

PUBLIC

**AI Index: ASA 35/010/2008
19 November 2008**

Further Information on UA 274/08 (ASA 35/007/2008, 25 September 2008) and follow-up (ASA 35/009/2008, 6 November 2008) - Possible enforced disappearance

PHILIPPINES

James Balao (m), aged 47, Indigenous rights activist

Five legislators have asked the Philippine House of Representatives to conduct an investigation into the case of missing Indigenous rights activist James Balao, saying the government and military have failed to uphold international human rights standards. In earlier media interviews, one of the five members of Congress said that the previous efforts to seek the help of the military in finding the activist had produced no results, prompting them to take action.

In a resolution filed recently, the legislators said James Balao's disappearance could be connected to his work, defending human rights among the Indigenous people of northern Philippines. "The recommendation of the United Nations Special Rapporteur on Extrajudicial Summary or Arbitrary Executions Philip Alston that the Arroyo government take concrete steps 'to put an end to those aspects of counterinsurgency operations which led to the targeting and execution of many individuals working with civil society organizations' has yet to be implemented," the resolution said.

James Balao, one of the founders of the Indigenous people's organization, the Cordillera People's Alliance (CPA), disappeared on 17 September in La Trinidad town, northern Philippines. Earlier this month, the CPA said that witnesses told them that they had seen him being abducted by armed men, who claimed that they were from the police. The CPA has also said that they had been informed that James Balao is still alive and is being held by state security forces at an unknown location. He may be at risk of torture and other ill-treatment.

The Balao family and the CPA filed a writ of amparo application before the Benguet Regional Trial Court earlier this month.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Filipino, English or your own language:

- calling on the Speaker of the House of Representatives to hold a public inquiry into James Balao's disappearance, in accordance with the resolution submitted by the five legislators.
- calling on the Regional Trial Court to issue a writ of amparo and order the authorities to immediately produce James Balao.
- calling on the authorities to publicly reveal the whereabouts of James Balao, and to either charge him with a recognizably criminal offence or release him immediately;
- calling on the authorities to order a prompt and thorough investigation, publish the results and bring those responsible for his abduction to justice;
- calling on the authorities to ensure that all Indigenous rights activists are able to carry out their legitimate work without restrictions or fear of reprisals;
- calling on the authorities to ensure that all cases of extrajudicial execution and enforced disappearance are investigated promptly, impartially and effectively;
- calling on them to create an independent body to monitor these investigations.

Important note: If you are sending an appeal through email and the email bounces, please, send to jamesbalao.appeal@gmail.com, with the name of the addressee (e.g. Hon. Prospero Nograles) in the subject line. Your emails will go to AI Philippines, who will print them out and send them by post to the intended recipients. If you are sending a fax message, please bear in mind that the Philippines is in the GMT+8 time zone, and it is likely that fax machines are turned off after office hours.

APPEALS TO:

Speaker of the House

Hon. Prospero Nograles
RVM-410, House of Representatives Complex
Constitution Hills, 1126 Quezon City, Philippines

Email: (use link: <http://www.congress.gov.ph/members/search.php?congress=14&id=nograles#>, and then click on "send email" button in the page)

Salutation: Dear Congressman

Justice Secretary

Sec. Raul M. Gonzalez
Department of Justice
Padre Faura St., Manila, Philippines

Fax: +632- 521-1614

Email: info@doj.gov.ph

Salutation: Dear Secretary

Chief of Police

Chief Director General Jesus Verzosa.
Philippine National Police
Room 301 DND Building, Camp Emilio Aguinaldo,
E. de los Santos Avenue, Quezon City, Philippines

Fax: +632 7255115

Email: pio@pnp.gov.ph

Salutation: Dear Director General

COPIES TO:

Hon. Leila De Lima
Chairperson, Commission on Human Rights
SAAC Bldg., UP Complex
Commonwealth Avenue
Diliman, Quezon City, Philippines

Fax: +632 929 0102

Email: drpvq@chr.gov.ph, atty_delima@yahoo.com.ph

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

(Please see: <http://www.dfa.gov.ph/posts/pemb.htm>)

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 December 2008.