

# The Fate of the Missing: The Right of Families and the Duty of the State and Society

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In the 1990s, thanks to the struggle of women from Latin America, the issue of missing or forcibly disappeared persons entered the international justice arena, and the legal framework for addressing it was formulated in the International Convention for the Protection of All Persons from Enforced Disappearance (2006). Of course, the issue of missing persons did not begin in the 1990s—it is an issue that is as old as the history of the human race and the history of war. What is new after 2006, however, is the classification of the crime and the availability of legislation to families of missing persons to restore their right to know the fate of their loved ones.

Conflicts among people, especially civil wars based on sectarian, ethnic or tribal partisanship, always require, when they are over, a kind of amnesty for crimes committed by all sides, especially when the different sides have to go on living side by side. But this indispensable amnesty should not be discriminatory (that is, an amnesty for some but not for others), and it cannot be separated from the other associated components, such as knowledge, truth and forgiveness, among other things. Just as memory has no meaning and cannot exist without forgetting. In Lebanon, the civil war, which ravaged us since the 1970s, ended with an amnesty law that incorporated discrimination and forgetfulness. To the exclusion of everything else.

A few months ago, thanks to an exemplary struggle led by a handful of women (and some men), and after many decades and so much waiting, a law was passed by the Parliament establishing a national body whose only task is to search for the persons who went missing during the Lebanese war (or wars), that is thousands of citizens and residents, men and women alike. This law enshrines the right of the families of the missing to know the fate of their loved ones. It is a right that has been established in international instruments, in addition to all secular and religious laws.

The right to know is the exclusive right of the families of the missing. In order for this right not to remain a dead letter, the State and society must now—unlike

what they did (or didn't do) at the end of the Lebanese war—fulfill their duty. At the time, the State did not search for the missing, who are its sons and daughters. Society chose to close its ears and look the other way. Law No. 105 of November 18, 2018 offers them a new chance to do what is right: It is the duty of the State to establish the national body and ensure that all conditions are met so it can carry out its work seriously and tranquilly. It should also, educate coming generations about what happened so that it does not happen again. As for society, it is its duty to come to terms with what happened in order to embrace our brothers and sisters the moment they learn the truth about their missing loved ones.