



DeutscherAnwaltVerein

## Today - the Day of the Endangered Lawyer 2015 – the Signatory organizations call on the Aquino government to investigate and prevent the killings and harassment of lawyers in the Philippines.

### Number of killings and harassment

At least 39 lawyers have been killed in the Philippines since 2004 for reasons apparently related to their profession. Many more lawyers have been threatened, harassed, intimidated, labeled as 'enemies of the state' or subjected to surveillance or other forms of attacks.

### Victims

Most of the lawyer victims were handling high profile cases in which the interests of the upper layer of society are at stake, such as land reforms, corruption and election-related issues.

### Perpetrators

Of the known perpetrators recorded, 65% have been identified as members of the military and 20% as members of the police service. In over 50% of cases involving attacks on lawyers, no suspected perpetrator(s) have been identified. .

### Underlying causes for extrajudicial killings

The practice of labeling (classifying victims as 'enemies of the state'), the involvement of the military in politics, the proliferation of private armies and vigilante groups and the culture of impunity have been identified by national and international fact finding bodies as the main root causes for the alarming rate of extrajudicial killings, including the extrajudicial killings of lawyers, in the Philippines.

### Track record of the Aquino administration

The Aquino administration has failed to achieve any fundamental changes. The harassment and labeling of lawyers continues unabated and the number of extrajudicial killings of lawyers has risen. Suspected perpetrators are seldom arrested and rarely identified and held accountable through prosecutions.

### Consequences

The harassment and killings of lawyers and the impunity shielding perpetrators impair the ability of lawyers to provide legal representation and consequently severely undermines the proper functioning of the rule of law and the adequate protection of human rights and fundamental freedoms.

### **International obligations**

The Philippines were part of the voting when the United Nations Basic Principles on the Role of Lawyers was adopted by the General Assembly in 1990 and therefore have a positive duty to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference and to adequately safeguard lawyers where their security is threatened due to their job. This duty is an integral part of The Philippines' obligations under the International Covenant on Civil and Political Rights to ensure rights including the right to remedies and to a fair trial.

### **Recommendations**

In view of the above Lawyers for Lawyers urge the Philippine government to take necessary and effective measures:

- (1) to prevent extrajudicial killings and all forms of harassment of lawyers,
- (2) ensure that suspected perpetrators of crimes against lawyers are effectively investigated, prosecuted and, if convicted, punished with appropriate sanctions, and
- (3) duly support and protect the personal and professional independence and safety of lawyers in accordance with the Basic Principles on the Role of Lawyers adopted by the General Assembly of the United Nations in 1990.

### **Co-signing organizations in alphabetical order:**

**Asian Human Rights Commission (AHRC)**

**Fair Trial Watch (FTW)**

**Freedom House**

**German Bar Association**

**Haldane Society of Socialist Lawyers**

**International Association of Democratic Lawyers**

**International Association for Peoples' Lawyers**

**International Bar Association Human Rights Institute**

**Lawyers for Lawyers (L4L)**

**Lawyers Rights' Watch Canada (LRWC)**

**Özgürlükçü Hukukcular Derneği (ÖHD)**

**Solicitors International Human Rights Group (SIHRG)**

**The Law Society of England and Wales**

## 2014

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1. Atty. **Rodolfo R. Felicio** (66) – Taytay, Rizal – August 24, 2014
2. Atty. **Cristobal V. Fernandez** (64) – San Fabian, Pangasinan – August 8, 2014
3. Atty. **Isagani G. Garcia** (35) – San Gabriel, Tuguegarao City - May 14, 2014
4. Atty. **Noel D. Archival** (52) – Dumaguete City – February 18, 2014

## 2013

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5. Atty. **John Mark F. Espera** (39) – Hamtic, Antique – August 31, 2013
6. Atty. **Ian E. Vela Cruz** – Olongapo, Zambales – May 18, 2013
7. Atty. **Jubian P. Achas** – Cebu City – January 22, 2013

## 2012

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8. Atty. **Sulpicio A. Landicho** – Tanauan City, Batangas - November 14, 2012
9. Atty. **Lazaro C. Gayo** (61) – Agoo, La Union – October 29, 2012
10. Atty. **Nicomedes R. Romagos** (58) – Cataingan, Masbate – September 20, 2012
11. Atty. **Xerxes B. Camacho** – Northern Samar – August 18, 2012
12. Atty. **Manolo M. Zerna** (48) – Tanjay City, Negros Oriental – August 3, 2012

## 2011

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13. Atty. **Archer Baldwin R. Martinez** (47) – Dumaguete City – August 5, 2011

## 2009

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14. Atty. **Concepcion J. Brizuela** (56) – victim of Ampatuan Massacre – November 23, 2009
15. Atty. **Cynthia Oquendo-Ayon** (35) – victim of Ampatuan Massacre – November 23, 2009

## 2008

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16. Atty. **Richard W. Sison** (52) – Barangay Tinago, Cebu City – May 21, 2008

## 2007

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17. Atty. **Alejo L. Dojillo** (43) – San Fabian, Pangasinan – September 10, 2007
18. Atty. **Conrado D. Soriano Jr.** (54) – San Carlos City, Pangasinan – August 27, 2007
19. Atty. **Luis R. Dote** (46) (PAO) – Legazpi City, Albay, Bicol – June 17, 2007
20. Atty. **Demetrio L. Hilbero** – Calamba City, Laguna, Southern Luzon – June 16, 2007

## 2006

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21. Atty. **Gil Gojol** (50) – Barangay Payakin, Gubat, Sorsogon – December 12, 2006
22. Atty. **Nestor J. Ballacillo** (57) – Barangay San Antonio – December 6, 2006
23. Atty. **Leonito T. Tapel** – Bulacan, Luzon – December 2, 2006
24. Atty. **Froilan V. Siobal** (57) – Pangasinan, Luzon – November 19/20, 2006
25. Atty. **Evelyn B. Guballa** – Quezon City, Manila – June 21, 2006
26. Atty. **Rogelio O. Montero** – San Jose del Monte, Bulacan – May 15, 2006
27. Atty. **Carlo Magno Uminga** – Barangay Angayan Sur, Pangasinan – April 14, 2006

## 2005

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28. Atty. **Eugenia C. Vinluan Campol** (36) (PAO) – Baguio City, Luzon – September 5, 2005
29. Atty. **Victor Padilla** (57) – Manila, Luzon – September 6, 2005 [CHECK]
30. Atty. **Norman Bocar** (57) – Samar – September 1, 2005
31. Atty. **Ambrosio F. Matias Jr.** (47) – Luzon – May 8, 2005
32. Atty. **Felidito C. Dacut** (51) – Tacloban City, Leyte – March 14, 2005
33. Atty. **Teresita Vidamo** (33) (PAO) – Las Pinas, Metro Manila, Luzon – February 9, 2005
34. Atty. **Reuel Dalguntas** (45) – Davao City, Mindanao – February 5, 2005

## 2004

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35. Atty. **Edgar Calizo Sr.** – Aklan, Visayas – November 22, 2004
  36. Atty. **Arbet Sta. Ana-Yongco** – Barangay Zapatera, Cebu City – October 11, 2004
  37. Atty. **Victoria Mangapit-Sturch** – Baguio City, Luzon – April 13, 2004
  38. Atty. **Juvy M. Magsino** – Mindoro Oriental – February 13, 2004
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