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PHILIPPINES: NOT FORGOTTEN: THE FATE OF THE "DISAPPEARED"

As Filipino families gather at cemeteries to remember their dead on All Souls' Day, Amnesty International is launching a major new report into the unresolved fate of more than 1,600 people who "disappeared" in the Philippines under the governments of Presidents Ferdinand Marcos, Corazon Aquino and Fidel Ramos.

"As the Philippines looks to a more peaceful future it should not turn its back on all those who "disappeared" at the hands of the state and are presumed to lie in hidden graves," Amnesty International said. "Years after their "disappearance", the victims are still denied justice and the suffering and uncertainty of their families continues unabated."

"The "disappeared" should not be consigned to the past. Reviving economic and social stability in the Philippines offers an historic opportunity to address the injustices of the past, establish the truth and lay the foundations for genuine, lasting national reconciliation."

Although the number of "disappearances" has declined significantly since the election of President Fidel Ramos in 1992, the overwhelming majority of past "disappearances" remain unresolved with very few members of the security forces believed responsible ever having been brought to justice.

Amnesty International emphasised that the failure to deal with past human rights violations contributed to a climate of impunity among government personnel. The effects of impunity can be seen in the continuation of "disappearances" despite the overall reduction in armed conflict and levels of human rights violations, the organization said. In particular, impunity provides the context for continuing instances of police officers acting outside the law by abducting and 'salvaging' (the Philippine term for unlawful killings) people suspected of common crimes.

In its new report marking All Souls' Day on 2 November Amnesty International examines the record of laws and institutions in the Philippines regarding the investigation and establishment the truth about past "disappearances", the prosecution of suspected perpetrators and the provision of redress for the victims and their families.

"The Philippines Government has identified reform of the criminal justice system as a major priority in efforts to ensure lasting social and economic stability. Justice for the victims of "disappearance" should be at the centre of any campaign against crime and impunity and in support of the rule of law," Amnesty International said.

BACKGROUND INFORMATION

In the early 1970s “disappearances” mainly occurred within the context of internal armed conflict, martial law and counter-insurgency campaigns directed against the Communist Party of the Philippines (CPP) and its armed wing, the New People’s Army (NPA).

After the fall of President Marcos in 1986 President Aquino’s government instituted a comprehensive array of legal and institutional guarantees intended to protect human rights. However these measures proved ineffective in countering the effects of anti-insurgency campaigns which, by targeting alleged critics of the government as sympathizers of the CPP/NPA, allowed the practice of “disappearances” to continue. Clear and substantive evidence emerged implicating government personnel and government-backed forces in the “disappearances”. However prosecutions of those believed responsible were the exception.

Most of the “disappearance” victims were members of student, labour, religious, political or human right organizations which the authorities often claimed were fronts for the CPP/NPA. Other victims were ordinary citizens, young and old, from all sectors of society who had been critical, in a peaceful manner, of government or military policy.

As the scale and intensity of armed conflict has waned in recent years the number of disappearances has declined. Over 46 “disappearances” have been reported since President Ramos assumed office in 1992, compared with over 830 reported during the Aquino Presidency (1986-92) and more than 759 reported during the Marcos Presidency (1965-86).

However, in the overwhelming majority of cases the whereabouts and fate of the victims remain unknown, the suspected perpetrators have not been brought to justice and the families of the victims have not received redress. The apparent failure of the judiciary has allowed a perceived climate of impunity to consolidate and has had a debilitating effect on public confidence in the effective delivery of justice and the rule of law.

Anyone wanting further information should consult the full report *Philippines: Not Forgotten: the fate of the “Disappeared”* (AI Index: ASA 35/08/96).

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