

EXTERNAL

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"Disappearance" / Fear of torture

28 July 1997

PHILIPPINES Nicolas Ruiz, lawyer, aged 55

Jevee Patalita, driver

Amnesty International is extremely concerned for the safety of lawyer Nicolas Ruiz and his driver Jevee Patalita. The two men were eating in a restaurant in San Juan, Metro Manila on the evening of 12 July 1997 when they were abducted by unidentified armed men wearing black. According to eyewitnesses, seconds before the abduction, one of the armed men pointed at Attorney Ruiz and shouted "Go ahead and arrest him; if he resists, kill him". The two men have not been seen since.

Before his "disappearance" Attorney Ruiz had acted as counsel for a person whom the government believed to be a leader of a criminal syndicate involved in the sale and manufacture of prohibited drugs. Relatives and friends of Attorney Ruiz believe he was abducted by members of the security forces under the command of the Presidential Task Force on Intelligence and Counter-Intelligence, the Intelligence Service of the Armed Forces of the Philippines, the Presidential Security Group and the National Bureau of Investigation. They fear he is at risk of torture in order to force him to release confidential information about clients he is defending. On 13 July 1997 a group of 30 armed men in uniform broke into his family's home and searched it. It is believed that Attorney Ruiz may himself have been under surveillance for alleged involvement in illegal drugs activity.

Four days after Attorney Ruiz' "disappearance" his family filed a petition for *habeas corpus* before the Supreme Court. However, government agencies have denied holding the two men in their custody. The Free Legal Assistance Group (FLAG), a leading organization of human rights lawyers, have expressed their concern about this case to the United Nations (UN) Working Group on Enforced or Involuntary Disappearances and to the UN Special Rapporteur on the Independence of Judges and Lawyers.

The Integrated Bar of the Philippines have announced plans for a national boycott of the courts in protest at the "disappearance" of Attorney Ruiz. In response to the planned boycott President Ramos is reported to have ordered the Department of Justice to look into this case.

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.

In recent years the number of reported "disappearances" has declined. Amnesty International has welcomed this decline but continues to be concerned at the government's failure to resolve past cases of "disappearances", to confront the issue of impunity or to address the conditions which continue to allow periodic "disappearances" to take place today. Furthermore the organization is concerned that human rights violations committed frequently against political activists in the past continue to be committed today against those

suspected of criminal activity. In the context of government attempts to combat crime there have been frequent reports of abductions or arrests without warrant of criminal suspects who have been held incommunicado, tortured to force them to confess to crimes or give other information.

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

- calling on the authorities to establish immediately and make public the whereabouts of Attorney Nicolas Ruiz and his driver Jevée Patalita, who were abducted on 12 July 1997 in San Juan, Metro Manila;
- calling on the authorities either to release them or charge them with a recognizable criminal offence under existing laws;
- urging the authorities to act immediately to guarantee their safety and well-being and to ensure that they are allowed access to their families and to 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:

President Fidel V. Ramos
Malacañang Palace
Manila
Philippines

Faxes: +63 2 832 3793 (via Dept of Foreign Affairs)

Telegrams: President Ramos, Manila, Philippines

Salutation: Dear President Ramos

Secretary Teofisto Guingona
Secretary of Justice
Department of Justice
Padre Faura, Ermita, Manila
Philippines

Faxes: +63 2 521 1614

Telegrams: Secretary of Justice, Manila, Philippines

Salutation: Dear Secretary Guingona

General Arnulfo Acedera
Chief of Staff
Armed Forces of the Philippines
GHQ, Camp Emilio Aguinaldo
1110 Quezon City
Philippines

Faxes: +632 911 7907

Telegrams: Chief of Staff, Quezon City, Philippines

Salutation: Dear General Acedera

Secretary Robert Barbers
Secretary of the Interior and Local Government
PNCC Complex
Epifanio de los Santos Avenue
cnr Reliance Street
Mandaluyong
Metro Manila
Philippines

Faxes: +632 631 8814 or +632 631 8830
Telegrams: Secretary of Interior, Manila, Philippines
Salutation: Dear Secretary Barbers

COPIES TO:

Aurora Navarrete-Reciña
Chairperson
Commission on Human Rights
IBP Building
Doña Julia Vargas Avenue
Pasig, Metro Manila
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Faxes: +63 2 631 6449

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 8 September 1997.