

Hon. Mr Benigno S. Aquino III
President of the Republic of the Philippines
Malcañang Palace
J.P. Laurel Street, San Miguel
NRC 1005, Manila, the Philippines

Brussels, the 21st of August 2013

Re: Concerns regarding the situation of lawyers in the Republic of the Philippines

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the on-going threats against members of the legal profession in the Philippines.

The CCBE regrets to observe that the rate of unlawful killings and harassment of lawyers in the Philippines remains very high, while impunity against perpetrators of these crimes seems to be the rule, rather than the exception, with only a single conviction so far. In addition, it seems that the worrisome practice of labelling lawyers as 'enemies of the state' is being continued by the military.

Most recently, the CCBE has been informed that Mr Edre Olalia, a prominent human rights lawyer and founding member of the National Union of Peoples' Lawyers (NUPL), is facing clearly false charges as a result of exercising his legal profession.

According to the information that we received, during the month of July, Army chief Lt. Gen. Noel Coballes reportedly branded Mr Olalia and the NULP 'enemies of the state', in reaction to their criticisms of the promotion of an Army general who is facing credible charges of human rights violations.

The CCBE is alarmed by these facts that show a threatening environment against lawyers in the Philippines, with the result of undermining lawyers' work, the proper functioning of the judicial system, and the full application of the rule of law throughout the country.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other

sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 asserts that:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Furthermore Article 18 states that:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

In view of the above, the CCBE respectfully urges your Excellency to firmly condemn all forms of threats and attacks against lawyers and to take immediate and effective steps to ensure that all the previous crimes committed against lawyers are rapidly and thoroughly investigated in order to identify and bring to justice those who are responsible for them. The CCBE also implores you to take all the necessary measures to guarantee that lawyers in the Philippines are able to perform their professional duties without fear of reprisal, hindrance, intimidation and harassment.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'E. Tsouroulis', with a stylized flourish at the end.

EVANGELOS TSOUROULIS
CCBE President