

OPINION No. 29/1998 (PHILIPPINES)

Communication addressed to the Government on 7 May 1998

Concerning Leonilo de la Cruz

The State is a party to the International Covenant on Civil and Political Rights

1. The Working Group on Arbitrary Detention was established by resolution 1991/42 of the Commission on Human Rights. The mandate of the Working Group was clarified and extended by resolution 1997/50. Acting in accordance with its methods of work, the Working Group forwarded to the Government the above-mentioned communication.
2. The Working Group conveys its appreciation to the Government for having forwarded the requisite information on the case of Leonilo de la Cruz in good time. Leonilo de la Cruz was arrested in Marilao, Bulacan, by elements of the Presidential Task Force on intelligence and counter-intelligence. Reportedly, he was shown a warrant of arrest only four days after his arrest; furthermore, this warrant had already been quashed in earlier proceedings. Leonilo de la Cruz was detained at the ISAFP (military intelligence) detention centre, Camp Aguinaldo, after being transferred from the intelligence security group (ISG), Philippine Army, Camp Bonifacio.
3. The Working Group notes that the Government has informed the Group that the above-mentioned individual has been released on bail, pending investigations. His release on bail has been confirmed by local press articles which have been brought to the attention of the Group.
4. Accordingly, and after having examined all the material before it and without making any determination as to whether Mr. de la Cruz's detention was arbitrary or not, the Working Group decides, pursuant to paragraph 14 (a) of its methods of work, to file the case of Leonilo de la Cruz.

Adopted on 3 December 1998