

PUBLIC

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06 November 2008

Further Information on UA 274/08 (ASA 35/007/2008, 25 September 2008) Possible enforced disappearance

PHILIPPINES

James Balao (m), aged 47, Indigenous rights activist

According to the Indigenous people's organization, Cordillera People's Alliance (CPA), missing activist James Balao is being detained by state security forces at an unknown location, and may be at risk of torture and other ill-treatment.

James Balao, an activist for indigenous people's rights, disappeared on 17 September after leaving his home in Baguio City to visit his family in the adjacent town of La Trinidad. According to a local media report published on 20 October, witnesses claimed that at about 8am on the day he went missing, five men suddenly came and surrounded James Balao in front of a chapel close to the regional police headquarters in La Trinidad. James Balao shouted to witnesses: "Ask them what my crime is!" Two of the abductors reportedly held guns to his body, then threw him inside a van, while another waved a gun at shocked onlookers, shouting, "do not interfere, we are police officers, this man is a drug pusher."

On 9 October, James Balao's family filed a *writ of amparo* before the regional trial court in northern Philippines. If the court agrees to this, the authorities will be compelled to allow his relatives and their representatives to inspect military camps and detention centres run by the security forces, including safe houses. The CPA and other organizations in the Philippines maintain that James Balao is the victim of an enforced disappearance perpetrated by the state security forces as result of the government's anti-insurgency policy. The CPA gave detailed descriptions of the state surveillance and harassment faced by the CPA and the six cases of extrajudicial killings of Indigenous rights activists in the last four years. Days before his abduction, James Balao sent an email to relatives detailing the surveillance that he said he had been under. His account of this surveillance was the same as that experienced by the victims of extrajudicial killings directly before their deaths.

James Balao's father wrote an open letter thanking everyone involved in the search for his son, saying: "I wish to express my deep appreciation and thanks to all who in one way or the other contributed to find James. In behalf of my family, I thank you all so much. My family miss him and I am sure his many friends, relatives and the many people he has touched, loved and helped miss him too."

On 29 September Baguio City Council approved a resolution condemning the enforced disappearance of James and pledging to assist his family the Cordillera Peoples Alliance (CPA) and the Cordillera Human Rights Alliance in the immediate locating and release of James Balao.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Filipino, English or your own language:

- calling on the authorities to publicly reveal the whereabouts of James Balao, and to either charge him with a recognizably criminal offence or release him immediately;
- calling on the authorities to order a prompt and thorough investigation by competent authority, publish the results and bring those responsible for his abduction to justice;
- calling on the authorities to ensure that all Indigenous rights activists are able to carry out their legitimate work without restrictions or fear of reprisals;

- calling on the authorities to ensure that all cases of extrajudicial execution and enforced disappearance are investigated promptly, impartially and effectively;
- calling on them to create an independent body to monitor these investigations.

APPEALS TO:

Note: If you are sending an appeal through email and the email bounces, please, send to jamesbalao.appeal@gmail.com, with the name of the addressee (e.g. H.E. Gloria Macapagal-Arroyo) in the subject line. Your emails will go to AI Philippines, who will print them out and send them by post to the intended recipients.

President

H.E. Gloria Macapagal-Arroyo
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Salutation: Madame President

Secretary of Defence

Sec. Gilberto C. Teodoro Jr.
Department of National Defense
Room 301 DND Building, Camp Emilio Aguinaldo,
E. de los Santos Avenue, Quezon City, Philippines

Fax: +632 911 6213

Email: osnd@philonline.com

Salutation: Dear Secretary

Chief of Police

Chief Director General Jesus Verzosa.
Philippine National Police
Room 301 DND Building, Camp Emilio Aguinaldo,
E. de los Santos Avenue, Quezon City, Philippines

Fax: +632 7255115

Email: pio@pnp.gov.ph

Salutation: Dear Director General

COPIES TO:

Hon. Leila De Lima
Chairperson, Commission on Human Rights
SAAC Bldg., UP Complex
Commonwealth Avenue
Diliman, Quezon City, Philippines

Fax: +632 929 0102

Email: drpvq@chr.gov.ph

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

(<http://www.dfa.gov.ph/posts/pemb.htm>)

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 December 2008.