



Republika ng Pilipinas
Komisyon ng Karapatang Pantao ng Pilipinas
(Commission on Human Rights of the Philippines)

RESOLUTION
CHR (IV) No. A2008-035

**STRONGLY CONDEMNING THE ENFORCED DISAPPEARANCE OF
JAMES BALAO, CONTINUING THE INVESTIGATION THROUGH THE
CAR REGIONAL OFFICE, AND REQUESTING THE AFP AND PNP FOR
ASSISTANCE**

WHEREAS, it is the declared policy of the State to value the dignity of every human person and guarantee full respect for human rights;¹

WHEREAS, the Bill of Rights provides that no person shall be deprived of life, liberty, or property without due process of law;²

WHEREAS, the Philippines is a party-signatory to, and has ratified,³ the International Covenant on Civil and Political Rights,⁴ which recognizes the right of everyone to liberty and security of person and not to be deprived of liberty except on such grounds and in accordance with such procedure as are established by law;⁵

WHEREAS, it is a felony for any public officer or employee to detain a person without legal grounds,⁶ or for any private individual to detain another or in any other manner deprive him of his liberty;⁷

WHEREAS, James Balao, 47, single, is a founding member of the Cordillera People's Alliance, and allegedly listed in AFP documents as the head of the Education Bureau in the Ilocos and Cordillera Regions of the Communist Party of the Philippines;

WHEREAS, sometime in June 2008, James Balao and his family are alleged to have been under regular surveillance by unidentified persons;⁸

WHEREAS, on 17 September 2008, at around 7am, James Balao left Baguio City for the family residence in La Trinidad, Benguet, and has reportedly not been seen or heard from since.

1 CONST. Art. II, §11.

2 Art. III, § 1.

3 Jan. 23 1987.

4 999 U.N.T.S. 171

5 Art. 9(1), 999 U.N.T.S. at 175.

6 REV. PEN. CODE, Art. 124

7 Art. 267.

8 Balao Family Letter sent to the Commission on Human Rights, Sep. 22, 2008.