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EXTERNAL (for general distribution)

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Possible "Disappearance"

11 October 1990

PHILIPPINES

Jimmy Badayos (aged 34)

Amnesty International is concerned for the safety of Jimmy Badayos who has not been seen since he was taken into custody by military intelligence officers in Cebu City on 3 October 1990. Military authorities have claimed that Jimmy Badayos escaped from a military interrogation room one day after his arrest - but they did not acknowledge his arrest, or claim he had escaped, until responding to a habeas corpus hearing five days later.

According to eye-witnesses, Jimmy Badayos was arrested at his home in sitio Kabulakan, Go Chan Subdivision, Banawa, Cebu City by members of the Intelligence Division (M2) of the Cebu Metropolitan District Command (Metrodiscom) at about 4 am on 3 October. After being interrogated briefly, he was taken to the Metrodiscom Headquarters at Camp Sotero Cabahug, accompanied by his wife and their two children. He was reportedly taken first to the office of the Chief of the Intelligence Division and later to a small room in a logistics building, believed to be used for interrogation. He has not been seen since.

On 8 October a petition for a writ of habeas corpus was filed before Branch XVI of the Regional Trial Court in Cebu, but the military respondents did not appear in court. When the hearing resumed on the following day, the military authorities said that Jimmy Badayos had escaped from an interrogation room at Metrodiscom Headquarters at about 1:40 am on 4 October. According to Amnesty International's information the court accepted this explanation and rejected the petition for habeas corpus. Relatives and legal representatives subsequently sought the assistance of the regional office of the government Commission on Human Rights.

BACKGROUND INFORMATION

According to reports, at the time of his arrest Jimmy Badayos was accused of being a member of the New People's Army (NPA), the armed wing of the outlawed Communist Party of the Philippines (CPP). The counter-insurgency campaign of the Philippines government is aimed specifically at real or suspected members of the NPA and CPP. During his detention in Camp Sotero Cabahug, the camp was reportedly under heavy guard (red alert) due to an uprising by renegade soldiers in the nearby island of Mindanao. There was no immediate report that civilian prisoners had escaped from the closed camp and no evidence has been presented to show that this occurred.

In Cebu City, situated on the island of Cebu in central Philippines, there have been several reports over the past two years of the

"disappearance" of suspected members of the NPA/ CPP and cause-orientated groups. In the country as a whole dozens of people have reportedly "disappeared" within the past year. In some cases, the "disappeared" have been found to be in incommunicado police or military detention, and in others they have been found dead, sometimes bearing signs of torture or ill-treatment.

RECOMMENDED ACTION: Telegrams/express/airmail letters:

- urging an investigation into the reasons for Jimmy Badayos' arrest and detention;
- expressing concern for the physical safety of Jimmy Badayos who was last seen in the custody of the Cebu Metrodiscom on 3 October;
- urging an investigation into claims that Jimmy Badayos allegedly escaped from Camp Sotero Cabuhug;
- urging that all measures be taken immediately to make known the whereabouts of Jimmy Badayos.

APPEALS TO: (all addressees are in The Philippines)

Regional Officer
 Commission on Human Rights
 Region 7, Cebu
 4th Floor, HVG Arcade
 Subangdaku, Hi-way
 Mandaue City
 Cebu

Telegrams: Regional Officer,
 Human Rights Commission, Mandaue
 City, Cebu, Philippines

Brig. Gen. Triumfo Agustin
 Regional Commander RECOM 7
 Camp Sorgio Osmena Sr.
 Osmena Blvd.
 Cebu City 6000

Telegrams: Regional Commander
 Agustin, Camp Sorgio Osmena Sr,
 Cebu, Philippines

Lt. Col. Pamfilo Lacson
 Commander
 Cebu Metropolitan District
 Command

Camp Sotero Cabuhug
 Gorordo Avenue, Lahug
 Cebu City 6000

Telegrams: Commander Lacson,
 Camp Sotero Cabuhug, Cebu,
 Philippines

Captain Jesus Gaoquing
 Chief of Intelligence Division M2
 Cebu Metropolitan District
 Command

Camp Sotero Cabuhug
 Gorordo Avenue, Lahug
 Cebu City 6000

Telegrams: Chief M2 Intelligence
 Division, Camp Sotero Cabuhug,
 Cebu, Philippines

COPIES TO:

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

Hon. Rebomapil Holganza Jr.
 Cebu Provincial Committee on
 Human Rights
 Provincial Capitol
 Cebu City 6000

and to diplomatic representatives of the Philippines in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat or your section office if sending appeals after 22 November 1990.