

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

FOURTEENTH CONGRESS  
First Regular Session

869

**HOUSE RESOLUTION NO.**

Introduced by Representatives SATUR C. OCAMPO, TEODORO A. CASIÑO, LIZA L. MAZA, LUZVIMINDA C. ILAGAN and RAFAEL V. MARIANO

**RESOLUTION**

**DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE ENFORCED DISAPPEARANCE OF JAMES BALAO, FOUNDING MEMBER OF THE CORDILLERA PEOPLES ALLIANCE (CPA) ON SEPTEMBER 17, 2008, 8:00 A.M., LOWER TOMAY IN LA TRINIDAD, BENGUET, ALLEGEDLY PERPETRATED BY THE INTELLIGENCE SECURITY UNIT (ISU) – MILITARY INTELLIGENCE GROUP (MIG), THE PHILIPPINE NATIONAL POLICE (PNP) AND OTHER STATE SECURITY FORCES**

**WHEREAS**, on September 17, 2008 at around 7 o'clock in the morning, James M. Balao left his residence in Fairview, Baguio City intending to visit the family residence in Lower Tomay, La Trinidad, Benguet. There he was seized by armed men and has been missing since then;

**WHEREAS**, James Balao is a founding member of the Cordillera Peoples Alliance (CPA) in 1984 and worked in its Research and Education Commission. He is also the president of their clan association, the Oclupan Clan Association;

**WHEREAS**, according to the CPA, there were five (5) unidentified men believed to be member of the military on a white Mitsubishi Adventure or Revo, and at least 3 served as lookouts. According to reports, one of the men cuffed his hands over Jamie's mouth and another man locked his jaws with his arms while 2 others pointed their guns at his sides and hurriedly shoved him into the car. Another man waved his automatic rifle at the shocked onlookers and shouted *Pulis kami! huwag kayong maki-alam! Drug pusher eto!* Then he rode the vehicle and said *Diretso sa Camp Dangwa!*. The place of incident is a few meters away from Camp Dangwa, the regional headquarters of the PNP in the Cordillera;

**WHEREAS**, that very day, acting on information that the 50<sup>th</sup> Infantry Battalion Philippine Army (IBPA) in Ilocos Sur may have James in custody, the family, friends, the CPA and the Cordillera Human Rights Alliance (CHRA) went to the said military units in San Juan, Ilocos Sur. Through the help of Governor Deogracias Victor B. Savellano, the the 50<sup>th</sup> IBPA allowed a very limited ocular visit of the camp by 4 members of the family and 2 representatives of the CPA disallowing taking of photographs;

**WHEREAS**, on 2005, the 50<sup>th</sup> IBPA was implicated in the extra-judicial killings of activists Rommy Sanchez in March 9; Pepe Manegdeg in November 29, and; Albert Terradabo in

November 30. In the case of Manegdeg, witnesses specifically named Sgt. Joel Castro of the 50<sup>th</sup> IBPA as the perpetrator;

**WHEREAS**, on October 6, the CPA and the CHRA held a dialogue with Police Regional Director Gen. Eugene Martin, the Benguet Police Provincial Director Col. Danilo Pelisco, the La Trinidad Police Director Col. Mario Mayam-es and the Baguio City Police Director Col. Jesus Franco. The PNP directorate agreed to beef-up their investigating team, provide custody and security for the possible witnesses, greater police visibility in the place of incident to prevent possible attacks and harassment from perpetrators, and transparency with the Balao family and the CPA;

**WHEREAS**, on October 7, the CPA and CHRA together with the Police Regional Office-Cordillera Administrative region (PRO-CAR) and the Baguio City Police Office (BCPO) revisited the Military Intelligence Group (MIG) office in Camp Alen, Baguio City. The MIG disallowed the group entry and permitted Col. Jesus Franco to enter only when James's father, Mr. Art Balao agreed to the demand of MIG to move away from a spot outside the gate where he could see vehicles entering and leaving the MIG compound;

**WHEREAS**, on the same day, the regional office of the Commission on Human Rights (CHR) sent a team of investigators to the MIG office for inspection, but they were not allowed to enter the MIG compound. The MIG personnel treated them with grave hostility; shouting at them and even cocking their guns at the investigators. These men hid their identity by wearing baseball caps, dark and wide-rimmed sunglasses, with handkerchief covering their faces;

**WHEREAS**, on October 9, the Balao family and Ms. Beverly Longid as Chairperson of the CPA filed a Writ of Amparo with the Regional Trial Court in Benguet under Judge Benigno Galacgac of Regional Trial Court 63;

**WHEREAS**, on October 6, the Benguet Provincial Board approved a resolution condemning the enforced disappearance of James Balao and calling for his immediate surfacing and release by his captors. Also, the La Trinidad Municipal Council issued a similar resolution. Benguet Governor Nestor Fongwan wrote the President asking for her intercession in locating the whereabouts of James Balao. On October 10, Governor Maximo Dalog of Mountain Province issued a statement denouncing the unexplained disappearance of James Balao. On the same day, the CHR national office approved a resolution strongly condemning the disappearance of James and requesting the AFP and PNP for assistance;

**WHEREAS**, since June 2008, James had reported intensified surveillance prior to his disappearance. He was arrested in 1988 for allegedly possessing "subversive" documents. The case was dismissed due to lack of evidence. Balao is the second case of enforced disappearance of member of the CPA, the first was that of Ama Daniel Ngayaan in October 1987 in Pasil, Kalinga. Two CPA members have been victims of extrajudicial killing – Markus Bangit in June and Alyce Claver in July 2006;

**WHEREAS**, the enforced disappearance of James M. Balao may be a result of his work in defense of human rights, in particular his work to defend the rights of indigenous peoples in the Cordilleras;

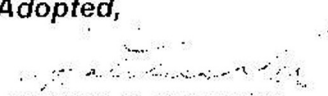
**WHEREAS**, the Philippine Government must observe the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL) and other international human rights laws and declarations such as the Universal Declaration of Human Rights and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);

**WHEREAS**, the recommendation of United Nations Special Rapporteur on Extrajudicial Summary or Arbitrary Executions Prof. Philip Alston that the Arroyo government take concrete steps "to put an end to those aspects of counterinsurgency operations which led to targeting and execution of many individuals working with civil society organizations", have yet to be implemented;


**NOW THEREFORE BE IT RESOLVED**, the Committee on Human Rights conduct an investigation, in aid of legislation, into the enforced disappearance of James Balao, founding member of the Cordillera Peoples Alliance (CPA) on September 17, 2008, 8:00 a.m., Lower Tomay in La Trinidad, Benguet, allegedly perpetrated by the Intelligence Security Unit (ISU) – Military Intelligence Group (MIG), the Philippine National Police (PNP) and other state security forces;

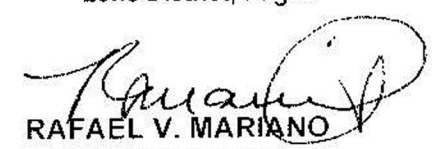
**RESOLVED FINALLY**, that efforts for the immediate and unconditional surfacing of James Balao be taken.

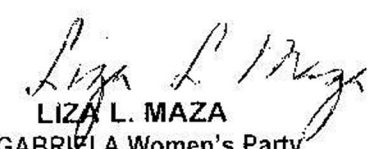
*Adopted,*

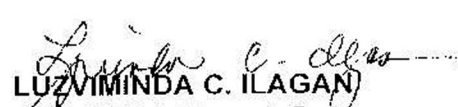
  
**SATUR C. OCAMPO**  
BAYAN MUNA Party-List

**SOLOMON R. CHUNGALAO**  
Lone District, Ifugao

  
**TEODORO A. CASIÑO**  
BAYAN MUNA Party-List

  
**RAFAEL V. MARIANO**  
ANAKPAWIS Party-List

  
**LIZA L. MAZA**  
GABRIELA Women's Party

  
**LUZVIMINDA C. ILAGAN**  
GABRIELA Women's Party