



PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES  
TO THE UNITED NATIONS AND OTHER INTERNATIONAL  
ORGANIZATIONS, GENEVA

NV-EPG-119-2022

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch and, with reference to the letter dated 26 January 2022 on joint communication number AL PHL 1/2022 on the case of Mr. Steve Abua, has the honor to convey the following response from the Philippine government, as provided by the Philippine National Police Human Rights Affairs Office (PNP-HRAO) and the Secretariat of the Administrative Order No. 35 (AO35) or the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty, and Security of Persons:

- The Pampanga Police Provincial Office launched an investigation to confirm and ascertain the veracity of the reported alleged abduction of Mr. Steve Abua on 6 November 2021 at the Municipality of Lubao, Pampanga. **Upon checking with the different Custodial Facilities of the Philippine National Police (PNP), there appeared no record of the subject person under their custody.**
- Since the incident was first reported by news media, the Secretariat of Administrative Order No. 35 (AO35) or the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty, and Security of Persons has been monitoring reports and has been coordinating with the PNP. **Barangay (village) officials of Barangay Sta. Cruz, Lubao, Pampanga informed the PNP that no incident of abduction was reported between 05 and 07 November 2021.**
- On 09 November 2021 at around 3:15 pm, a lady introduced herself as [REDACTED], 35 years old and presently residing in Parañaque City, introduced herself as Steve Abua's wife before the Lubao Municipal Police Station (MPS) and reported him missing. When investigator asked for any identification, she failed to present any. Even so, the police officer assisted her in processing the missing person report. It was noted that at that time, she was accompanied by an elderly woman (allegedly her mother who also did not have any identification document to show at that time).
- In her sworn statement (question and answer format) given to the police investigator, she said that a gentleman called her and informed that her husband was in their custody. Also, using a certain [REDACTED] Facebook messenger account, the same gentleman video called her on Facebook messenger to show that they really got hold of her husband. When the investigator asked to see her cellphone to verify its phone history and her Facebook messenger account to validate and backtrack, she said that she did not have her cellphone with her. She was advised to return and bring it so that the investigator may try to locate said caller and she was also requested to bring any of her government issued identification card. After coordination with Police Regional Office 3 (PRO 3), Ms. [REDACTED] did not return.
- On 13 November 2021, the Pampanga Police Provincial Office (PPO) through its Community Affairs and Development Unit updated the public, through a press release on its official Facebook page, on developments and government efforts concerning Mr. Abua.
- On 17 November 2021, a letter was sent to the Office of the Prosecutor to inquire for possible information pertaining to Mr. Steve Abua. On 18 November 2021, personnel from the Pampanga PPO personally coordinated with the country's independent national human rights institution (NHRI), namely the Commission on Human Rights of the Philippines (CHRP) Regional Office 3 in Maimpis, San Fernando City, Pampanga for a discussion with

CHRP Special Investigator 2 Limmuel Sagun and Special Investigator 1 Ismael Chauhan pertaining to said subject. Accordingly, they are still conducting their investigation regarding the alleged incident and they will share any development as soon as obtained.

- Based on the records from Police Regional Office 3 (PRO 3), a Petition for Writ of Habeas Corpus was filed on 8 December 2021 before the Court of Appeals docketed CA G.R. SP No. 171320 against respondent Commanders from the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). In relation to the said petition, respondents from the Philippine National Police received a Notice of Resolution from the Court of Appeals on 16 December 2021, asking them to show cause why the Writ of Habeas Corpus should not be issued.
- **The Philippine National Police denies having custody of Mr. Abua. The PNP's custodial facilities in Pampanga were also inspected by the petitioner/s with the assistance of Karapatan-Central Luzon, but were unable to locate the person of Mr. Abua.**
- **The claims made by the wife of Mr. Abua cannot be verified and further investigated as she is now refusing to communicate with the PNP. Meanwhile, the AO35 Secretariat has yet to receive or come across any information grounded on evidence that would show or even suggest that agents of the State, or persons or groups of persons acting with the authorization, support or acquiescence of the State, are involved in the alleged incident involving Mr. Abua.**
- **The AO35 Secretariat emphasizes that it is still premature to describe the incident as a case of enforced disappearance defined and punishable under R.A. No. 10353 or the "Anti-Enforced or Involuntary Disappearance Act of 2012".**
- **The AO35 Secretariat continues to monitor the investigations. The PNP is still investigating the incident and has been coordinating with the National Bureau of Investigation, the Armed Forces of the Philippines, the Commission on Human Rights, and civil society organizations. The AO35 prosecutor in the Province of Pampanga has also been notified of the incident.**

The Permanent Mission of the Philippines requests the assistance of the mandate holders in urging parties to engage in good faith with the well-established accountability mechanisms and processes in the country with a view to facilitating the investigation and prosecution of cases and bringing perpetrators to justice.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch the assurances of its highest consideration.

Geneva, 16 March 2022



**OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS**  
**Attention: The Special Procedures Branch**

Palais Wilson

52 Rue des Pâquis

CH-1201 Geneva

E-mail adds : [ohchr-registry@un.org](mailto:ohchr-registry@un.org), [defenders@ohchr.org](mailto:defenders@ohchr.org), [wgeid@ohchr.org](mailto:wgeid@ohchr.org),  
[freedex@ohchr.org](mailto:freedex@ohchr.org), [freeassembly@ohchr.org](mailto:freeassembly@ohchr.org), [srct@ohchr.org](mailto:srct@ohchr.org)