

UA 317/98

"Disappearance"/Fear of ill-treatment

22 December 1998

PHILIPPINES Danilo Caisip, 45Jayson Nieva, 18

Danilo Caisip and Jayson Nieva were taken into custody on 8 December 1998 and have not been seen since. Amnesty International fears for their safety.

The men were arrested on suspicion of being members of the communist New Peoples' Army (NPA), by local officials in Barangay Kayrilao, Nasugbu, Batangas Province. According to information gathered by the human rights organization *Karapatan*, the two men were detained for questioning by armed officials led by barangay (local district unit) captain Jorge Gerpacio. The detainees were then reportedly handed over to the Mobile Force Company of the Philippine National Police (PNP), based in Palico, Nasugbu.

On being questioned by the mens' relatives, PNP officers denied any knowledge of the arrest or the whereabouts of the two men.

BACKGROUND INFORMATION

Since the early 1970s, over 1,600 people, most of them alleged critics or opponents of successive governments, are reported to have "disappeared" in the Philippines. Despite clear and substantive evidence implicating state security personnel in these "disappearances", in the overwhelming majority of cases the whereabouts and fate of the victims remains unknown. The suspected perpetrators have not been brought to justice and the families of the victims have not received redress.

The majority of past "disappearances" occurred within a context of armed conflict and counter-insurgency campaigns under the governments of former Presidents Ferdinand Marcos (1965-86) and Corazon Aquino (1986-92). Most of the victims were members of legally-constituted student, labour, religious, political or human rights organizations which the authorities often claimed were fronts for the Communist Party of the Philippines (CPP) and its armed wing the New People's Army (NPA). Other victims were ordinary citizens from all sectors of society who had been critical, in a peaceful manner, of government or military policy.

Under former President Fidel Ramos (1992-98) the number of reported "disappearances" declined markedly as the scale and intensity of armed conflict diminished. Amnesty International has welcomed this decline, but continues to call on the recently elected government of President Joseph Estrada to resolve past cases of "disappearances", to confront the issue of impunity and to address the conditions which continue to allow periodic "disappearances" to take place today.

RECOMMENDED ACTION: Please send faxes/e-mails/express/airmail letters in English or your own language:

- calling on the authorities to immediately establish and make public the whereabouts of Danilo Caisip and Jayson Nieva, were was detained on 8 December 1998 in Barangay Kayrilao, Nasugbu, Batangas Province;
- stating your concern that they may have been detained solely because of their lawful and non-violent activities, and if this is the case, urging that they be released immediately, otherwise they should be charged promptly with a recognizable offence under existing laws;

- calling on the authorities to act immediately to guarantee their safety and well-being and, if they are in detention, to ensure that they be allowed access to their families and lawyers of their choice;
- calling upon the authorities to cease the practice of arbitrary and incommunicado detention and to bring those responsible for these violations to justice before a civilian court.

APPEALS TO:

**Secretary of the Interior and Local Government
President Joseph Estrada**

Dept of the Interior and Local Government
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Epifanio de los Santos Avenue
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Philippines

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Salutation: Dear President Estrada

Secretary of Justice

Serafin Cuevas

Department of Justice
Padre Faura, Ermita, Manila
Philippines

Tel: +63 2 521 8344 or 599 271

Fax: +63 2 521 1614.

Salutation: Dear Secretary Cuevas

COPIES TO:

Chairperson, Commission on Human Rights

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U.P. Complex
Commonwealth Avenue
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Philippines

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and to diplomatic representatives of Philippines accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 February 1998.