

Kidnapped and Missing Persons in Lebanon

Intervention by Wadad Halwani

In the name of the families of kidnapped and missing persons, in the name of their Committee, I would like to bring to your attention some elements of reflection and of proposition on a problem, the tragic importance of which goes beyond the scope of our national borders.

For the purpose of sharing a personal testimony with you, please allow me in the first place to brief you on the history of our tragedy and our struggle.

One of the most tragic consequences of the war, which lasted 15 years (from 1975 to 1990), was the disappearance of thousands of persons in Lebanon.

This practice, to which Militias used to have recourse to, affected thousands of innocents, whose only crime was their religious, ideological or national belonging.

Kidnapping used to take different dimensions, tempered sometimes, depending on the antagonists' mood and interest, and depending also on the political situation of the moment.

The biggest wave of kidnappings was the one which took place during and after the Israeli invasion of 1982, particularly after the assassination of elected President of the Republic Béchire Gemayel,

When I was looking for my husband, himself kidnapped in 1982, I went to see the persons in charge of the Militias and the Parties. All I got from them were verbal regrets and short-lived condemnations.

I found out that those persons in charge were receiving complaints similar to mine; so, I started looking for the persons who have suffered the same affliction, who experienced the same doubts, the parents of kidnapped persons. I thought that a collective complaint would be more efficient; so, I talked to the parents of the kidnapped persons through a local radio, in a discourse during which I fixed a date for our meeting. I had such a surprise on this date!

Hundreds of women turned in, in answer to my call. We all spontaneously took the direction of the Governmental palace.

Ten among us were chosen to meet the Prime Minister.

We agreed on going ahead with this common step, which gave birth on 25/11/1982 to the Committee for the Parents of Kidnapped Persons.

The Committee listed the names of the kidnapped persons, the places and dates of their kidnapping. The number of kidnapped persons in the western zone of Beirut reached 2111 persons. As you know, due to the war, Lebanon was divided into two zones in permanent conflict. To the above mentioned figure of kidnapped persons, were added 250 persons who were kidnapped in the Eastern zone.

It is to be mentioned here that this figure is not the real figure of all kidnapped persons which, according to an official estimation, amounts in fact to 17 000.

"It is our right to know their fate", so goes the slogan of our Committee; yet, the authorities did not undertake any action in response to our complaints.

Although we have always declared openly that we want peace, we have been accused of undermining the peace process, and of affecting this process by stirring up memories.

Through our movement of protest, pressure and claim, we formulated the two following proposals:

- The State should conduct a genuine inquiry into the fate of kidnapped persons before concerned Parties and Bodies. The State should intervene in the same way to release immediately the persons found alive, and declare the death of those of which no trace was ever found.
- The Amnesty law of 26.8.1991, should not be applicable to persons responsible for acts of kidnapping. These persons should appear before the competent tribunals.

A "monster" law was born. It stipulates that the parents of the missing person present before the tribunal under the competence of their religious community, a petition in which they bring to the attention of the tribunal the circumstances in which the person disappeared.

According to this law, the tribunal publishes the news in two or three local newspapers. If the person, who might have any information on the case of the person kidnapped or missing, does not appear before the tribunal in a lapse of two or three days, a death certificate is delivered. This law even stipulates how to distribute the legacy of the kidnapped or missing person.

By so doing, the State has evaded its responsibility, the State has reduced a case which concerns thousands of persons to mere individual files; as if all the parents of the missing persons try to get is simply obtaining a small piece of paper, "a death certificate".

We can in no way accept this so called solution.

Our claim is that the State should establish a Commission in charge of conducting investigations into the fate of the persons who have been kidnapped or are missing on the Lebanese territory, in the period between 26/2/1975 and 13/10/1990, (the period of the war).

Afterwards, and on the basis of the results of the investigation, the competent authorities should take immediate action aimed at releasing the persons found alive, and declare the death of those who left no trace.

This proposal has a supplement, it is a project of assistance to those families, the main constituents of this project are:

1. To give priority in public schools to the children of missing persons.
2. To secure a monthly salary for the families who have lost their principal bread-winner and who have nobody to supply for their needs.
3. To establish centers of apprenticeship for the families of kidnapped persons so as to guarantee for them a line of work or an ability, thanks to which they can become productive. A fact that might bring about their reconciliation with their countries.
4. To grant long term loans bearing no interest to the parents of kidnapped persons, in order to help them launch out into productive life.
5. To insist on having a certain percentage of employment in services and in public institutions reserved for the parents of kidnapped persons.
6. To secure, for the parents of kidnapped persons, the assistance of social security by giving them medical cards, to spare them the trouble of illness.
7. To set up a monument in memory of the kidnapped persons in a main place. This commemorative monument will also be the symbol of the condemnation of both past and future kidnappings.

We are anxious to know the fate of the persons kidnapped for three reasons:

1. To assert the sovereignty of the State and of the Law, a sovereignty which can not fully prevail without dealing seriously with the consequences of the war.
2. To strengthen peace and national understanding, a task which can not be achieved if we forget the crimes perpetrated against civilians and against the whole Country. Peace can only be established after all conflicts and tensions have come to an end.
3. To guarantee the rights of the parents of the persons kidnapped to know the fate of their beloved. Leaving thousands of persons suffer while awaiting those who might never come back is an attitude which should be no longer permissible. The truth, even if it is very difficult to bear, it is less cruel : visiting a grave, putting flowers thereon, praying, mourning, all are elements which make this harsh reality less cruel.

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This struggle concerns in the first place the Lebanese and it is in Lebanon that we will continue conducting it. It is a struggle which rejoins the struggle that numerous organizations and personalities all over the world are also conducting, particularly in countries where populations claim the truth, and where populations fight impunity. Solidarity is imperative, and a more important support from the international community, mainly from the Commissioner for Human Rights, is so badly needed.

In the name of the Committee of the Parents of Kidnapped and missing persons.

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