
amnesty international

PHILIPPINES

Noel Campilan - A 'disappearance' unsolved

April 1996

AI INDEX: ASA 35/03/96
DISTR: SC/CO/GR

Amnesty International is concerned that a year after the 'disappearance' of community health worker Noel Campilan there is still no indication of his whereabouts, or whether he is still alive.

Noel Campilan, a 27-year old former Christian lay minister, worked with the non-governmental Centre for Community Health Services (CCHS) in Tagum, Davao del

Norte province, on the southern Philippine island of Mindanao. He was responsible for distributing traditional medicines and providing training to local people.

On 28 April 1995 Noel Campilan attended a meeting of local non-governmental organizations. He was last seen that evening driving away on a red motorcycle belonging to the CCHS after dropping off a colleague in Tagum. Noel Campilan never returned home and the motorcycle has not been seen since. He was reported missing two days later amid concern that his 'disappearance' may have had political motives. Colleagues reported that two days before his 'disappearance' some unidentified men, dressed in plainclothes but believed to be linked to the security forces, had allegedly stated that they planned to 'take' two CCHS employees whom they thought were linked to the communist New People's Army (NPA), an armed opposition group. Concern that military personnel may have been behind the 'disappearance' was reinforced by subsequent reports that in October 1994 Noel Campilan had lent another CCHS motorbike to a friend. The blue-coloured bike was later reported to have been found in the Tuburan barracks of the 602nd Infantry Brigade, Armed Forces of the Philippines (AFP) after being confiscated for allegedly having been used by the NPA. At around the same time, Noel Campilan is reported to have told his family that he had been followed by men believed to be members of the AFP.

Investigations into Noel Campilan's 'disappearance' by local police and the regional office of the official Commission on Human Rights (CHR) have failed to make substantive progress. In December 1995 a task force of non-governmental agencies and local human rights lawyers organized a fact-finding mission to try to locate him and made inquiries with the 602nd Infantry Brigade of the AFP. The local commanding officer denied having Noel Campilan in his custody. The regional headquarters of the Philippine National Police (PNP) in Davao City have also maintained that they have no knowledge of his whereabouts and have claimed that he may have gone "underground" with the local communist movement. There is no further information about steps taken by the authorities to investigate his 'disappearance'.

One year later, Noel Campilan's whereabouts, and the identity of those responsible for his 'disappearance' remain unknown. There is increasing concern that as time passes the chances of him being found alive are diminishing. Meanwhile failure to account for his fate prolongs the suffering of his family. Since his 'disappearance' the local Community Health Centre is reported to have lost many active members, due to their fear that they too could become targets for abduction and 'disappearance'.

Amnesty International is concerned that the failure of the authorities to ascertain who was responsible for Noel Campilan's 'disappearance', especially considering military personnel are under suspicion, serves to undermine public confidence in the rule of law and weakens judicial deterrents against further 'disappearances'.

Amnesty International is calling on the government to revive investigations and to conduct a full, impartial inquiry into the 'disappearance' of Noel Campilan, taking determined steps to establish his whereabouts. The organization urges the authorities to protect any potential witnesses from intimidation or reprisals and to encourage them to come forward to identify any possible suspects. It also calls on the authorities to bring members of the security forces to justice, if they are found to be responsible. The organization furthermore calls on the authorities to ensure that those engaged in lawful community activities are able to continue to do so free from the threat of 'disappearance' or other harassment.

Background information

The number of serious human rights violations -- including 'disappearances', extrajudicial executions and torture or ill-treatment of political suspects -- which have taken place in the context of the government's anti-insurgency campaign against the NPA has dropped significantly in recent years. A lessening of the scale and intensity of anti-insurgency operations and the gradual impact of constitutional human rights safeguards introduced after the fall of President Fidel Marcos in 1986 are cited as some of the reasons behind this decline.

However, members of the security forces suspected of committing human rights violations are rarely brought to justice in the Philippines, despite the government's stated

commitment to the protection of human rights. In addition, a lack of clarity in defining the respective responsibilities of the various investigative and prosecuting agencies has meant that these agencies often fail to take full responsibility for cases, preferring to pass them over to another agency for final resolution. Moreover, provisions for witness protection are inadequate. Witnesses and complainants involved in human rights cases have routinely been subjected to intimidation and as a result are often afraid to come forward for fear of reprisals.

Since the 1970s at least 1,600 people have 'disappeared' in the Philippines -- the majority under the governments of former Presidents Ferdinand Marcos (in power from 1965 to 1986) and Corazon Aquino (1986 to 1992). To date Amnesty International knows of no prosecutions of security personnel for acts leading to 'disappearances' and the whereabouts of the majority of the victims remain unknown.

Since 1992 when President Fidel Ramos came to power, Amnesty International has recorded a steady decline in the number of reported 'disappearances'. *Whilst the organization welcomes this decline, it continues to be concerned at the government's failure to address past cases, to confront the issue of impunity or to address fully the conditions which continue to allow periodic 'disappearances' to take place today.*

The Noel Campilan case and at least three other 'disappearances' reported in 1995 serve as a warning against complacency. Many of the factors which fuelled past patterns of human rights violations, though at times latent, remain intact. In areas of continued NPA activity non-governmental groups, including community health organisations such as the CCHS, are at times accused by the military of being sympathetic to the NPA and as such are portrayed as legitimate targets. Potential groups and individuals at risk of being 'labelled' as communist sympathizers also include journalists, trade unionists and community activists concerned with environmental issues or the rights of indigenous people.

Amnesty International believes that it is important that the government is seen to act with impartiality and vigour in investigating and bringing to justice those responsible for continued serious human rights violations. Such a response by the government would send a clear signal that a return to past patterns of human rights violations will not be tolerated, and the rule of law will be rigorously upheld.

KEYWORDS: DISAPPEARANCES1 /
COMMUNITY WORKERS / RELIGIOUS
OFFICIALS

**INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON
WC1X 8DJ, UNITED KINGDOM**
