

**EXTERNAL (for general distribution)**

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**Fear of "Disappearance"**

**19 August 1992**

**PHILIPPINES:**

**Domingo LIMBANGAN, community health worker**

**Ernesto KALAN, vice-chairman of a tribal association**

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Amnesty International is concerned for the safety of Ernesto Kalan and Domingo Limbangan. The two men were arrested in Sitio Toril, Marbel South Cotabato, Mindanao on 4 August 1992 by members of the 3rd Infantry Battalion (IB) of the Philippine Army (PA) and taken to the local police station. Despite claims that they were released on the same day Ernesto Kalan and Domingo Limbangan have not been seen since.

According to witnesses Ernesto Kalan, the 30-year-old vice-chairman of the Tribal People Association of South Cotabato (KALUHAKU), and Domingo Limbangan, a 20-year-old community health worker, had attended a tribal assembly meeting on 3 August 1992. The two had spent the night at the house of a tribal member in Sitio Toril. At 6 o'clock the following morning they were reportedly woken by members of the 3rd IB of the PA. Ernesto Kalan and Domingo Limbangan were beaten and questioned about their alleged involvement with the outlawed New People's Army (NPA), the armed wing of the banned Communist Party of the Philippines (CPP). The questioning lasted approximately three hours before the two men were arrested and taken to the local police station.

Local community workers went to the police station to make inquiries about the whereabouts of Ernesto Kalan and Domingo Limbangan and were told that they had been released at 2pm on the same day of their arrest. An official explained that the two had been mistaken for NPA rebels that had been seen in the vicinity earlier in the day. Further efforts to trace the whereabouts of Ernesto Kalan and Domingo Limbangan by their families have met with no success and their are fears that they may have "disappeared" in custody.

#### **BACKGROUND INFORMATION**

Amnesty International has recorded 16 cases of "disappearance" or incommunicado detention since the beginning of 1992. During the previous year at least 25 cases were recorded. Of these 25, at least six prisoners are believed to have been killed in custody. In 1990 more than 50 people were reported to have "disappeared" in the Philippines. Of these, at least five are believed to have died or to have been killed while in custody and some appeared to have been tortured. During the last two years at least 18 prisoners whose detention was denied by security forces subsequently reappeared after a period in police or military custody. The fate and whereabouts of the majority of those reported to have "disappeared" remained unknown August 1992.

"Disappearance" and incommunicado detention in the Philippines have occurred

against a background of armed conflict between government and government-backed forces and the New People's Army (NPA). The majority of those held in unacknowledged or incommunicado detention have been members of lawful non-governmental organizations publicly labelled by the security forces as fronts for the NPA or CPP, or individuals suspected of NPA or CPP membership. In the overwhelming majority of cases in which there is clear and substantive evidence, the perpetrators of "disappearances" have been members of government or government backed forces.

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**RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters preferably in english or in your own language:**

- expressing concern for the safety of Ernesto Kalan and Domingo Limbangan and urging the authorities to act immediately to clarify their fate and whereabouts;
- calling for an immediate and impartial investigation into these cases and asking to be informed of the progress of any such investigations;
- urging the government to ensure that all those suspected of committing human rights violations are brought promptly to justice and tried before a civil court.

**APPEALS TO**

1) President Ramos **Salutation: Your Excellency**  
Malacañany Palace  
Manila, Philippines

**Telegrams: President Ramos, Manila, Philippines**  
**Telexes: 40414 MALCOM PN, 45618 RMC PM, 63370 PRES PN or 82361 PU**

2) Brigadier General Renato de Villa **Salutation: Dear Brigadier General**  
Secretary, Department of National Defense  
Camp General Emilio Aguinaldo  
1110 Quezon City, Metro Manila  
Philippines

**Telegrams: Defense Secretary de Villa, Quezon City, Philippines**  
**Telexes: 22461 DND PH, 42004 DCSLOG PM**

3) General Lisandro Abadia **Salutation: Dear General**  
Chief of Staff, Armed Forces of the Philippines  
Camp General Emilio Aguinaldo  
1110 Quezon City, Metro Manila  
Philippines

**Telegrams: AFP Chief of Staff, Quezon City, Manila, Philippines**  
**Telexes: 22471 DND PH; 42004 DCSLOG PM**

**COPIES OF YOUR APPEALS TO:**

1. Mary Concepcion Bautista (Chairman) OR
  2. Paulynn Paredes Sicam (Commissioner) OR
  3. Hesiquio Mallillin (Commissioner)
- Commission on Human Rights

IBP Building Complex  
Dona Julia Vargas Avenue  
Pasis Metro Manila, Philippines.

4. Senator Wigberto Tandada  
Chairman, Senate Committee on Justice and Human Rights  
Padre Faura, Manila  
Philippines

and to diplomatic representatives of the Philippines accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 30 September 1992.