



ELDH European Association of Lawyers
for Democracy and World Human Rights

Petition

DAY OF THE ENDANGERED LAWYER 23rd January 2015 Lawyers under Death Threat in the Philippines

Lawyers all over Europe protest this day in Ankara, Athens, Barcelona, Berlin, Bern, Bilbao, Brussels, Düsseldorf, The Hague, Istanbul, Izmir, London, Madrid, Manila, Milan, Paris, Rome and Vienna. This year the Day of the endangered Lawyer is focussed on lawyers in the Philippines who are murdered and who receive death threats because they defend the rights of the poorest, and who work on cases of human rights violations.

The reported total number of lawyers that have been killed after 2001 is 41, nine (22%) of whom were directly involved in handling human rights cases or issues. On top of this, 57 lawyers have been threatened, harassed, intimidated, surveilled, labelled and attacked in other forms, a sizable 43 (76%) of whom were directly involved in human rights cases or advocacies. In addition, 18 judges have been murdered since 2001. Of the known perpetrators recorded, 65% were identified to be members of the military while 20% were from the police service. More than half, however, of all attacks have no known perpetrator to date.

Among the lawyers who have been killed recently are: Rudolfo Felicio, Noel D. Archival, John Mark Espera, Ian Vela Cruz, Jubian Achas, Sulpicio Landicho, Lazaro Gayo, Christobal Fernandez. (For more details read the Basic Report on the human rights lawyers under continuing threat in the Philippines http://www.eldh.eu/fileadmin/user_upload/ejdm/events/2014/Basic_report_for_the_Day_of_the_Endangered_Lawyer_2015.pdf)

In the past there has been international pressure on the Philippine government to address the issue, to make important steps to prosecute the perpetrators and to stop the situation of impunity. But in the last year the situation has again deteriorated. The documented reports about the killings and attacks on Philippine lawyers and also judges show an increasing number of killings, harassments and other attacks on the profession. Only very scarcely a perpetrator is arrested and nearly never prosecuted or punished by the courts. The government of the Philippines is criticized from many quarters about this poor result.

For the endangered lawyers, their families, the victims of the killings and other different forms of attacks, it is unacceptable that the State does not take the full responsibility to act according to the rule of law and to make all necessary steps to fulfill its human rights obligations and legal and ethical duties.

Four years after 30 June 2010, the day that Benigno Aquino III succeeded Gloria Arroyo as President, we have to draw the very sad conclusion that President Aquino's promises - not to tolerate extrajudicial killings and forced disappearances, and to prioritise the judicial reform and the strengthening of the judicial system - seem to have been hollow promises, as far it is shown by all the new attacks and killings that have victimized also members of the legal profession which have occurred after 2010, in the last four years. Only in the case of the murder of the judge Reynerio Estacio Senior on 28 February 2014 in Tugbungan village there was a suspected gunman arrested. This judge handled politically sensitive cases including cases about policemen and politicians.

For these reasons three European lawyers associations the EUROPEAN DEMOCRATIC LAWYERS (AED-EDL, www.aed-edl.net), the EUROPEAN ASSOCIATION OF LAWYERS FOR DEMOCRACY & WORLD HUMAN RIGHTS (ELDH, www.eldh.eu) and the EUROPEAN BAR HUMAN RIGHTS INSTITUTE (IDHAE, www.idhae.org), which together represent lawyer's associations all over Europe, have decided to promote greater public awareness of the severe situation of lawyers in the Philippines on the Day of the Endangered

Lawyer. Therefore lawyers in different European countries will protest in front of Philippine Embassies, Consulates or other institutions.

The Day of the Endangered Lawyer is an initiative which was started by AED-EDL in 2010, on behalf of the lawyers of Iran. The date of 24 January was chosen in remembrance of the assassination of 4 trade union lawyers and one employee in the Atocha Street in Madrid in 1977 (Massacre of Atocha), in the time of transition after the death of the Spanish dictator Franco (in 1975). The perpetrators arrested were close to far-right parties and organisations.

AED-EDL, ELDH and IDHAE condemn in the strongest possible terms the above mentioned actions against lawyers and demand the following from the Government of the Philippines:

- Appropriate measures to guarantee safety for legal practitioners, as provided in the United Nations Basic Principles on the Role of Lawyers
- to recognise publicly the legitimacy of the work done by human rights defenders, including lawyers
- to put an end to the impunity tolerated by the State for those who violate human rights
- to take measures to sanction public servants and politicians who stigmatise them
- The immediate release of all lawyers detained, investigated, and imprisoned as a result of their professional duties

They further demand an international independent investigation into the actions noted above with the objective of holding those accountable who are responsible for violations of basic human rights of lawyers.

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Organized by:

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- **European Association of Lawyers for Democracy and World Human Rights (ELDH)**, Platanenstrasse 13, 40233 – Düsseldorf, Germany, www.eldh.eu
- **European Bar Human Rights Institute (IDHAE)**, 4-6, rue de la Boucherie, L - 2012 Luxembourg, idhae@idhae.org

Supported by:

- **International Association of Democratic Lawyers (IADL)**, www.iadllaw.org
- **National Union of Peoples' Lawyers (NUPL)** in the Philippines, <http://www.nupl.net/>
- **Lawyers for Lawyers in Holland**, <http://www.advocatenvooradvocaten.nl>

