the then Inter-Sessional Working Group to Elaborate a Draft Legally-Binding Normative Instrument for the Protection of All Persons from Enforced Disappearance was the invited guest speaker. Also invited as speaker on the local bill is member of House of Representatives Edcel Lagman, principal author of the anti-enforced disappearance bill. Gracing the occasion on behalf of the president is Secretary of the Department of Justice, Leila de Lima.

The activity was concluded with a strong recommendation to hold a second visit to the Malacanang Palace to urge the president to sign the international treaty and to facilitate the speedy approval of the anti-enforced disappearance bill. This recommendation was strongly supported by the representatives of the security forces.

Public Forum on the Philippine Government's Signing and Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance , at the Ateneo School of Government held on May 4, 2011, 2:00 p.m. – 5:00 p.m.-

In cooperation with FIND, the Ateneo School of Government, the Government of the Philippines Monitoring Committee for the Peace Process between the Republic of the Philippines and the National Democratic Front, the AFAD convened a diplomatic briefing to get the support of the academic community for the immediate signing and ratification of the International Convention for the Protection of All Persons from Enforced Disappearances. The activity was attended by 180 students, a significant number of whom were foreign students from the different departments of

the Ateneo de Manila University, different NGOs and families of the disappeared.

Both the anti-enforced disappearance bill and the International Convention for the Protection of All Persons from Enforced Disappearance (The Convention) were presented. FIND Chairperson, Nilda Lagman-Sevilla presented salient provisions of the bill while Prof. Gabriella Citroni presented the importance of the anti-enforced disappearance treaty.

An open forum was provided to give space for different questions and views of the audience on the topic. There were varying questions that showed interests on the subject matter.

Meeting of Prof. Citroni, FIND and AFAD representatives with the Chairperson of the Commission on Human Rights (CHR), Loretta Ann Rosales held on May 5, 2011 at the CHR office – The content of the meeting was on how to concretize the recommendation made during the diplomatic briefing. It was agreed upon that the CHR will coordinate with the Department of Justice (DOJ) in pushing the government to sign the Convention).

Meeting of Prof. Gabriella Citroni with FIND and AFAD representatives with Major General Jose Mabanta of the Armed Forces of the Philippines held on May 5, 2011 at General Aguinaldo, Quezon City –To request for official endorsement of the Armed Forces of the Philippines re. the signing and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, FIND and AFAD, accompanied by Prof. Citroni had a meeting with General Mabanta and his colleagues. General Mabanta explained that the AFP might be accused of being political if it would endorse the signing and ratification of the Convention. Other discussion

points included the number of cases based on statistics of FIND as compared with other organizations.

To note, while the Armed Forces of the Philippines as an institution cannot endorse the signing and ratification of the Convention, General Domingo Tutaan, head of the Human Rights Affairs Office of AFP explicitly endorsed the signing and ratification of the Convention.

➤ **Actual Commemoration of the International Week (IWD) of the Disappeared**

Motorcade in the Quezon City Circle held on 29 May 2011 – A motorcade, with 100 tricycles running around the Quezon City Memorial Circle was held on 29 May to call for the signing and ratification of the Convention and the enactment of the anti-enforced disappearance bill into law.

Hanging of Pictures of disappeared people - These were hanged around Quezon Memorial Circle while a big tarpaulin calling on the government to sign and ratify the Convention and to enact the anti-enforced disappearance bill into law was put up.

Theater Presentation of the *Samahan ng Anak ng Desaparecidos (SAD)* - The Association of the Children of the Disappeared or the *Samahan ng Mga Anak ng Desaparecidos* performed cultural presentations at the Quezon City Circle. Running priest, Fr. Robert Reyes came to bless the occasion.

Truth Telling Activity, 31 May 2011 –It was an activity with the presence of the families of victims of enforced disappearances and those who survived enforced disappearance and who surfaced alive, but tortured in secret detention centers and the representatives of alleged perpetrators. A number of very poignant testimonies were presented before Col. Domingo Tutaan of the Armed Forces of the Philippines Human Rights Affairs Office and General Clarence Guinto, Philippine National Police Chief of

the Human Rights Affairs Office. The activity was graced by the Commission on Human Rights Chairperson Rosales. Representative Edcel Lagman and representatives of human rights organizations. It was the first ever truth telling activity conducted, which was very good in terms of informing the alleged perpetrators of true-to-life stories from the perspective of the victims. The activity was concluded with the commitment of the representatives of security forces to conduct investigation on cases with concrete leads.

AFAD's Commemoration of its 13th anniversary and the re-launching of the Coalition Against Enforced Disappearances on 3 June 2011 – To culminate the commemoration of the IWD and the 13th anniversary of AFAD, both AFAD and FIND hosted a dinner with the local human rights community. Leaders of both AFAD and FIND initiated some presentations and discussions on the developments of the government's position on both the bill and the Convention.

Since it was also used as a venue to re-launch the CAED, it was concluded by a signing of a Pledge of Commitment by CAED members to the Coalition. It was indeed, a meaningful way of ending the series of activities to commemorate the IWD.

➤ **RAGED or Run Against Enforced Disappearances, 30 August 2011** - In commemoration of the International Day of the Disappeared as part of the official calendar of the United Nations to give tribute to all *Desaparecidos* of the world, the Coalition Against Enforced Disappearance (CAED) spearheaded by the Families of Victims of Involuntary Disappearance (FIND) and Asian Federation Against Involuntary Disappearance (AFAD) conducted a public event dubbed as "We have RAGED!" (Run AGAINST Enforced Disappearance).

Filipino "running priest," Fr. Robert Reyes ran and led the group of families of the disappeared and human rights defenders from Quezon

Memorial Circle to the *Bantayog ng Mga Bayani* (Monument of Heroes.) A program was conducted, where AFAD, FIND leaders called on the Philippine government to enact the anti-enforced disappearance bill into law and to sign and ratify the anti-disappearance treaty.

Radio/TV interviews were conducted with AFAD Secretary-General responding to the questions. Two radio stations in France also interviewed her live both in Spanish and in English. She was also interviewed in her capacity as the International Coalition Against Enforced Disappearances.

- **Bus advertisements** - Since December 2010 until April 2011, ten buses were running around different routes of Metro Manila calling the general public and the Philippine Government to support the Convention and the bill.

There were a new set of ten buses with a new design of bus advertisement which were running around the streets of Manila everyday from September to December 2011 calling the general public and the Philippine Government to support the Convention and the bill.

These buses could be seen by millions of people in Manila everyday, many times a day. It is one way of popularizing the issue. But in terms of effectivity, it is difficult to gauge. From the point of view of people in the human rights circle who have seen the buses, the advertisement was really conspicuous and therefore, noticed by many people.

- **Participation with FIND in Senate hearings and those of the House of Representatives** – as part of the continuing lobby for the enactment of the anti-enforced disappearance bill into law and the signing and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, both AFAD and FIND, with some active members of the CAED participated in hearings of the Upper and Lower Houses of Congress.

These were part of the pressure activities conducted.

To note, the status of the bill before the end of 2012 was that it was approved on third and final reading by the Upper House. In the Lower House, it was approved by the Joint Committee on Human Rights and Justice.

- **Participation in various meetings called for by different NGOs and government organizations on issues of common concern** – The Philippine Project Coordinator took charge of attending most of these meetings called for by different offices. If the AFAD Secretary-General was available, she also participated in these meetings.

- **Commemoration of the 63rd anniversary of the Universal Declaration of Human Rights**

The Federation co-sponsored with other human rights organizations the *Biyente Singko* (25th year since the lifting of martial law during Marcos regime). It was a mini concert, combined with competitions on poetry writing contest and photography.

Progressive artists and alternative cultural groups from the human rights community were invited to grace the occasion.

It was a very joyous way of commemorating the International Human Rights Day, without forgetting the still sorry state of human rights in the country.

As a build-up to this activity, the AFAD also participated in public fora and photo-exhibits of different human rights organizations in various universities in Manila.

2.1.2 Documentation and Research

The Philippine country coordinator documented, from different sources, mostly from secondary data, 280 cases of enforced disappearances in the Philippines from 2001 to 2011. 13 of these cases occurred during the present Aquino administration. AFAD, having no

member-organization in the Philippines, does not have direct field documentation work.

An in-depth research work in partnership with FIND was started during the last quarter of 2011. Raw materials were gathered; a crash course on technical writing was given by an expert from the established media and with NGO background and tasking was done. It is a research on enforced disappearances that occurred periodically, according to administration, e.g. Marcos, Corazon Aquino, Ramos, Estrada, Arroyo and Benigno Aquino. Writers from AFAD and FIND were assigned to write on enforced disappearances per administration and one is assigned to write a synthesis after all the articles shall have been written. It is envisioned that the end result will be launched during the Human Rights Day.

If produced, this material will be a comprehensive document that will capture enforced disappearances in the Philippines from 1971 until the present. This will serve as an important guide for other future interventions on enforced disappearances in the country.

2.2 Regional and International Campaign, Public Information and Lobby funded by the *Evangelischer Entwicklungsdienst (EED)* and the PSO/Pax Christi (for AFAD/ICAED activities)

- **Publication of the March 2011 issue of The Voice**

The Federation published its March 2011 of its official publication, The Voice. 1,500 copies were printed for distribution to AFAD's network nationally, regionally and internationally.

As in previous issue, for wider dissemination, this was also uploaded in AFAD's website and other social networks, e.g. twitter, Facebook.

Efforts to produce a December issue of The Voice was not made possible due to insufficient contributions.

- **AFAD Campaign Materials for national, regional and international dissemination**

To complement AFAD's advocacy, campaign and lobby materials were produced, such as:

- AFAD brochures -1,500 copies
 - AFAD Primer on the International Convention for the Protection of All Persons from Enforced Disappearance- 1,500 copies
 - AFAD stickers - 1,600 pieces
 - AFAD T-shirts - 200 pieces
 - AFAD postcards - 4,000 pieces
 - AFAD bookmarks – 2,000 pieces
 - AFAD 2012 calendars – 1,500 copies
- **Statements:** As a regular practice both on traditionally commemorated activities and on spontaneous activities and cases, the Federation, through the AFAD Secretariat, issued the following statements:
 - New Year's Day Statement, 1 January 2011
 - Women's Day Statement, 8 March 2011
 - Statement on the issue of Marcos' burial against House of Representatives' issue of burying his remains in heroes' resting place, 13 April 2011
 - Easter Day Statement, 24 April 2011
 - Jonas Burgos anniversary statement, 28 April 2011
 - Statement on the 5th Anniversary of the Disappearance of Mr. Somchai Neelaphaijit, 12 March 2011
 - Statement in Support to Odhikar, AFAD member-organization in Bangladesh for the series of harassments of their colleagues

- AFAD follow up letters to different Asian countries reminding them to sign and ratify the anti- enforced disappearance treaty
- Solidarity Message on the Black May Massacre for the Relatives Committee of the May 1992 Heroes, 18 May 2011
- Joint Statement with FIND for the commemoration of the International Week of the Disappeared, last week of May 2011
- AFAD 13th anniversary commemoration Statement, 4 June 2011
- Statement of Support to AFAD Executive Council Member re. accusations against her and the Advocacy Forum-Nepal, 14, June 2011
- Statement on the International Day in Support of Victims of Torture, 26 June 2011
- Joint AFAD-FIND Statement on the President's 2nd Statement of the Nation Address in July 2011
- Joint AFAD-Statement re. Hunger Strike of Political Prisoners, 23 July 2011
- Joint AFAD-FIND Position Paper submitted to the House of Representatives calling on the enactment of the anti-enforced disappearance law, 16 August 2011
- Anniversary of the Disappearance of PICOP 6 (6 paper factory workers), 10, Oct. 2011
- All Souls' Day Statement, 2 November 2011
- AFAD Council's letter to the Chair of the UN Office of the High Commissioner on Human Rights
- AFAD Council's letter to the Secretary-General of the UN Office of the High Commissioner on Human Rights
- First Year anniversary of the Convention, 23 December 2011

To note, the AFAD, being an active member and Focal Point of ICAED, also co-signed all the ICAED statements. As a matter of fact, the AFAD Secretary-General, who is the Focal Point of the ICAED, was the one who drafted most of the ICAED Statements.

- **Campaign and Lobbying Activities of Member-Organizations**

- **Synchronized Commemoration of the International Day of the Disappeared (IDD) in different Asian Countries on 30 August 2011**

AFAD member-organizations in Indonesia, India, Nepal, Sri Lanka, Thailand and Timor Leste conducted various activities related to the commemoration of the International Day of the Disappeared. To note, while AFAD had been commemorating this day since its establishment in 1998, the year 2011 was the first year when the United Nations officially recognized 30 August as the International Day of the Disappeared.

The following member-organizations conducted their IDD commemoration:

- a. **Advocacy Forum and Conflict Victims Society for Justice- Nepal**

- **Releasing the Report on Exhumation prepared by Advocacy Forum and Interaction with Stakeholders concerned:**

Since the exhumations were done in Nepal without having any guidelines, Advocacy Forum had been raising the issue. Considering the exhumations without having any guidelines, the AF thought that the initiation further only damages the evidences than to hold criminal accountability, and hence, conducted research

taking the incident of Dhanusha exhumation (bodies of five disappeared students by the state actors) in the baseline and argued for the policy to be drafted to legalize the procedure.

The Advocacy Forum and the Conflict Victims Society for Justice conducted interaction program among the human rights organizations and stakeholders concerned after releasing the report- in need of exhumation policy. Leaders of four main political parties and members of the parliament involved in drafting the bill for disappearances commission were present.

Other participants included representatives from national/international human rights organizations, journalists, victims, political leaders.

REPORT DEMANDING CLEAR POLICY ON EXHUMATION RELEASED, 29 August 2011

The Advocacy Forum (AF) released report demanding a clear policy frame work on exhumation on the occasion of the international day of the disappeared, 30 August. AF's report, published both in English and Nepali, "Exhumation of bodies of the disappeared- in need of a policy framework" was by the mother of Sanjeeb Kumar Karna. The AF's report points out the need of a clear policy on exhumation process that takes victims' families' rights into consideration.

The report further demands clear standard which ensures overall exhumation procedure. It argues that

systematic exhumation process can help in protecting evidences that would be supportive in prosecuting perpetrators of human rights violations committed during the conflict, and giving justice to victims. The report has reiterated the call for strong guidelines to carry out exhumation of the bodies of disappeared people.

Please open the link for the copy of the report.

<http://www.advocacyforum.org/downloads/pdf/publications/impunity/exhumation-of-bodies-of-the-disappeared-english.pdf>

<http://www.advocacyforum.org/downloads/pdf/publications/impunity/exhumation-of-bodies-of-the-disappeared-nepali.pdf>

- **Media Briefings and Discussion:**

Advocacy Forum took substantial participation on all rounds during the media briefings and discussion programs. The core team of media personnel were informed about the progress on bill for the commission of disappearances, its importance and the challenging circumstances to materialize it due to the ongoing political strategy to provide blanket amnesty to the perpetrators. Media briefings were held on one separate occasion, and discussion with the other stakeholders and the political leaders were held separately.

Participants: Representatives from national/international human rights organizations, journalists, victims.

- **AF and CVSJ Regional Discussion:**

The Advocacy Forum and CVSJ organized the discussion meetings with the stakeholders concerned to inform them about the bill of

disappearance commission and its importance to address the needs of the conflict victims. The meetings were organized in 4 regions as a regional basis.

Participants: Representatives from national/international human rights organizations, and government officials, including, Chief District Officer (CDO), Police Chief, Army Chief, journalists, victims, political leaders.

- **International Day of the Disappeared Commemoration (news clip)**

A number of human rights organizations and the family members of the disappeared joined hands to commemorate the international day of the disappeared. The day was commemorated by organizing several events both in the capital and the districts to pressurize government to enact legislation to criminalize disappearance and to form a commission of inquiry on disappearance, make whereabouts of the disappeared public, ratify the International Convention on Enforced Disappearances, seek the government's positive responses to the implementation of the recommendations of treaty bodies in relations to disappearances.

b. HAK – Timor Leste

On the International Day of the Disappeared, the HAK Foundation and AFAD organized series of activities, such as: public discussion, lobby and focus group discussion on the issue of the enforced disappearances.

The objectives of the activities are:

- To encourage the Timor-Leste government to ratify the International Convention against enforced disappearances.

- To build public opinion on the issue of the enforced disappearances.

It was realized that Timorese and NGO workers were not familiar with the issue of the enforced disappearances. It was a big challenge for the HAK Association to build the strong movement in order to make a campaign on ratification of the Convention against enforced disappearances.

The participants will come from many groups, such as: victims, families of the victims, staff members of Timorese NGOs, representatives of the communities at district levels, student groups and representatives of political parties.

Series of activities (were held in Dili and Baucau from August 9 to 25 2011. The resource person was the AFAD Chairperson, Mugiyanto. See table below:

Date	Activities	Total Participants	Venue
11 August	Public discussion in NGO Forum	300	Dili
22 – 24 August	Meeting with the government representatives (to be confirmed)		Dili
18 August	Public discussion	80	Dili
30 August	Commemoration of the IDD	300	Dili, Baucau

- c. **Justice for Peace Foundation – Thailand and the Relatives Committee of the May 1992 Heroes**– A public forum, entitled: “**Challenges of the New Government and How to Solve Enforced Disappearances**” was jointly conducted by the Justice for Peace Foundation, the Relatives Committee of the May 1992 Heroes, the International Commission of Jurists and several other Bangkok-based organizations. The activity was conducted in cooperation with AFAD who gave some financial support to the activities.

The objectives of the activity included the following:

- To enable families of the disappeared to communicate with society for the latter to know and respond to their situation;
- To raise public awareness and mobilize them towards finding solutions to the problem of enforced disappearances;
- To raise public awareness about existing mechanisms for the prevention of enforced disappearances in Thailand;
- To campaign for the signing and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the enactment of a domestic law criminalizing enforced disappearance.

The following indicators of success were achieved:

- Participation of 80-100 persons from different sectors of society, e.g. civil society organizations, government agencies, families of the disappeared, diplomatic community, etc.
- Coverage by the alternative and established media;
- Using the event to serve as venue to get at least initial commitment of the participants, in

whatever forms, e.g. public statements, signature campaign or petition letter to the government, etc.

d. Relatives Committee of the May 1992 Heroes

Public Forum held in Bangkok, Thailand –

To maximize the international presence of the AFAD member-organizations, the Federation invited Professor Gabriella Citroni to be the guest speaker of a forum on the International Convention for the Protection of All Persons from Enforced Disappearance. Former member of the Italian delegation of the then Inter-sessional Working Group to Elaborate a Draft Legally Binding Normative Instrument for the Protection of All Persons from Enforced Disappearance from 2003-2005, Professor Citroni has served as a resource person in many of the AFAD activities in the Philippines, Indonesia, Nepal. The activity was held on 25, November in Bangkok, Thailand.

The activity was very well attended by civil society organizations, families of the disappeared, government agencies, the UNDP such as the Ministry of Justice and Human Rights and the Ministry of Foreign Affairs.

It also served as a venue to discuss the draft anti-enforced disappearance bill in Nepal taking into consideration the content of the draft bills in Nepal and the Philippines.

The activity also served as an opportune time for the members of the Relatives Committee of the May 1992 Heroes to reunite and express themselves.

e. Association of Parents of Disappeared Persons in Kashmir

The APDP postponed its activity due to security reason and held it instead on 10 December 2011 when the situation already improved a little bit. Invited to attend the activity were human rights defenders, lawyers, journalists, academicians, civil society activists from India, and family members of the disappeared. The main theme of the activity was: "Enforced disappearances in Kashmir and India's signing of UN Convention against disappearances."

More than 200 people participated in this activity and they had a small round of meeting with journalists, therefore the event was widely reported, thus helped in highlighting phenomenon of enforced disappearances in Jammu and Kashmir and India's international commitment in ending disappearances and providing justice to the victims.

f. **KontraS** and **IKOHI** of Indonesia – The lobbying supposedly for the International Day of the Disappeared was done in September 2011 because August was Ramadan month. The activity was conducted in the *KontraS* office with victims and NGO representatives including 2 Members of Parliament and representatives from the Commission on Human Rights. The discussion centered on the need to follow up the recommendation of the Parliament to the president of the country on the cases of disappearances of 1997-1998. The event was attended by 150 persons.

g. Families of the Disappeared in Sri Lanka -

In commemorating the International Day of the Disappeared on the 30th August 2011, civil society organizations, human rights activists and family members gathered at the National Trade Union conference hall in Rajagiriya to propose a common agenda to work against all forms of disappearances in Sri Lanka.

The proceedings started with a minute of silence in honor of the disappeared and lighting of

candles around the effigy which is a replica of the effigy erected at Raddoluwa Junction in Seeduwa in memory of the disappeared.

The gathering was addressed by Bishop Kumara Illangasinghe, Tamil National Alliance MP M. Sumanthiran, Lawyers and Human Rights Activists Nimalka Fernando and Sudarshana Gunawardena, Brito Fernando, President of the FOD and family members representing the disappeared persons from the North, East and South. The Ambassador of Sweden, representatives from the UN and representatives from other foreign missions were present.

A group discussion was held to prepare a common agenda against enforced disappearances. The participants were divided into three groups with the family members of the disappeared comprising one group and the civil society activists and human rights activists in the other two groups. The family members of the disappeared discussed about the steps that can be taken in regard to the disappeared member while the civil society activists discussed what is meant by disappearances, why does it happen and how can we activate ourselves to stop enforced disappearances. A number of suggestions for stopping enforced disappearances were presented by the three groups.

The group agreed to the following:

- 1) To force the government to produce a list of persons who are imprisoned;
- 2) To pressure the Human Rights Council to produce a list of disappeared persons;
- 3) To document all the available information of the cases of disappeared;
- 4) To file a *Habeas corpus* writ or legal action for selected cases of disappearances;

Lobby to the Ministry of Foreign Affairs to encourage the government to immediately ratify the Convention on the Protection of All Persons from Enforced Disappearances

The meeting was conducted by the local Coalition for the Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, initiated by *KontraS* and *IKOHI*. The coalition is composed of *KontraS*, *IKOHI*, Human Rights Working Group (HRWG), Center for Study of Law (PSHK), Institute for Policy Research, Center for Study Law (PSHK) Institute for Policy Research and Advocacy (ELSAM) and Imparsial.

The Coalition met on December 21, 2012 with the Directorate of Human Rights and Humanitarian Affairs, Mr. Ansari. The Coalition questioned the progress of the efforts made to prepare for the ratification of the Convention. Previously, the Foreign Ministry has been appointed by the government to take responsibility for preparing for the ratification of the Convention by the government of Indonesia on 27 September 2010 through the Indonesian Foreign Minister in New York.

Results :

- The Foreign Ministry has been undertaking this review and conduct of understanding with the inter-related departments, including the military and police that had been feared would not approve the ratification.
- The Foreign Ministry has completed a draft text of the academic paper of the Convention and will submit it to the president in January and February for known, approved and signed by the President and will be submitted to the Parliament for discussion.
- The Foreign Ministry would not do the Declaration on the Authority of the Committee on Enforced Disappearances because they still have enough power to oversee the government's commitment to intensify its

response to the issue of enforced disappearance. The Declaration can be done at a later stage.

b. Families of the Disappeared (FOD), Sri Lanka

–A residential workshop on UN mechanisms, e.g. treaty bodies including the Convention on Enforced Disappearances was conducted by FOD on December 21-22 and participated in by families of the disappeared and representatives of civil society organizations. There are debates on how could Sri Lanka's signature and ratification of the anti-disappearance treaty be useful in a country where cases of enforced disappearances are going on. Will this serve as a help to the families for resolution of cases and prevention of future ones? Or will this just give some mileage to the Sri Lankan government? These are debate questions within the Sri Lankan civil society network, however, AFAD continues to encourage them to continue lobbying for the signing and ratification of the Convention simultaneous with the resolution of the cases going on in the country.

c. Association of Parents of Disappeared Persons in Kashmir

– The activity of APDP-Kashmir was not done simultaneous with other AFAD member-organizations' activities. It was a sit-in activity conducted on 28 December 2011. The activity was aimed to all the attention of the Indian government vis-à-vis enforced disappearances in Kashmir in relation to mass graves found by the APDP based on their two reports, e.g. Buried Evidence and Facts Underground. It also reminded the government of India, which signed the International Convention for the Protection of All Persons from Enforced Disappearance of its moral obligation to

resolve cases of enforced disappearances, stop their on-going occurrence.

d. Odhikar, Bangladesh – The AFAD Chairperson visited AFAD’s newest member-organization, the Odhikar of Bangladesh during the Human Rights Week. He attended series of meetings with different embassies, visited families of the disappeared and served as one of the resource speakers in a public forum on the International Convention for the Protection of All Persons from Enforced Disappearance.

The activities were very well projected by the local media.

Below, please find one of the several news items covering the Odhikar – AFAD activities in cooperation with other organizations based in Dhaka.



Sunday, December 11, 2011

Rights defenders demand govt ratify UN convention

Staff Correspondent

Rights defenders on Saturday urged the government to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and to include enforced disappearance as an offence in criminal laws.

They also stressed the need for building awareness among the people to force the government to stop such rights violation.

They put forth their demands at an advocacy meeting on the accession on the International Convention for the Protection of All Persons from Enforced Disappearance in the capital. Rights group Odhikar organised the programme with the help of the Switzerland embassy, International Federation for Human Rights (FIDH) and the Asian Federation Against Involuntary Disappearances (AFAD).

The AFAD president, Mugiyanto, said that the enforced or involuntary disappearances were an increasing phenomenon worldwide.

The convention was framed not sitting in a 'drawing room' rather taking inputs from victims and affected families. All concerned should carry the advocacy in a sustainable way until the Bangladesh government ratifies it, he said.

The FIDH head of Asia desk, David Knaute, hoped that the Bangladesh government would ratify the convention without any reservation and effectively implement it.

Odhikar adviser Farhad Mazhar said that world powers in recent years had started aggression in less powerful countries in the name of rights violation. 'We should not give them any scope of such aggression.'

the Revolutionary Workers Party general secretary, Saiful Haque, said that such criminal activities were not taking place state support in any form and that holding only the law enforcement agencies responsible would not solve the problem.

The New Age editor, Nurul Kabir, said that involuntary disappearance would cause voluntary disappearance of many people as most of the involuntary disappearance cases are state-sponsored.

Deputy head of mission at the Switzerland embassy Gabriele Derighetti said that disappearance was not an issue when the present government assumed office. 'The cases of disappearance will not disappear only through ratification. Making the government understand that disappearance is a major human rights violation is much important.'

The acting Bangladesh Nationalist Party secretary general Mirza Fakhrul Islam Alamgir at the programme said that enforced disappearance was recurring in Bangladesh on political grounds and the government was least interested in its admission.

Fakhrul said that when the BNP was in office, incidents of 'crossfire' and Operation Clean Heart took place. 'But I adamantly say that not a single of the incidents was political.'

Fakhrul said that the BNP did not support killing in the name of crossfire. He said that he individually considered that the deaths of communist leaders Mofakkharul Islam Chowdhury and Mizanur Rahman Tutu were acts of injustice.

He said that the past governments of BNP-led alliance should have signed and ratified the convention against enforced disappearance. He added that if the BNP went to power again, it would do whatever it would require to stop enforced disappearance.

Fakhrul came up with the observations in response to a rights activist during the question-answer session.

Families of Tapan Dash, Chowdhury Alam, Shamim Ahmed and Habibur Rahman, who all disappeared in such manner, narrated the happenings since the disappearance and the government's apathy to finding them out.

'It has now been four four months and seven days since my husband was abducted. I do not know how long I should wait. I want my husband back,' said Shumi Das, wife of Tapan Das.

Dhaka University teacher Tasnim Siddqui, Jatiya Samajtantrik Dal lawmaker Mayeen Uddin Khan Badal, Bangladesh Nationalist Party lawmaker Syeda Ashifa Ashrafi Papia and Citizens' Movement for Democracy and Human Rights member secretary Mahmudur Rahman Manna also spoke.

the Odhikar president, CR Abrar, treasurer Farida Akhter and secretary Adilur Rahman Khan presided over the sessions.

The United Nations General Assembly adopted the convention in late 2006 and it entered into force in late 2010.

As of December 9, 2011, 90 states have signed and 30 have ratified the convention.

The Convention provides for the right not to be subjected to enforced disappearances as well as the right for the relatives of the disappeared persons to know the truth.

The convention contains several provisions concerning prevention and investigation of the crime and the rights of victims and their families.

<http://newagebd.com/newspaper1/frontpage/43045.html?print>

Rights defenders demand govt. ratify UN convention

Staff Correspondent

Rights defenders on Saturday urged the government to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and to include enforced disappearance as an offence in criminal laws.

They also stressed the need for building awareness among the people to force the government to stop such rights violation.

They put forth their demands at an advocacy meeting on the accession on the International Convention for the Protection of All Persons from Enforced Disappearance in the capital. Rights group Odhikar organised the programme with the help of the Switzerland embassy, International Federation for Human Rights (FIDH) and the Asian Federation Against Involuntary Disappearances (AFAD).

The AFAD president, Mugiyanto, said that the enforced or involuntary disappearances were an increasing phenomenon worldwide.

The convention was framed not sitting in a 'drawing room' rather taking inputs from victims and affected families. All concerned should carry the advocacy in a sustainable way until the Bangladesh government ratifies it, he said.

The FIDH head of Asia desk, David Knaute, hoped that the Bangladesh government would ratify the convention without any reservation and effectively implement it.

Odhikar adviser Farhad Mazhar said that world powers in recent years had started aggression in less powerful countries in the name of rights violation. 'We should not give them any scope of such aggression.'

the Revolutionary Workers Party general secretary, Saiful Haque, said that such criminal activities were not taking place state support in any form and that holding only the law enforcement agencies responsible would not solve the problem.

The New Age editor, Nurul Kabir, said that involuntary disappearance would cause voluntary disappearance of many people as most of the involuntary disappearance cases are state-sponsored.

Deputy head of mission at the Switzerland embassy Gabriele Derighetti said that disappearance was not an issue when the present government assumed office. 'The cases of disappearance will not disappear only through ratification. Making the government understand that disappearance is a major human rights violation is much important.'

The acting Bangladesh Nationalist Party secretary general Mirza Fakhrul Islam Alamgir at the programme said that enforced disappearance was recurring in Bangladesh on political grounds and the government was least interested in its admission.

Fakhrul said that when the BNP was in office, incidents of 'crossfire' and Operation Clean Heart took place. 'But I adamantly say that not a single of the incidents was political.'

Fakhrul said that the BNP did not support killing in the name of crossfire. He said that he individually considered that the deaths of communist leaders Mofakkharul Islam Chowdhury and Mizanur Rahman Tutu were acts of injustice.

He said that the past governments of BNP-led alliance should have signed and ratified the convention against enforced disappearance. He added that if the BNP went to power again, it would do whatever it would require to stop enforced disappearance.

Fakhrul came up with the observations in response to a rights activist during the question-answer session.

Families of Tapan Dash, Chowdhury Alam, Shamim Ahmed and Habibur Rahman, who all disappeared in such manner, narrated the happenings since the disappearance and the government's apathy to finding them out.

'It has now been four four months and seven days since my husband was abducted. I do not know how long I should wait. I want my husband back,' said Shumi Das, wife of Tapan Das.

Dhaka University teacher Tasnim Siddqui, Jatiya Samajtantrik Dal lawmaker Mayeen Uddin Khan Badal, Bangladesh Nationalist Party lawmaker Syeda Ashifa Ashrafi Papia and Citizens' Movement for Democracy and Human Rights member secretary Mahmudur Rahman Manna also spoke.

the Odhikar president, CR Abrar, treasurer Farida Akhter and secretary Adilur Rahman Khan presided over the sessions.

The United Nations General Assembly adopted the convention in late 2006 and it entered into force in late 2010.

As of December 9, 2011, 90 states have signed and 30 have ratified the convention.

The Convention provides for the right not to be subjected to enforced disappearances as well as the right for the relatives of the disappeared persons to know the truth.

The convention contains several provisions concerning prevention and investigation of the crime and the rights of victims and their families.

<http://newagebd.com/newspaper1/frontpage/43045.html?print>

The main international activities of the AFAD, in cooperation with the ICAED at the international level include the following:

- **Parallel Activity during the Session of the UN Human Rights Council, 9 March 2011–**
In cooperation with the Asian Human Rights Commission, the International Commission of Jurists and others, the AFAD and the ICAED sponsored an event parallel to the session of the UN Human Rights Council which was held in Geneva in March 2011. Invited as resource persons for the event are UN experts, e.g. Mr. Jeremy Sarkin, Chairperson of the UN WGEID and Mr. Manfred Nowak, UN Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Punishments. Representatives from the Governments of France and Argentina and a professor from Sri Lanka were also part of the panel who spoke about the imperative of the Convention and the importance of the then to be established UN Committee on Enforced Disappearances (CED).

The AFAD and other members of the ICAED were invited to speak about their concerns, especially in terms of the proposed criteria for the then to be elected members of the UN Committee on Enforced Disappearances which was expected to be established on 31 May

2011. The AFAD Chairperson and the AFAD Secretary-General and the Chairperson of Justice for Peace Foundation, AFAD's member in Thailand took the floor.

The event was participated in by about 120 persons from government representatives as well as NGOs.

- **ICAED Steering Committee Meeting, 8 March 2011, Geneva, Switzerland**

Four months after the ICAED Steering Committee requested the AFAD to be the Focal Point of ICAED, a Steering Committee was held, which was participated in by 9 out of 10 member-organizations. The meeting discussed about the adoption of the Linking Solidarity program as ICAED program. This was because of the fact that its-mother organization, the Aim for Human Rights closed its operations in February 2011 due to financial crisis of funders in the Netherlands. Former staff members of the Linking Solidarity program presented the proposal to have the ICAED adopt the Linking Solidarity program and the corresponding advantages it would have if it would do so. The representatives of the 10 ICAED member-organizations said that it would go back to their respective organizations to consult and get their decisions, after which, an exchange of emails would be done to present the decisions of the SC member-organizations. To note, the exchange of emails resulted in a unanimous decision to adopt the Linking Solidarity Project as ICAED's own program.

- **Participation in the Torture Survivors' Week, June 2011, Washington DC, USA –** The Torture Abolition and Survivors' Support Coalition (TASSC), which was accepted as a new ICAED member in a meeting of 8 March 2011, once again invited the AFAD Secretary-General, being the Focal Point of the ICAED, to

participate in the week-long event in Washington D.C. The AFAD Secretary-General was asked again to speak before the Human Rights Committee of the US Senate to speak about enforced disappearances in Asia as a serious form of torture and to call on the U.S. Government to sign and ratify the Convention. She was also asked to speak during the 12-hour vigil in honor of torture survivors held in front of the White House. Moreover, in a solidarity gathering of torture survivors, she was requested to share, being the new ICAED Focal Point, about her working and personal experience with the (delete-later) former Focal Point of the ICAED, Mr. Patricio Rice, who brought AFAD to the TASSC during these last two years.

The activity was also some kind of a training on specific topics related to torture survivors' asylum, organizing healing communities. Due to AFAD's experience on psychosocial rehabilitation, the AFAD representative shared the AFAD experience, too.

It was also a venue to talk to TASSC about its membership in ICAED and the possibilities for cooperation vis-à-vis the Convention. The AFAD Secretary-General also tried to explore possibilities of funding, which was not quite successful because it was summer time and people in the offices were absent. She was able to visit the Global Fund for Human Rights, though, who prefers to fund national organizations rather than a regional federation.

- **AFAD's Participation in an International Conference on Forensic Science, entitled, "Forensics Sciences and Human Rights Investigations Conference held in Johannesburg, South Africa on 31 October – 4 November 2011** – The AFAD Secretary General, upon the invitation of the *Equipo*

Argentino de Antropologia Forense was invited to present the situation of enforced disappearances in Asia the work of the Asian Federation Against Involuntary Disappearances before participants from the forensics field and NGOs from different African countries. It was a good opportunity to share AFAD's experiences in organizing itself and in conducting its work. It was also a good opportunity for networking with African organizations.

2.3 Disappearances (ICAED) Activities

To note, the ICAED is part of AFAD's International Work. However, for the purpose of classifying the EED funded activities and the activities principally funded by PSO/Pax Christi, the ICAED activities are written under a separate classification.

The following are the series of ICAED activities under the coordinatorship of the AFAD, being the ICAED Focal Point.

- **Small Group of ICAED Steering Committee Meeting in Manila on July 18-22, 2011 in Manila**

The SC Members met in Manila on July 18-22, 2011 for planning, project proposal brainstorming and lobbying. There were three major member federations present which were represented by Mugiyanto of AFAD, Ruth Llanos Navarro of FEDEFAM, Lola of FEMED, the focal person Mary Aileen Bacalso and Dr. Ewoud Alexander Plate, an observer from the former Aim for Human Rights.

The activities during the meeting are the following:

- **Writing of Concept Note for the EU Call for Proposals, i.e. Strengthening of Civil Society Networks in**

Promoting Human Rights and Democratic Reforms

In response to the invitation for the European Union for proposals, specifically on the Strengthening of Civil Society Networks in Promoting Human Rights and Democratic Reforms, the SC members worked and came up with a concept paper. This concept note was written with the help of the EU expert of the *Evangelischer Entwicklungsdiensts* (EED) which was willing to give 20% of the budget as counterpart.

One of the references used for this concept note was the proposal previously approved by the Steering Committee and subsequently submitted by ICAED to the French Ministry of Foreign Affairs. A full proposal can only be submitted once the European Union gives an affirmative response to the concept note of the ICAED through AFAD. It must be understood that AFAD is the focal organization of ICAED and has the legal personality, a requirement in submitting project proposal.

The Concept Note was submitted to the European Union on August 1, 2011, but due to the failure of the PADOR system of the EU, the submission, which was started four days prior to the deadline, was late by ONE MINUTE. With this ONE MINUTE DELAY and despite requests for consideration, the Concept Note was not evaluated by the EU. The AFAD/ICAED did not receive a response from the EU on November 23, i.e. the deadline of informing those organizations that submitted concept notes whether or not they are allowed to submit a full proposal.

- **Discussion on re-launching the Linking Solidarity**

Dr. Plate reiterated the background for this project which was approved by the PSO. The amount of Euros 76,000.00 is available supposedly for the project Linking Solidarity. Instead of returning the amount to the PSO due to the closure of the Aim for Human Rights, the then mother organization of the program Linking Solidarity. 5,000 Euros were used for the meeting of the Steering Committee which was held in Geneva in March 2011, thus, 71,000 Euros are left. With the unanimous decision of the Steering Committee Members during and after the meeting held in Geneva in March 2011, the money may be used for the purpose of the relaunching of the Linking Solidarity project. A project proposal to this effect was drafted, revised and submitted and was recently approved by PSO.

The funds have been transferred from the Aim For Human Rights account to the PSO and from PSO to the AFAD.

Ewoud emphatically mentioned that PSO will not have funding for next year for the LS project and in fact, will have the danger of closure.

After series of brainstorming the body finalized the activities until December 2011. These activities are intended to support the re-launching of the Linking Solidarity by completing the requirements of the Learning History to understand the strengths and weaknesses of the program in all its aspects. The useful features will be duplicated in the new project but the weaknesses will be analyzed thoroughly and be used as bases to strengthen the program and ensure that the same errors will not be committed again.

- **Visit at Malacanang Palace with the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP)**

On July 18, 2011, the ICAED's members of the Steering Committee maximized the presence of international personalities such as the representatives from the FEDEFAM, Euro-Mediterranean Federation of Associations of Families of the Disappeared (FEMED), and the ICAED observer, thus the team with the focal person visited Malacañang to lobby.

A delegation composed of Mary Aileen D. Bacalso, AFAD Secretary-General and ICAED focal person, Dr. Ewoud Alexander Plate (observer), Ms. Ruth Navarro (*FEDEFAM*) and representatives from the Families of Victims of Involuntary Disappearance (FIND) met with Undersecretary Ronaldo Geron of the Office of the Executive Secretary to the President of the Philippines. The heads of the Human Rights Affairs offices of the Armed Forces of the Philippines and the Philippine National Police respectively joined the said event. Both heads showed a supportive stance to the advocacy of FIND, AFAD and ICAED in promoting the Convention. It was a historical event because the security forces willingly supported the government not to ratify the Convention and enact a domestic law against enforced disappearances.

The ICAED presented the concerns on the anti-enforced disappearance bill and the Convention to which Mr. Geron responded saying that the government of the Philippines is keen into enacting the bill into law within 2011, but has not given any word on the signing and ratification of the Convention. The absence of response of the Philippine Government to grant the long time request of the UN WGEID for an official visit to the country was also mentioned by ICAED.

Undersecretary Geron asked instead for documents to prove this pending request.

The AFAD received unofficial information that once the bill would be enacted into law, the Philippines will no longer work on the Convention's signing and ratification. Another concern mentioned is the definition of enforced disappearance in the bill, wherein one Partylist organization, AKBAYAN, wants to include cases perpetrated by non-state actors in the definition of enforced disappearance.

- **Meeting at the Commission on Human Rights with Government Agencies**

Upon the request of the ICAED Focal Person, the Commission on Human Rights (CHR) Legal Department organized a meeting of concerned government agencies, e.g. Department of Foreign Affairs, Office of the Presidential Adviser for Political Affairs, Office of the Political Adviser for the Peace Process to have a meeting with the ICAED representatives, including the Families of Victims of Involuntary Disappearance (FIND), which is also a member of the ICAED.

The meeting discussed about the imperative of the urgent enactment of the anti-enforced disappearance bill into law; the signing and ratification of The Convention and the response of the Philippine Government to the still pending request for an official invitation of the International Convention for the Protection of All Persons from Enforced Disappearance.

Nilda Sevilla (FIND), Mugiyanto (AFAD) and Ruth (*FEDEFAM*) presented the importance of simultaneous enactment into law of the bill and the signing and ratification of The Convention.

The responses of the government representatives of the said government agencies were that they were in principle, supportive of the said requests, however, it was made clear that these would not be included in the State of the Nation Address of the President scheduled on 25 July because of many competing issues.

Ruth Llanos of *FEDEFAM* emphasized that the Philippines has to also take care of its international image, taking into consideration that as then candidate member of the UN Human Rights Council, it pledged to support the anti-enforced disappearance bill and the anti-enforced disappearance treaty.

Director Karen Dumpit of the Legal Department of the CHR said that government agencies should continue working so that the Philippines would be ready to face the international community, as it is again scheduled for the Universal Periodic Review in 2012.

- **Media Interview**

DZRH Batas Barangay Program invited the ICAED team on July 22, 2011. Radio station DZRH is one of the biggest radio stations in the country which also provide live television coverage. The said interview was participated by international personalities such as the FEDEFAM, FEMED and the ICAED Observer from Netherlands. During the interview, the team shared important topics such as: the local and global situation on enforced disappearances, the ICAED's advocacy for states' ratification of the Convention, the adoption of a domestic law criminalizing enforced disappearances and the pending request of the UN WGEID for an official visit which is not prioritized by the Philippine Government.

During the internal meeting, a local radio station also called in and did a phone patch

interview with Mugiyanto of AFAD, Ruth Navarro of FEDEFAM, Ms. Lola Schulmann of FEMED and Mary Aileen Bacalso the focal person.

- **Research on Learning History**

Prior to conducting the interviews the research team made the necessary preparations by reviewing the previous evaluation for the Linking Solidarity, reading other relevant documents and communicating with the Steering Committee to identify the possible respondents based on the identified categories.

Due to the limitations of time and financial resources, country visits are not possible for the research team thus the interviews are done through Skype. Although there is a difficulty due to time zone difference and language barrier for the non-English speaking countries, the team was able to meet the expectations with the help of volunteer interpreters.

- **Other Activities Supporting the Global Effort of Linking Solidarity to Eradicate Enforced Disappearances**

- **Lobbying for the Convention through lobbying with the Diplomatic Community in its Base Country**

The ICAED through the focal point wrote letters to the government representatives who attended the diplomatic briefing of the International Convention for the Protection of All Persons from Enforced Disappearance (The Convention) organized on May 4, 2011 at the Intercontinental Hotel in Makati City. These letters were sent to these embassies and missions: France, Norway, Netherlands, Germany, Argentina, Australia, Belgium, European Union, Indonesia, Iraq, Italy, Lao PDR, Malaysia, Mexico, and Thailand.

The letter mentioned the ICAED's appreciation for the support of these governments to The Convention and a possible chance to work with these governments for future activities supporting the Convention and other efforts against enforced disappearances. The correspondence also announced the ICAED's plans to conduct a conference in Geneva and separate meetings with UN CED and UNWG in November 2011.

- **Embassy Visits**

Letters requesting for appointment were sent through e-mail, facsimile and post to the following embassies in Manila: Germany, France, Norway, Japan, Spain, Switzerland and Netherlands. Four embassies responded, thus the Focal person with the ICAED staffs visited the embassies of Spain, Netherlands, Switzerland and Norway. The first two countries are States Parties while the last two are signatories.

The Focal Person discussed the current state of enforced disappearances in the Philippines and the number of States which signed and ratified The Convention. She also emphasized on these embassies about the need for their governments' support (if they ratified the Convention already) to influence the Philippine government to ratify the treaty. To note, the Philippine government made a voluntary pledge before the UN Human Rights Council to support the signing and ratification of the Convention. She also reiterated the need for a domestic law criminalizing enforced disappearances.

During the visit at the Swiss embassy, the focal person explained to the Swiss Ambassador Ivo Seiber the necessity of the support of the Swiss

Embassy in Makati for the ICAED's staff members to get an approval for their visa applications. It was also explained that the ICAED staff members would be performing important tasks related to research, documentation and logistics support during the conference and the UN Events with UN CED and UN WGEID.

After the ICAED's conference in Geneva, Ambassador Jorge Domecq of the Spain Embassy in Makati updated the Focal Point of their meeting with the Department of Foreign Affairs Assistant Secretary Meñez to call on the Philippine Government to ratify the convention. The said meeting was participated in by the representatives of France, Belgium and Argentinean Embassies in the Philippines; these representatives also urged the Philippine Government to ratify the Convention.

- **ICAED's Conference, UN Side Event and Meetings with UNWGEID and UNCED in Geneva, Switzerland from November 7-10, 2011**

After series of Skype Meetings, the Steering Committee decided to hold a conference and other activities in Geneva, Switzerland on the occasion of the official session of the UN Working Group on Enforced or Involuntary Disappearances and the first meeting of the newly established UN Committee Against Enforced Disappearances.

- The conference, with the theme: *LINKING OUR SOLIDARITY: Strengthen our Unity; Renew our Commitment Towards the Ratification of the International Treaty Against Enforced Disappearances* had the following objectives:

- This Conference seeks to re-launch the program on enforced disappearances of the former Aim for Human Rights, the Linking Solidarity (LS). It is envisioned as a new comparable initiative owned by the International Coalition Against Enforced Disappearances (ICAED), rooting it within the group of main beneficiaries: the relatives and human rights organizations based in countries where disappearances occur.
- To provide a venue for the 40 member-organizations to meet and give updates on the situation vis-à-vis enforced disappearances and their responses in as far as the campaign and signing of the Convention are concerned and for them to come up with suggestions for a plan of action.
- To meet the new Committee on Enforced Disappearances.
- To meet the UN WGEID during its official session.

A concept paper and invitation letter were drafted, approved and sent to the 39 member organizations of ICAED in the first week of September 2011. Other necessary preparations were made for the logistics needs, e.g. venue, food, accommodation, translation requirements, accreditation for the meetings with the United Nation's Committee on Enforced Disappearances (UNCED) and the United Nations Working Group on Enforced or Involuntary Disappearance (UNWGEID) meetings, follow up for the approval of the Schengen Visa of the ICAED's staff members and some delegates from Peru, Namibia and Iraq.

Speakers for the side event at the *Palais des Nations* were contacted and upon their confirmation, letters of invitations were also

emailed to all government missions in Geneva for them to participate in the side event.

28 organizations made a final commitment to join however only 22 organizations made it to Geneva due to financial and visa constraints. Most of the participating organizations paid for the airfare of their delegates. Four professional interpreters volunteered their services and 2 non-member organizations gave their support to the conference, these are: Jardin des Disparus and the Madres de Plaza de Mayo.

A total of 50 individuals attended the internal conference in November 7-8, 2011 at the John Knox Center, while the Side Event at the Palais des Nations in November 9, 2011 was attended by more than a hundred individuals from the government missions in Geneva, members of the UN CED, UN WGEID and representatives of the ICAED's member organizations.

On November 10, 2011, the focal person, observers and representatives of the member organizations attended the UN CED Meeting with the NGOs at the Palais Wilson. The ICAED focal person delivered the official statement written especially for the CED.

For the meeting with the UNWGEID on November 10, 2011, only 20 names were submitted for accreditation because of the limit imposed by the Secretariat of the Working Group. For the side event and the Meeting with CED and NGOs, the Focal Point was able to submit 62 names of the delegates representing the following 28 member organizations.

During the ICAED's internal conference on November 7-8, 2011 at the John Knox Center in Geneva, each representative was given 7 to 10 minutes to present their paper concerning the current status of enforced disappearances in their country, introducing their organization, their organization's

milestones and challenges in promoting The Convention.

For most organizations from Africa, Asia, Europe, Euro-Med, Northern and Latin America, they are confronted with issues on the resistance of their government to ratify, failure of their governments to address enforced disappearances, the lack of domestic bills or laws criminalizing enforced disappearance and impunity. Some delegates are also relatives of the disappeared thus they experienced harassments from the hands of the perpetrators.

Only the delegate from Switzerland categorically stated that this country has zero case of enforced disappearance but for the rest of the countries across the globe, enforced disappearances still remain as a grave recurring problem which needs immediate resolution.

Professor Gabriella Citroni, the ICAED's legal adviser and consultant gave an input on the Convention and the challenges ahead for ICAED. She specifically pointed out the failure of the civil society and the ICAED to submit a nomination for the election of the UN CED members in May 2011. **(Note: In actual, the ICAED submitted the name of Mr. Santiago Corcuera as a member of the new CED, but unfortunately the latter was not nominated.)** Her other suggestions include the need for a domestic law supporting the Convention and the active participation of ICAED and the civil society for the drafting of the rules of procedures for the UN CED as a new committee.

During the second day of the internal conference, the delegates were grouped based on their regional areas. Each group discussed and enumerated inputs for a concrete plan of actions. These inputs are currently processed by the Steering Committee and its observers to include objectives, strategies and timeline. A final

plan of action will be circulated to member-organizations in January 2012.

2.3 Documentation, Research and AFAD Resource Center

AFAD continued to work with the Southeast Asian Centre for e-Media (SEACeM) for the Asia Human Rights Monitoring System (ARMS). The project primarily aims to enhance the human rights documentation system for better monitoring of violations in the region, enhance data quality of human rights violations cases collated, and to liaise with other organization to increase the quantity and quality of data. AFAD maintains an OpenEvsys database on enforced disappearance and a portal at the ARMS website.

As a partner, AFAD is expected to submit cases of enforced disappearances to SEACEM.

The Documentation Research Officer worked on the cases which were uploaded in the ARMS Project.

During the whole year, the Federation was able to submit 52 cases of enforced disappearances. Most of these cases were also submitted by the AFAD member-organizations to the AFAD Secretariat.

A survey on the documentation work of each of the member-organizations was conducted. It was part of laying the groundwork for eventually coming up with a unified data base distinctly owned by the Federation. It is part of

the continuing efforts of AFAD to be the repository of data, for purposes of serving as bases for the other aspects of work of AFAD and its member-organizations, e.g. advocacy, lobby, direct support to the victims, search for the disappeared; to serve as back up files for AFAD member-organizations and for updating AFAD's statistics. To note, the present published statistics AFAD has are the those which could be found in its book, "Reclaiming Stolen Lives." (2008). Such updated statistics will help the Federation in coming up with sharper analysis on the phenomenon of enforced disappearances in Asia.

Results of the survey also served as basis for writing a specific proposal on Documentation sent to OSI.

In terms of the Resource Center, it was maintained, but principally for internally use and secondarily for external researcher. The Federation just had to contend with the reality that there are only few users because of the internet. The efforts to look for funds for its digitization were so far, not successful.

2.4 Psychosocial Rehabilitation – The Federation made a breakthrough in terms of psychosocial rehabilitation in the sense that for almost three years, AFAD as a Federation did not have funding on this. The Women's World Day of Prayer, a funding agency based in Germany, generously gave some support to the Federation for the implementation of the program, entitled: "Circle of Healing" in

Indonesia and Kashmir. Such funding was also complemented by the United Nations Voluntary Fund for Victims of Torture, which supported the same process for the Advocacy Forum and the Conflict Victims Society for Justice in Nepal.

Below are activities on Psycho-Social rehabilitation in countries concerned:

Activities in Indonesia

As planned, *IKOHI* and *KontraS* have been conducting the psycho-social rehabilitation work in Jakarta, Indonesia since it started in June. After the social preparation done with the families who were selected as participants to be trained as peer counsellors, the two-day workshop about *Review of Skills and Individual Assessments, Input Discussion about Counselling and Role of Peer Counsellors* were conducted on July 6-7, 2011 with the participation of 10 families, the local project Coordinator and the Over-all Coordinator and the part-time Psychologist. The workshops kept the participants glued to the topics because the methodology applied was very participatory and the input of the psychologist was supported by what they had already experienced.

To date, participants have been reaching other families of the disappeared to apply refreshed knowledge on basic counselling. They have been grouped and assigned to

areas within Jakarta where families reside. All throughout, the Psychologist is around to guide and supervise the trainees for peer counsellors. The local project Coordinator ensures documentation and has been preparing accomplishment reports.

Mid-Year Assessment Results

On December 6 – 7, 2011, Ms. Emilia P. Aquino, the Project's Over-all Coordinator, facilitated the assessment of the project after six months implementation which was also conducted at the conference room of *KontraS* in Borubudor, Jakarta Indonesia.

The group was composed of the part-time psychologist, Rini Kusnadi, AFAD Council Members Wanma Yetti and Yati Andriyani, representing *IKOHI* and *KontraS* respectively and Mr. Ari Yurino, Project Coordinator and the six trainees for peer counsellors.

On the first day of the assessment, the general activity planned from the first month to December was reviewed. First, it was well-noted that the project took off clearly. All stakeholders knew the need for the continuation of the psycho-social rehabilitation especially to the families and the fact that the priming of peer counsellors was essential. It follows the process by which one person is helped by another who has had related experiences. This way, trust building is easier because the social realm that brought their problem is the same. Familiarity would therefore

provide each family an environment whereby self-expression would be undaunted. Inter-personal relaxation is in itself already precious which shall laid down the ground for deep understanding, active listening and nurturing situation for the capacity to self-healing and healing of co-victims.

The psychologist was able to provide sufficient preparation in the conduct of peer counselling during home visits through workshops as in role playing, simulation activities and grouping the trainees as buddies.

Review of what had been achieved and identifying internal and external factors which had affected positively and not on the progress of the project composed the major contents of the results of the focus group discussion (FGD). FGD was applied as a methodology in the conduct of the two-day meeting on December 6-7, 2011. Below are the highlights of the project assessment.

a. The peer counselling trainees obtained knowledge about :

- How to facilitate the participants to share their stories and experience as a companion
- Understanding the process of meeting facilitation
- Understanding the importance of family support in the recovery process
- Being aware of the risk/problems during mentoring

b. Conduct of home visits to other families (as part of the major exercises in peer counseling) of disappeared served as a venue for meaningful exchanges of recalling

the past and the present situation of difficulty particularly in the aspect of daily survival. One trainee, a mother of the 1965 tragedy shared that mere presence of her as former comrade was significant enough in boosting the morale of a fellow victim.

Other results from the home visits were sharing about the threat of being evicted from their homes because of a construction of big apartments near their localities. Their trauma from the disappearance of their loved ones is exacerbated by other pressing socio-economic woes.

After six months, renewed ties and empathy among the women-families were appreciated.

- c. The rehabilitation program of AFAD has helped unite the families of victims from different tragedies in Indonesia, e.g. the 1965 anti-communist massacre, 1988 May tragedy, Tanjung Priuk, Talang sari in 1989. The workshop evoked the same feelings of being victims, shared same sufferings. At the end of the day, all were one in the conviction to continue the struggle in achieving justice.
- d. Recent contacts with the families by the peer counsellors trainees obtained renewal of interest to be involved again with *IKOHI*. This added strength to *IKOHI* as an organization of families of victims of enforced disappearances.
- e. It is important that other families based in other provinces be trained also as peer counsellors. Peer counsellors are initiatives which reinforce the feelings of victims

that they are not alone. They will build concrete support group for healing of the families.

Recommendations:

- More inputs particularly in approaches on how to carefully handle counselling with fellow families, basic counselling, how to be a good peer counsellor and how to manage group counselling.
- Provision of income generating component and health services in the psycho-social rehab project. These were needs of the beneficiaries expressed during meetings and home counselling sessions.
- Continue the development of peer counsellors, tapping other families, outside of Jakarta.
- Conduct regular debriefing meetings to rule out emotional baggage that somehow affected the peer counsellors.

Kashmir, India

The project implementors attempted to start in June 2011. However, the Association of Parents of Disappeared Persons, AFAD's member/partner-organization set the first 2-day workshop much later on September 10-11 2011, due to the commemoration of Ramadan. The APDP organized this planned activity which was supposed to be attended by the Projects Over-all Coordinator (OAC). But due to unexpected, uncontrolled circumstances brought by the New Delhi Immigration Officer, the project Coordinator from the AFAD Secretariat was not allowed entry to New Delhi. She was forced to take the next flight back to Manila on the same day that she arrived.

In view of this incident, the APDP stopped communicating with the Secretariat for almost two months, which was from September until October 2011. The AFAD tried other

means to get in contact with them but efforts were futile and such reality was assumed that the political developments in Kashmir must have had put our member -organization in a very high security risk. It was only on November 4, 2012 that Mr. Khurram Parvaiz , of APDP and AFAD's Council member resumed his communication.

The APDP was ready and very interested to go on with the implementation of the said rehabilitation project.

The APDP, through Mr. Khurram Parvez , communicated to Ms. Mary Aileen Bacalso, the Secretary General that they would start implementing the rehabilitation project in February this year. This modified the original project period which was June 2011 – December 2011 to February 2012 – December 2012.

Kathmandu, Nepal

This project called Circle of Healing was developed for the continuity of AFAD's rehabilitation program. This is being funded for implementation from mid 2011 - mid 2012 by the United Nations Voluntary Fund for Victims of Torture.

Development of the project module and management tools such as training syllabus, memorandum of agreements between the AFAD Secretariat and the implementing partner, briefing papers on the implementation and reporting process,

resources and scope of the project were done in June. These were forwarded to the AFAD Council members in Nepal in close coordination with the focal person in-charge of the project.

A common understanding of the project implementation was manifested in the signing of the Memorandum of Agreement between AF and AFAD through Ms. Mandira Sharma and Ms. Mary Aileen D. Bacalso. The hiring of part-time psychologist was done by council members in AF.

The program was started with the formal welcome and introduction of participants among the group. After the general introduction session, the families of the disappeared shared their experiences with each other. Then the session on self-awareness focusing on gender issues, pro-active role and goal of life was carried out. Individual differences in terms of values and norms were also discussed. On the second half of the day, the discussion was based on stress and coping behavior. The participants were given time to discuss on the meaning of stress, how to cope with it, reviewing the life events and observation and the kind of coping behavior adopted by people. How stress affect a person's mind, body and behavior was made clear in a mini lecture after the presentation of pairs. The presence of excessive stress might lead people to think in destructive way and the psychological worker must counsel them immediately if they come across them. The psychological problems in various aspects of families of the disappeared persons were discussed in groups, followed by a mini lecture.

The class on second day started with the review of previous day with summary and clarification. Communicating skill including empathetic listening, responding and ability to say "No" assertively and share things confidently in necessary situation, verbal and non-verbal means. This session helped the participants understand the importance of proper body language, eye contact, sitting postures, distance, observation, speaking style and so on.

The principle for being the helper was taught. The participants were also taught to maintain confidentiality, avoid fake promises and expectations, build rapport and proper communication skills. The importance of documentation was also briefed with the sample format and the appropriate way of filling up the form followed by short role play, expressing how and for what reasons the documentation is useful. Along with the information of the importance of the documentation, the way of keeping the documents safely and confidential was also taught to the participants.

A relaxation session, dubbed as Progressive Muscles Relaxation, was also conducted to refresh the participants. It helped the participants learn how to conduct the relaxation session so that they can also conduct it in their field wherever they go.

Later on, the way in which the groups would function in their concern district was discussed. Ms. Kopila Adhikari from Advocacy Forum facilitated the whole program. She talked about the work plan to be carried out to form the circle of healing and made it clear. After the clarification, the participants agreed. Six participants agreed to

meet other families or persons in the ratio of 1:6/8 persons by the end of December 2011 being the psychological workers. While working in the field, they mentioned their experiences that they had foreseen the need of the reference of the counselor or refreshment training to discuss the issue that comes along during the regular field visit.

Most of the participants found the sessions something new and interesting. They were happy and positive towards the objective of organizing the circle of healing program. Those who had participated in the first or second previous workshops found the gap between these two workshops. They wished it to be continued for long. They strongly recommended that this type of support be continuously provided so that they could be supervised well to make their skill more effective. The workshop helped the participants to understand the importance of support and role that they can play as members of Circle of Healing program. For them it has brought about the positive reforms within themselves as well. One of the participants also mentioned that through empathetic listening as well, they can help other people. She mentioned that it didn't occur to her before.

In conclusion, they have emphasized on the need of such peer support that can shore up and help the families of missing persons in various ways and with whom they can express themselves.

2.5 **Coordinative Activities funded by EED include the following:**

➤ **AFAD Council Meeting in Bangsaen, Thailand on November 22-27, 2011-**

As done annually, the AFAD Council met in Bangsaen, Thailand in order to discuss the work it had done in 2011 based on the plans of December 2010 approved by the AFAD Council. It was also a venue to update the AFAD Council members with the phenomenon of enforced disappearances in their respective countries, including the responses of their governments in relation to the issue, to the campaign for the International Convention for the Protection of All Persons from Enforced Disappearance and for the enactment of domestic laws criminalizing enforced disappearances.

The Federation invited Ma. Lourdes de la Paz of PRISM, *EED* Consultant to be the resource on the Impact, Outcome Orientation of the *EED*. This is a new framework for AFAD member-organizations both in terms of planning, implementation, monitoring and reporting. Hence, it was a venue for the AFAD members to be oriented on it in view of the then impending approval of the AFAD proposal submitted to EED for the implementation of another three years of regional and international campaign, public information and lobby work.

Based on the presentation of the framework, the AFAD member-organizations conducted individual workshops on their plans based on the proposals had the most probability of being approved in 2012. Hence, content of the said proposals were presented to the AFAD Council for consideration in their planning.

Thus, initial plans were presented to the AFAD Council which were to be finalized by the respective member-organizations when their representations return to their respective countries. These plans were sent by email to the AFAD Secretariat before the end of 2011.

➤ **Focus Group Discussions on the Results of the Internal Evaluation -**

The AFAD Chairperson and some members of the AFAD Council and AFAD Secretariat conducted focus group discussions in Sri Lanka, Indonesia, Timor Leste, Kashmir and Nepal conducted focus group discussions on the results of the internal evaluation.

It is very important that recommendations in the evaluation be discussed among the constituents of AFAD member-organizations who are part of the the main actors of the work of the Federation. Taking into consideration these evaluations in the day to day work of the member-organizations in relation to the implementation of the AFAD plans is important to ensure a quantitative and qualitative leap of the Federation. What AFAD should avoid is to review the recommendations only during the next evaluation.

Year End (2010) and Mid-Year (2011) Secretariat Assessment and Planning

– As part of the over-all management process of the Secretariat, it conducted an annual assessment followed by performance evaluation of staff members with the help of an external person, Ms. Fe Garcia. It was held in February of 2011 at the Sacred Heart Novitiate, Quezon City, It was a venue to review also the Internal Evaluation results, the recommendations of which were considered in the Secretariat planning.

A separate performance evaluation followed using the tool provided for by the evaluator, e.g. matrix on outputs, matrix on self, peer and supervisor's evaluation was conducted.

At the middle of the year, the AFAD Secretariat held the mid-year assessment and planning in Cebu City.

It was conducted at the Betania Retreat House. It was held in time also of the 26th anniversary (July 11) of the disappearance of Fr. Rudy Romano, CSsR where the AFAD Secretariat gave presentations at the Redemptorist Church for the occasion. It also gave presentations on both the anti-disappearance bill and Convention at St. Theresa's College, College Department, with more than 300 students and faculty members attending.

Administration Work – The day-to-day admin tasks, e.g. office maintenance; filing system, monitoring of attendance of personnel; monitoring of reports of member-organizations, staff development activities, maintenance and acquisition of pieces of office equipment, arranging tickets to travelling personnel were carried out by the AFAD Admin. Officer as part of support to the AFAD Secretariat in particular and to the whole federation in general.

3. Executive Summary of AFAD's Work in 2011

The Asian Federation Against Involuntary Disappearances (AFAD) fully implemented the different programs, e.g. Philippine Misereor Project on Campaign, Public Information and Lobby; Regional and International Campaign, Public Information and Lobby; Research and Documentation; Psycho-Social Rehabilitation. What was new then was the AFAD's role as focal point of International Coalition Against Enforced Disappearances (ICAED) and the process of reviving the program, Linking Solidarity, which was accepted by the ICAED as one of its programs. To note, Linking Solidarity used to be a program of the Aim for Human Rights and its original mandate was to facilitate cooperation among families of the disappeared.

The plan implementation was coordinated by the AFAD Secretariat, which, during the year, changed its composition. As mentioned, two of the former

Secretariat members resigned from their positions. This did not deter the full implementation of the plans.

In as far as the advocacy in the Philippines is concerned, there were some significant developments in the lobbying for the anti-enforced disappearance law, as the bill was approved on third and final reading by the Philippine Senate (Upper House). At the level of the House of Representatives (Lower House), it was approved by the Civil and Political Rights Committee as well as the Committee on Justice. On the signing and ratification of the anti-disappearance treaty, despite pressure moves of both AFAD and FIND to get the support of the Philippine Government to sign and ratify the it, there were no signs that the Philippine government was willing to do something to respond to these calls despite the fact that signing and ratifying the Convention is one of the Philippines' voluntary pledges to the United Nations Human Rights Council. Pressure activities were conducted at the level of the diplomatic community as well as the office of the president, however, concrete results still remained to be seen.

In as far as the campaign for the ratification of the Convention by other Asian countries is concerned, there was no significant increase in the number of signatories and ratifications in Asia. Efforts were conducted in terms of campaign, public information and lobbying, but results did not yield to concrete signing and ratifications although countries such as Indonesia and Thailand had hopes of eventual ratification due to some steps conducted by their respective governments.

In other countries, Indonesia had some progress in view of the fact that it already signed the Convention in September 2009, based on which, the government came up with concrete measures to draft an academic paper in preparation for its eventual ratification at the latest, in 2014. Moreover, the government responded to the recommendations of the Commission on Inquiry into the issue of enforced disappearances to come compensation and rehabilitation to the families of the victims and to give certificates of recognition to families of victims of enforced disappearances in 1997-1998.

Hence, the efforts of AFAD member-organizations yielded results in terms of information dissemination, but much remains to be done in getting concrete signatures and ratifications for the Convention.

At the international level, the Federation, being the Focal Point of ICAED, was all the more made visible at the international level during series of activities of the Coalition held in Geneva, Switzerland. The Coalition, under the

coordinatorship of AFAD, was very successful in being recognized by the newly established Committee on Enforced Disappearances, formed after the entry into force of the Convention, during its first meeting. The AFAD Secretary-General, who is also the ICAED Focal Point, served as the spokesperson of the Coalition in all the meetings in Geneva in November 2012.

In terms of documentation work, the Federation was then at its stage of laying the groundwork for the establishment of a regional data-base which was targeted to be done in 2012. Such establishment is very important because it would serve as the very foundation of the Federation's various aspects of work. Submission of cases to the ARMS website was also an opportunity to ensure the global visibility of the theme of enforced disappearances.

The revival of AFAD's facilitation of the psychosocial rehabilitation program in at least, three countries where AFAD has member-organizations was a breakthrough for the Federation. While this is a complementary program to AFAD's core projects, the psychosocial program is very important for the empowerment of AFAD's constituents and which will also ensure AFAD's presence among the families of the disappeared. This program, however, has to be enriched through the efforts of AFAD's member-organizations in getting more financial support for the continuity of these activities.

In as far as the leadership is concerned, the AFAD Council and Executive Council did what it could to guide the Federation carrying out its much avowed mission, vision and goals. The day-to-day work of the Secretariat as the center for service and coordination has, as always, been an indispensable part in ensuring the implementation of AFAD's work at the national, regional and international levels. Consciousness in ensuring regular planning, monitoring and evaluation of projects and personnel both through internal efforts and with the help of external facilitators helped a lot in the attainment of its work.

These accomplishments for the year 2011 were made possible through the generous support of AFAD's partners, to whom we owe our never ending gratitude. These partners include the following:

- DKA – Austria
- *Evangelischer Entwicklungsdienst (EED)*
- Misereor
- SEACEM
- Embassy of France in Manila

- PSO/Pax Christi/IKV
- United Nations Voluntary Fund for Victims of Torture
- Women's World Day of Prayer

The year ended with the approval of a proposal submitted to OSI and a renewed three-year support for campaign, public information and lobby from the *Evangelischer Entwicklungsdienst (EED)*. Moreover, there were promises for more resources through an impending approval of the support from OAK Foundation (for campaign and lobbying; documentation; institutional building).

Annex A. Photos

University Hopping at St. Thomas Aquinas College



University Hopping at St. Theresa's College



Meeting of Prof. Citroni, FIND and AFAD representatives with the Chairperson of the Commission on Human Rights (CHR), Loretta Ann Rosales





Actual Commemoration of the International Week (IWD) of the Disappeared



AFAD and ICAED lobby meeting



AFAD's Commemoration of its 13th anniversary and the re-launching of the Coalition Against Enforced Disappearances on 3 June 2011

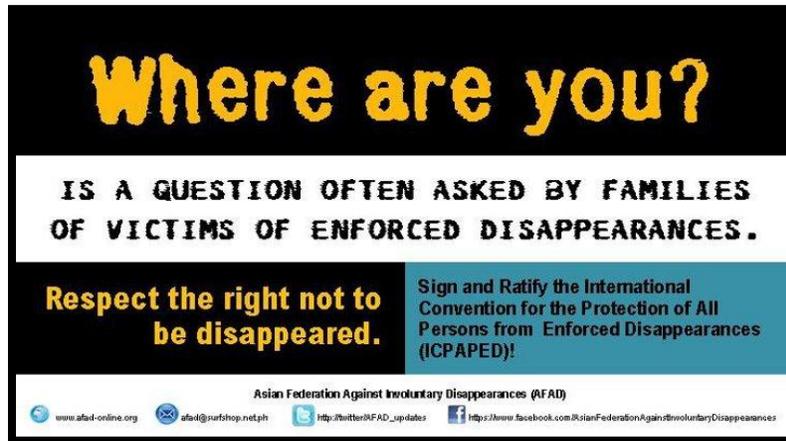


Meeting of Prof. Gabriella Citroni with FIND and AFAD representatives with Major General Jose Mabanta of the Armed Forces of the Philippines



Information, Education and Campaign Materials:

Stickers



Post card



Bus advertisement



T-shirt design



Where are you?

is a question often asked by families of victims of enforced disappearances.

International Day of the Disappeared Activities

Indonesia: IKOHI



Timor Leste: HAK Association



Sri Lanka: Families of the Disappeared (FOD)



Nepal: Advocacy Forum



Thailand: Justice for Peace Foundation (JPF)



December 2011 Activities:

Kashmir: Association of Parents of Disappeared Persons (APDP)



Bangladesh: Odhikar





Psycho-social Rehabilitation work



