

#EXTERNAL (for general distribution)

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Fear of Torture

14 January 1991

PHILIPPINES : Cherry MENDOZA (f), aged 21  
Cecilia SANCHEZ (f), aged 20  
Enrique CALIMA, aged 12

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Amnesty International is concerned for the safety of Cherry Mendoza, Cecilia Sanchez and Enrique Calima, who are being held in military custody in Bataan province, the Philippines. Cherry Mendoza is believed to have been sexually abused by military officials shortly after she was detained. Cecilia Sanchez was also reportedly subject to sexual harassment during interrogation. According to reports, the minor Enrique Calima has been forced to go on military operations and has been threatened with ill-treatment if he refuses to comply.

The detainees have reported that on 3 December 1990 they were arrested in sitio Kanawan, barangay Binaritan, Morong, Bataan by members of the Philippines Constabulary (PC), and the Philippines Army (PA). The three were out walking when they met approximately 30 military officials, who blocked their way.

Military officials asked what they were doing and examined their possessions.

Upon finding cigarettes, sweets and letters, officials accused the three of taking provisions to members of the New People's Army (NPA), the armed wing of the banned Communist Party of the Philippines (CPP), and forced them to board a military vehicle.

The detainees reported that when driving through the town of Morong they were forced to lie on the floor and covered with clothing so they could not be seen. The three were taken to the 176th PC Company in Morong for questioning.

Cherry Mendoza reported that the three were separated and that during interrogation she was slapped in the face and her breasts and sexual organs touched.

She said the officer in charge of the interrogation threatened that she would be "horsed" (raped) later that night. After the interrogation, Cherry Mendoza said she was forced to eat fried rice which she found very strongly flavoured. She subsequently experienced severe dizziness and lost consciousness.

On 4 December Cherry Mendoza awoke at 2am. She told relatives that her whole body ached, including her genitals. She noticed that the zips of her trousers were undone and that her underwear was stained with blood. She said that military officials were laughing at her. Cherry Mendoza underwent a medical examination on 12 December at the provincial hospital in Bataan. The report of the examination detailed lacerations of the hymen and vagina indicating that serious sexual abuse had occurred.

Cecilia Sanchez also reported that her sexual organs were touched and said she was told she would be tested to see whether she really was a dalag (a single woman). She said the military officer in charge of questioning her had wanted her to eat something but that she had refused.

The third detainee, 12-year-old Enrique Calima, has told relatives that the military have forced him to accompany them on military operations, and told him that if he refuses "he will suffer".

Enrique Calima continues to be held at the 176th PC Company headquarters. Cherry Mendoza and Cecilia Sanchez were transferred from the 176th PC Company to Camp Tolentino, Balanga, Bataan on 6 December, where they again reported that they were subject to intensive questioning. The two women reported that military officials tried to make them sign a statement saying they were NPA couriers but that both have refused to do so. Cherry Mendoza is believed to have since been transferred to the Provincial Jail.

Military authorities have filed charges of subversion against the three. The detainees are contesting the charges and relatives have recently filed the case with the governmental Commission on Human Rights (CHR); the case will also be brought before the Presidential Human Rights Committee.

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**BACKGROUND INFORMATION**

Hundreds of people, including prisoners of conscience, are believed to be detained for political reasons in the Philippines. The majority are charged under Presidential Decree 1866 (PD 1866) with illegal possession of firearms in furtherance of rebellion, but some have apparently been arrested for peaceful activities within lawful social, community and trade union organizations.

Many suspects have alleged that they were detained without warrant and, when interrogated, ill-treated or tortured to extract confessions. The victims of torture have included human rights workers, members of lawful organizations labelled by the authorities as "fronts" for the NPA/ CPP and villagers living in areas of suspected rebel activity.

**RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- expressing concern for the safety of the three detainees;
- calling on the authorities to take immediate steps to ensure that the physical and mental well-being of the three is fully guaranteed;
- urging for an immediate investigation into allegations of ill-treatment and sexual abuse and ensuring that those found guilty of human rights abuses are brought to justice;
- calling on the authorities to ensure that 12-year-old Enrique Calima is afforded special protection in view of his age and that, in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners, he is held in a detention centre for juveniles.
- requesting full details of the charges against the three detainees and details of when the trial will take place.

**APPEALS TO:**

President Corazon Aquino      **Telegrams: President Aquino, Manila, Philippines**  
 Malacañang Palace              **Telexes: 40414 MALCOM PN, 45618 RMC PM,**  
 Manila, Philippines              **63370 PRES PN or 82361 PRES PU**  
**Faxes: +63 2 832 3793 (via Ministry of Foreign Affairs)**  
**+ 63 2 731 1325 (via Press Secretary to the President)**

General Fidel V Ramos              **Telegrams: Defense Secretary Ramos,**  
 Secretary of National Defense      **Quezon, Philippines**  
 Department of National Defense      **Telexes: 22471 DND PH, 42004 DCSLOG PM**  
 Camp General Emilio Aguinaldo      **Faxes: +63 2 721 3988**  
 Quezon City  
 Metro Manila, Philippines

Lt. Gen Rodolfo Biazon  
 Chief of Staff  
 Armed Forces of the Philippines      **Telexes: 22471 DND PH, 42004 DCSLOG PM**  
 Camp Crame                      **Faxes: +63 2 832 3793 (via Ministry of**  
 Quezon City, Philippines              **Foreign Affairs)**

General Cesar P Nazarano  
 Director General  
 Philippine National Police              **Telegrams: Director General National**  
 Camp Crame                      **Police, Quezon City, Philippines**  
 Quezon City, Philippines

Hon Luis Santos

Secretary  
Department of Interior and Local Government  
PNCC Building  
EDSA, Quezon City  
Philippines

**Telegrams: Secretary DILG, Quezon City,  
Philippines**

**COPIES 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 25 February 1991.