

EXTERNAL (for general distribution)

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Fear of "Disappearance"

6 May 1992

PHILIPPINES: Jaime Cabohocan (aged 30), farmer  
Felimon Cabanatan (aged 26), farmer

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Amnesty International is concerned for the safety of two farmers, Jaime Cabohocan and Felimon Cabanatan, from *barangay* (administrative unit) Maganysay in Eastern Samar. The two men were arrested on 18 April 1992 and were seen once in detention by a relative, but were subsequently moved and have not been seen since. It is also believed that the two farmers may have been ill-treated while in custody.

According to reports Jaime Cabohocan, a 30-year-old married man, and Felimon Cabanatan, aged 26 and also married, went to the town of Giporlos on business on 18 April. While returning home the two were arrested by soldiers believed to be from the "A" Company 43rd Infantry Battalion (IB) of the Philippines Army (PA). The soldiers reportedly accused the two farmers of being members of the New Peoples Army (NPA), the armed wing of the outlawed Communist Party of the Philippines (CPP).

The two farmers were initially taken to the Giporlos municipal jail, but were transferred the following day, 19 April, to the custody of the "A" Company detachment. Jaime Cabohocan's wife visited them there and said that both men had been ill-treated. Jaime Cabohocan complained of having difficulty in walking and Felimon Cabanatan complained of aching limbs.

On 20 April the two were transferred again to the 43rd IB PA general headquarters in *barangay* Buenavista. Five days later their relatives were told that they would be able to visit the detainees on 28 April. However, when the relatives, accompanied by representatives from a local human rights organization, went to the camp the presence of Jaime Cabohocan and Felimon Cabanatan was denied. Some soldiers from the camp said that the two farmers had been taken by the military on counter-insurgency operations. This, however, remains unconfirmed.

The assistance of the governor of Eastern Samar in locating the two men has been requested by a local human rights organization. The relatives of the two are currently preparing to file a petition for a writ of *habeas corpus*.

#### BACKGROUND INFORMATION

Amnesty International has recorded nine cases of "disappearance" or incommunicado detention in the first four months of 1992. During the previous year at least 25 cases were recorded. 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 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.

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

- expressing concern for the safety of Jaime Cabohocan and Felimon Cabanatan and urging the authorities to act immediately to clarify their fate and whereabouts;
- calling for immediate and impartial investigations into these cases and asking to be informed of the progress of any such investigations;
- 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  
Malacañang Palace  
Manila, Philippines

**Telegrams: President Aquino, Manila, Philippines**

**Telexes: 40414 MALCOM PN  
45618 RMC PM  
63370 PRES PN or 82361 PU**

**Faxes: + 63 2 832 3793**

**(via Ministry of Foreign Affairs)  
+ 63 2 731 1325**

**(via Press Secretary to the President)**

**Salutation: Your Excellency**

2) Major Bernard de Luna  
Commanding Officer  
43rd IB PA Gen. Headquarters  
Barangay Buenavista, Quinapendan  
Eastern Samar, Philippines

**Telegrams: Commander, 43rd Infantry Battalion, Quinapendan, Eastern Samar, Philippines**

**Salutation: Dear Major de Luna**

3) Brigadier General Vicente Tigas  
802nd Infantry Brigade  
Camp Eugenie Daza, Barangay Fatima  
Hinabangan, Western Samar, Philippines

**Telegrams: Brigadier General Tigas, Camp Eugenie Daza, Hinabangan, Western Samar, Philippines**

**Salutation: Dear Brig. Gen. Tigas**

4) Governor Lutz Barbe  
Governor, Province of Eastern Samar  
Prev'l Capitel Building  
Borongan, Eastern Samar  
Philippines

**Telegrams: Governor of Eastern Samar, Borongan, Philippines**

**Salutation: Dear Governor**

**COPIES OF YOUR APPEALS TO:**

Mary Concepcion Bautista (Chairman) OR  
Paulynn Paredes Sicam (Commissioner) OR  
Hesiquio Mallillin (Commissioner)  
Commission on Human Rights  
IBP Building Complex  
Dona Julia Vargas Avenue  
Pasig Metro Manila, Philippines

**Faxes:** + 63 2 631 6449

Senator Wigberto Tanada  
Chairman, Senate Committee on Justice and Human Rights  
Padre Faura, Manila, Philippines

**Faxes:** + 63 2 50 07 72

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 17 June 1992.