

EXTERNAL (for general distribution)

AI Index: ASA 35/11/91

Distr: UA/SC

UA 74/91

Incommunicado detention/fear of torture

28 February 1991

PHILIPPINES: Manuel CAPITULO, aged 25, farmer
Almar LUSONG, aged 28, construction worker
Antonio BONDOC, aged 26, radio/TV electrician

The three men named above were reportedly abducted on 8 February 1991 by members of the Philippines Army in Pampanga province. Military authorities initially denied that the three had been arrested but subsequently acknowledged that they were being held at the 702nd Infantry Brigade (IB) army camp in Angeles City, Pampanga. However, they are held in incommunicado detention and relatives have been denied access to the detainees.

According to reports, a military official at the camp said to a relative: "*If [he] and his friends are members of the NPA (new People's Army), then we just kill them, not keep them*". Amnesty International knows of at least five people who were killed by members of government or government-backed forces after having "disappeared" into military custody in 1990; it is seriously concerned for the immediate safety of Manuel Capitulo, Almar Lusong and Antonio Bondoc.

An eyewitness to the arrest reported that it occurred at between 3am and 4am on the morning of 8 February. Manuel Capitulo, Amar Lusong and Antonio Bondoc were returning from a social gathering along with **Rodel Lusong** and **Luis Zita**. All five were arrested as they walked along a street in Pampang Market, Angeles City. Relatives learned through unofficial channels that the five were taken to the 702nd IB army camp based in Belen Homesite, Santo Cristo, Angeles City. A relative of Rodel Lusong subsequently said he saw Antonio Bondoc inside the camp. However, when Manuel Capitulo's mother went there to inquire about her son, military authorities denied that he was held in custody.

On 10 February - two days after the arrest - relatives observed Luis Zita fetching water inside the 702nd IB camp. They entered the camp and demanded to see the detainees. Rodel Lusong and Luis Zita were then released from custody. The two are reportedly frightened of military harassment and are said to have gone into hiding.

Following repeated inquiries, a regional military commander admitted to relatives that Manuel Capitulo, Amar Lusong and Antonio Bondoc were being held in military custody; in spite of this, military authorities of the 702nd IB denied holding them custody until 13 February. Relatives were then informed that the three were being held but "could not be produced because they were undergoing interrogation".

BACKGROUND INFORMATION

"Disappearance" and incommunicado detention have occurred against a background of armed conflict between government and government-backed forces and the New People's Army (NPA), the armed wing of the outlawed Communist Party of the Philippines (CPP). 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 and CPP or individuals suspected of NPA or CPP membership.

More than 50 people were reported to have "disappeared" in the Philippines during 1990. At least five of the "disappeared" are believed to have died or to have been killed while in custody and some appeared to have been tortured. At least 15 whose detention had been denied by security forces in 1990 subsequently reappeared after a period in police or military custody. The majority were still missing at the end of the year.

In an overwhelming majority of the cases in which there is clear and substantive evidence, the perpetrators have been members of government or

government-backed forces.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- urging the authorities to act immediately to protect the physical safety of Manuel Capitulo, Almar Lusong and Antonio Bondoc, reportedly held in incommunicado detention at the 702nd IB Camp in Angeles City, Pampanga;
- expressing serious concern at reports that a military official threatened that alleged NPA members would be killed;
- urging the authorities to allow the three immediate access to relatives, lawyers and medical treatment;
- asking the government to ensure that suspected perpetrators of human rights violations are brought to justice;
- calling for an immediate investigation into this case and asking to be informed of the progress of the investigation.

APPEALS TO

Lt. General Rodolfo Biazon
 Chief of Staff of the Armed Forces of the Philippines
 Camp Crame
 Quezon City
 Metro Manila, Philippines

Telexes: 22471 DND PH or 42004 DCSLOG PM
Faxes: + 63 2 832 3793 (via Ministry of Foreign Affairs)

Col Rene Dado
 702nd Infantry Brigade
 Belen Homesite
 Santo Cristo
 Angeles City
 Pampanga, Philippines

Telegrams: Col Dado, u02 Infantry Brigade, Santo Cristo, Pampanga, Philippines

President Corazon Aquino
 Malacañang Palace
 Manila, Philippines

Telegrams: President Aquino, Manila, Philippines
Telexes: 40414 MALCOM PN, 45618 RMC PM,
63370 PRES PN or 82361 PRES PU
Faxes: + 63 2 832 3793 (via Ministry of Foreign Affairs)
+ 63 2 731 1325 (via Press Secretary to the President)

General Fidel V. Ramos
 Secretary of National Defense
 Department of National Defense
 Camp General Emilio Aguinaldo
 Quezon City
 Metro Manila, Philippines

Telegrams: Defense Secretary Ramos, Quezon, Philippines
Telexes: 22471 DND PH or 42004 DCSLOG PM
Faxes: + 63 2 721 3988

COPIES TO:

Mary Concepcion Bautista
Chairman
Commission on Human Rights
IBP Building Complex
Dona Julia Vargas Avenue
Pasig Metro Manila, Philippines

Franklin M Drilon
Secretary of Justice
Chairman, Presidential Human Rights Committee
c/o Department of Justice
Padre Faura
Manila, Philippines

and to diplomatic representatives of the Philippines in your own country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat or your section office if sending appeals after 14 April 1991.