

EXTERNAL (for general distribution)

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Further information on UA 53/91 (ASA 35/07/91, 14 February 1991) -
"Disappearance"

Philippines: Ronaldo Regencia, aged 29

Amnesty International has received further information about Ronaldo Regencia, who reportedly "disappeared" after being arrested on 22 December 1990 by members of the 42nd Infantry Battalion (IB) of the Philippine Army, and members of the official paramilitary Citizen Armed Forces Geographical Unit (CAFGU) in barangay Lavides, General Luna City, Quezon. On 11 February 1991, relatives heard through unofficial sources that Ronaldo Regencia was alive and had been seen at a military detachment of the 42nd IB in barangay Nieva, General Luna City. Additional information from official sources confirms that he had been detained by the military.

According to a report by the official Commission on Human Rights (CHR) in the Philippines, military officers have claimed that Ronaldo Regencia was released from custody on 22 December 1990. The report states that in an interview with CHR representatives, an intelligence officer in the Philippine Army admitted that Ronaldo Regencia had been "*invited for questioning*" along with Jimmy Dapitan in barangay Lavides on 22 December 1990. The military officer claimed that the release of Ronaldo Regencia was witnessed both by Jimmy Dapitan and a "*rebel returnee*" (former member of the outlawed New People's Army (NPA)). However, to Amnesty International's knowledge the fate and whereabouts of Ronaldo Regencia remain unknown.

On the basis of this information, the CHR considers the "disappearance" of Ronaldo Regencia on 22 December 1990 to have been resolved. In its report the CHR affirms that the whereabouts of Ronaldo Regencia remain unknown and says it will seek further information in order to establish whether Ronaldo Regencia is the victim of a second "disappearance".

Amnesty International continues to be concerned for the safety of Ronaldo Regencia. It believes that until the whereabouts of victims of possible "disappearance" have been clearly established, the government has a responsibility to treat these cases as a matter of urgency. Past evidence suggests that military statements about victims of "disappearance" cannot necessarily be relied upon as the sole basis for clarifying the status of the case. In some cases known to Amnesty International, military authorities have denied holding individuals for many months before admitting that they are indeed in detention, or before eventually releasing them from military custody.

The Philippine government and the CHR have recognized that procedures for the release of detainees do not always result in the re-appearance of the victims. A Memorandum of Agreement signed in June 1991 by the Secretary of National Defense, The Secretary of Interior and Local Government, the Secretary of Justice and the Chairman of the CHR, clearly states the need for clarification of the procedures and the need to "*dispel any suspicion that the release is a mere simulation*". The memorandum sets out guidelines to remedy this, including a recommendation that all releases must be witnessed by a close relative of the detainee, a member of the CHR, a person chosen by the detainee, a church leader or other respected member of the community. Amnesty International urges

the government to ensure the effective implementation of these guidelines.

FURTHER RECOMMENDED ACTION: Express and airmail letters:

- expressing concern for the safety of Ronaldo Regencia whose whereabouts remain unknown more than six months after he was abducted by members of military and paramilitary forces;
- noting with concern that the CHR considers that the "disappearance" of Ronaldo Regencia has been resolved, in spite of the fact that he has not been seen by relatives since abduction in December 1990;
- urging the government and the CHR to renew their investigations and to treat the location of Ronaldo Regencia as a matter of urgency;
- asking the government to implement the guidelines for release procedures as set out in the June 1991 Memorandum of Agreement as soon as possible.

APPEALS TO:

General Renato S. de Villa
[Salutation: Dear General de Villa]
 Secretary of National Defense
 Department of National Defense
 Camp General Emilio Aguinaldo
 Quezon City
 Metro Manila, Philippines

Silvestre H. Bello III
[Salutation: Dear Undersecretary Bello]
 Undersecretary of Justice
 Department of Justice
 Padre Faura Street Ermita
 Manila, Philippines

Mary Concepcion Bautista
[Salutation: Dear Commissioner Bautista]
 Chairman
 Commission on Human Rights
 IBP Building Complex
 Dona Julia Vargas Avenue
 Pasig Metro Manila, Philippines

COPIES TO:

General Lisandro Abadia
 Chief of Staff of the Armed Forces of the Philippines
 Camp General Emilio Aguinaldo
 1110 Quezon City
 Metro Manila, Philippines

General Cesar P Nazareno
 Director General
 Philippine National Police
 Headquarters of the Philippines Constabulary
 Camp Crame, Novaliches
 Metro Manila, Philippines

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 3 September 1991.