

EXTERNAL (for general distribution)

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Fear of "Disappearance"

7 April 1992

PHILIPPINES

David Lagarde (aged 32), maintenance worker

Amnesty International is concerned for the safety of David Lagarde, a 32 year old maintenance worker with SM Shoemart-Iliolp. He was reportedly arrested by members of the 6th Infantry Battalion (IB) of the Philippine Army (PA) while on his way to meet his wife. Despite claims by military authorities that he was released later the same day David Lagarde has not been seen since his arrest.

According to an eyewitness, David Lagarde left his boarding house in Iloilo City at about 8.15 am on 15 March 1992 in order to meet his wife at *barangay* (local administrative unit) Lambayagan, Sibalom, Antique. Having lost his way he ended up instead at *barangay* Tordesillas, Sibalom, Antique, some 121 kilometres southwest of Iloilo City. At about 1.30 pm he was arrested by members of the 6th IB PA on suspicion of being a member of the New People's Army (NPA). He is reported to have been stripped and interrogated before being taken to the Lupit detachment and has not been seen since then.

Friends and relatives made inquiries about David Lagarde's whereabouts at Tordesillas, where they were initially told, both by members of the 6th IB and *barangay* officials, that he had been released at around 3.28 pm on 15 March 1992. They were later informed by the *barangay* captain that David Lagarde had been released some three and a half hours later at 7pm. David Lagarde's relatives have also sought the assistance of the Commission on Human Rights.

BACKGROUND INFORMATION

Amnesty International recorded at least 25 cases of "disappearance" or incommunicado detention in 1991. Of these, at least six were believed to have been killed in custody. In 1990 more than 50 people were reported to have "disappeared" in the Philippines. Of these, at least five are believed to have died or to have been killed while in custody and some appeared to have been tortured. During the last two years at least 18 whose detention was denied by security forces subsequently reappeared after a period of police or military custody. The fate and whereabouts of the majority were still unknown in March 1992.

"Disappearance" and incommunicado detention in the Philippines have occurred against a background of armed conflict between government and government-backed forces and the NPA, the armed wing of the outlawed Communist Party of the Philippines (CPP). The majority of those held in unacknowledged or incommunicado detention have been members of lawful non-governmental organizations publicly labelled by the security forces as fronts for the NPA or CPP, or individuals suspected of NPA or CPP membership. In the overwhelming majority of the cases in which there is clear and substantive evidence, the perpetrators have been members of government or government backed

forces.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:

- expressing concern for the safety of David Lagarde and urging the authorities to act immediately to clarify his fate and whereabouts;

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- calling for an immediate and impartial investigation into this case and asking to be informed of the progress of the investigation;

- urging the government to ensure that all those suspected of committing human rights violations are brought promptly to justice and tried before a civil court.

APPEALS TO

1) President Corazon Aquino **Your Excellency**
Malacañang Palace
Manila, Philippines
Telegrams: President Aquino, Manila, Philippines
Telexes: 40414 MALCOM PN, 45618 RMC PM,
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)

2) Brigadier General Emiliano Templo **Dear Brigadier General Templo**
Head of Civil-Military Relations
Camp General Emilio Aguinaldo
EDSA
110 Quezon City, Metro Manila
Philippines
Telegrams: Head of Civil-Military Relations, Manila, Philippines
Telexes: 22471 DND PH or 42004 DCSLOG PM
Faxes: + 63 2 832 3793 (via Ministry of Foreign Affairs)

3) Lt Col. Jupiter Batayula **Dear Lt Col Batayula**
Commanding officer 6th IB
Philippine Army Headquarters
Patnongon, Antique
Philippines
Telegrams: Commander, 6th Infantry Battalion, Antique, Philippines

4) Brigadier General Fredericque Romero **Dear Brigadier General Romero**
Regional Commander, Region VI
Camp Martin Delgado
Fort San Pedro
Iloilo City, Philippines
Telegrams: Commander Region VI, Iloilo City, Philippines

COPIES TO

Mary Concepcion Bautista (Chairman) OR
Paulynn Paredes Sicam (Commissioner)

Commission on Human Rights
IBP Building Complex
Dona Julia Vargas Avenue
Pasig Metro Manila
Philippines

and to diplomatic representatives of the Philippines in your country.

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat, or your section office, if sending appeals after 19 May 1992.