

**- Press Release -**  
**d.d. 24 July 2006**  
**Lawyers for Lawyers Foundation**

## **International mission: Philippine government should order independent investigation into killings of lawyers and judges**

In the end of June, 2006, an independent delegation of two judges and six lawyers from Amsterdam, The Netherlands and Antwerp, Belgium has investigated the violence against their Philippines colleagues. At 3 pm today, representatives of the mission presented the first copy of its report "From Facts to Action" to Chargé d'Affaires, Ms Laura Santos of the Philippine Embassy in The Hague. Since President Arroyo came to power in 2001, at least fifteen lawyers and ten judges have been killed. According to the Fact Finding Mission, there is a pattern in the killings which must be seen in the light of almost 700 other killings in the Philippines including the killings of members of the leftwing political opposition. None of the killers has been convicted. To this date, the Philippine government has hardly taken any measures to address the killings effectively. The Government rejects all criticism claiming that the Philippines is a democratic republic that highly respects human rights. Meanwhile, the killings continue unabated: The most recently killed lawyer is Atty. Evelyn Guballa who was killed on June 21, 2006. Guballa is the fourth fatality of the legal profession this year. Three other lawyers are increasingly in danger. Atty. Romeo Capolung only managed to escape an attempt on his life on June 25 due to the timely warning given him by an informant; Atty. Beverly Musni has been followed since two weeks by two men aboard a motorcycle and Atty. Concepcion Jayme-Brizuela, received SMS messages that she is next in line to be killed. The mission was accompanied by the Dutch VPRO reporter Fieneke Diamand. Her report on the mission will be broadcasted tomorrow between 10-11 a.m. during VPRO's Radio Programme 'De ochtenden', Channel 1 ([www.ochtenden.nl](http://www.ochtenden.nl)). The Dutch Lawyers for Lawyers foundation, which organized the mission, calls on the Philippine government to immediately follow the mission's recommendations. The report will be published at:

<http://www.advocatenvooradvocaten.nl/projects.html> . Read below the Report's Executive Summary:

### **EXECUTIVE SUMMARY**

From 15-20 June, 2006, the IFFM held interviews and conferences in Quezon City, Manila and Tacloban City, Leyte, with lawyer-victims, the families of slain lawyers, the Integrated Bar of the Philippines, human rights advocates, concerned government agencies (Philippine Commission on Human Rights, Philippine National Police, Armed Forces of the Philippines, National Bureau of Investigation, Department of Justice, Department of the Interior and Local Government), members of the judiciary (Supreme Court) and legislators (Senate and House of

Representatives). It also studied relevant documents, including those provided by the aforementioned individuals, agencies and organizations.

Human rights lawyers and judges in the Philippines are increasingly threatened, intimidated and killed as a consequence of which they encounter more and more difficulties in carrying out their legal profession.

The harassment and killings of members of the legal profession undermine the independence of judges and lawyers and, as a consequence, also the rule of law and the faith in (the function of) the judiciary system.

There is a pattern in the harassment and killings of human rights lawyers and judges, which must be seen in the light of other killings in the Philippines including the killings of members of leftist groups. Prior to the attacks, victims are usually labelled by the military as “members or supporters of the CPP/NPA”, “communists” or “enemies of the state”. The next step is that victims are threatened and usually be subjected to surveillance by the military. The way victims are killed is also similar. Almost all assassinations are shooting incidents with a hit-and-run character conducted by a team of unidentified motorcycle-riding men. Even the most brutal atrocities hardly elicit any decisive action or condemnation from the government; and to this date, all cases have remained unsolved.

Many people believe that the state security forces are involved in the killings and these allegations are supported – amongst others – by the Philippine Commission on Human Rights, based upon its own investigations.

Although the primary duty of the Government is to protect the life of the people, including lawyers and judges, the Arroyo administration has hardly done anything to address the extrajudicial killings effectively. In particular it has neither responded seriously to strong allegations that its own security forces are involved in the killings nor has it taken effective measures to improve the poor record of prosecutions of the perpetrators.

Only recently, President Arroyo has ordered that these extrajudicial killings be thoroughly investigated and eventually be stopped. This order has led to the establishment of a special Task Force, known as Task Force USIG, which is supposed to primarily take charge of the over-all management of the investigations in these cases. So far, however, Task Force USIG has not proven to be an independent body: It is chaired by the PNP which has a poor record as far as the effective investigation of the killings is concerned and which is mistrusted by the Philippine people.

Furthermore, the Arroyo administration has not condemned the killings publicly and in strong terms.

This lack of an effective response of the Arroyo administration has led to a culture of impunity in which even more killings and human rights violations may take place. The IFFM notes that, up to this date, the killings continue unabated.

Consequently, this culture of impunity has further diminished the people's faith in the functioning of the constitutional state and the system of law culminating in a climate in which, for instance, lawyers and judges consider it "part of their job" to be threatened and in which witnesses of killings do not cooperate with the police or the public prosecutor out of fear or because they find it a waste of time as it comes to nothing.

The Philippine government is under the obligation to take steps to ensure the compliance with human rights and the right to life in particular. In order to stop the killings, the threats and harassment of lawyers and judges, the IFFM calls on the government:

1. to condemn the killings publicly and in strong terms;
2. to immediately take vigorous steps to protect the safety of human rights lawyers and judges, which steps should include the prosecution of alleged perpetrators;
3. to leave no stone unturned in investigating the serious allegations that its own security forces are involved in the killings;
4. to constitute and fully support an independent body, i.e. not controlled by the government, to investigate the killings, threats and harassment and to follow its recommendations;
5. to take all other measures needed to end the culture of impunity and to restore the people's faith in the functioning of the constitutional state and the rule of law.

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