



Statement to the Media

**INDEPENDENT INTERNATIONAL DELEGATION
CONCLUDES FACT FINDING MISSION ON ATTACKS ON
PHILIPPINE LAWYERS, PROSECUTORS, & JUDGES**

CULTURE OF IMPUNITY PREVAILS

Manila, 13 June 2024 – Today a 12-member independent international delegation known as the “Caravana Filipina” concluded its ten-day mission studying the scores of attacks on Philippine lawyers, prosecutors, and judges since 2016. The members of the delegation represent 10 lawyers’ and human rights organisations from around the globe. The members of the delegation each brought their diverse perspective and experience in promoting the independence, safety, and security of the legal profession in countries all around the world.

Over the past ten days, members of the Caravana have visited Metro Manila, Cordillera, Iloilo, and Cebu, gathering testimonies from Luzon, Visayas, and Mindanao. The Caravana’s aim is to strengthen protections for Philippine judges, prosecutors, lawyers, and other legal professionals who, by performing their professional duties, have faced persecution, including extrajudicial killings, physical attacks and red tagging. By enhancing such protections, the Caravana seeks to expand access to justice for legal professionals who have suffered violations of their rights, as well as for all people of the Philippines.

International law recognises the unique role that legal professionals play in any society. As guardians of justice for all, international law accords them special protections. For example, the United Nations (U.N.) Basic Principles on the Role of Lawyers provide that “[l]awyers shall not be identified with their clients or their clients’ causes as a result of discharging their functions.” In other words, clients’ positions and causes are not to be attributed to their counsel. The Basic Principles also require governments to “ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference.” In addition, “[w]here the security of lawyers is threatened as a result of discharging their functions,” the Principles provide that lawyers “shall be adequately safeguarded by the authorities.” Other U.N. Principles and Guidelines provide similar protections for judges and prosecutors. The Philippines is also a party to a number of international human rights treaties that include protections for legal professionals. The national law of the Philippines does the same.

In its travels, the delegation has observed an alarming pattern of violations of these legal protections to which Philippine legal professionals are entitled. The delegation has documented first-hand accounts of judges and lawyers who have suffered attacks since 2016 to the present day, ranging from harassment, intimidation, surveillance, threats, and red-tagging, to physical assault, arbitrary detention and prosecution, and extrajudicial killings – in other words, assassinations. In addition, the delegation has documented the accounts of victims’ family members and legal representatives, and has met with representatives of a wide range of Philippine organisations and institutions which have an interest in the independence and the safety and security of the country’s legal professionals.

The members of the Caravana have made some preliminary findings, classified under four headings: the unprecedented scale of the attacks on legal professionals; the culture of impunity & climate of fear; red-tagging; and the repression of civil society and freedom of speech.

(1) The Unprecedented Scale of the Attacks on Legal Professionals

The Philippines has long been recognised as one of the most dangerous countries in the world for legal professionals.

In the 16-year period from September 15, 2007 to present, the National Union of Peoples’ Lawyers (NUPL) documented 90 prima facie work or profession related killings of lawyers, prosecutors, and judges. Fifty-nine of these assassinations occurred between July 2016 and July 2022. Four more have occurred since then.

In addition to these senseless deaths, there have been many other cases of attempted assassination, as well as countless instances of other forms of attacks.

This disturbing pattern of assaults on legal professionals is continuing. Only a few days ago, on 10 June, Prosecutor Eleanor “Ning” P. Dela Peña was assassinated on her way home from work. While the circumstances are still emerging, the Caravana honours Prosecutor Dela Peña for her commitment to justice, and trusts that her attacker will be brought to justice.

(2) The Culture of Impunity & Climate of Fear

The scale of the attacks on Philippine legal professionals is exacerbated by the pervasive culture of impunity and the prevailing climate of fear.

Out of all the cases discussed in the Caravana’s interviews and meetings with lawyers, judges, and others, there was none where the perpetrator has been identified, apprehended, and prosecuted. The delegation’s discussions with the Commission on Human Rights confirmed that many of the killings result in impunity due to a failure to identify the perpetrators. The

interviews conducted by the Caravana have left the delegation with the impression that many cases are prematurely labelled as "cold cases" without thorough and effective investigations.

Interviewees also reported that, in many cases, the long history of impunity deters people from coming forward as witnesses. The climate of fear also often leads families to hesitate or refrain from filing complaints.

The Caravana is concerned by the massive backlog of unresolved cases of attacks on legal professionals and the persisting delays in pursuing those cases and bringing the perpetrators to justice.

From the interviews carried out with legal professionals and their relatives, the Caravana observed that a fear of possible repercussions and retribution has had a "chilling effect", discouraging lawyers from practising law, particularly handling cases related to human rights or criminal defence. The same fear also silences victims, families and communities, preventing them from speaking out or seeking justice.

Ultimately, this has a negative impact on access to justice for all people of the Philippines.

(3) "Red-Tagging"

During its discussions, the delegation found "red-tagging" to be a significant factor in attacks on legal professionals. For example, in the majority of cases examined, the victims had been subjected to red-tagging shortly before they were killed or attacked.

In vicious "smear campaigns" on social media and in public spaces, lawyers are often labelled as "communist rebels" or "terrorists" merely for fulfilling their legitimate professional duties and defending the oppressed, the poor, and the disadvantaged. This frequently stems from identifying lawyers with their clients or their clients' causes, in blatant violation of the U.N. Basic Principles on the Role of Lawyers. In other cases, red-tagging is used to target lawyers in an effort to de-legitimise the groups that they represent, and even to render those groups defenceless.

The delegation welcomes the Supreme Court's historic decision of 8 May 2024, which has declared red-tagging to be a threat to life, liberty, and security. To date, local governments' responses to red-tagging have varied significantly. Some local administrations have acted forcefully to combat red-tagging and to secure the right to life. Unfortunately, these are the exceptions. In general, local governments and courts have been non-responsive, and preventive and protective measures remain weak. Action is now needed to give effect to the Supreme Court's words.

(4) Repression of Civil Society and Freedom of Speech

The delegation has also noted a trend of targeting NGOs and community activists with accusations of terrorism, terrorist financing, and other non-bailable offences. It is deeply troubling that community organisations which provide vital services for the poorest and most disadvantaged sectors of Philippine society are being criminalised through sweeping, unsubstantiated allegations. The delegation heard concerning reports of military deployment to protect private extraction and development projects and the displacement of indigenous and local peoples and violations of their rights.

The delegation has also received reports of attacks on Philippine journalists and is concerned about the safety and security of journalists and the independence of the media. The legal profession and the profession of journalism are complementary and symbiotic. Neither can survive without the other.

Throughout its work, the Caravana found a robust, highly active and engaged civil society and human rights movement, committed to strengthening the rule of law and access to justice. The delegation is deeply grateful to the local civil society organisations and to the embassies for their indispensable contributions to the delegation's work. The delegation also spoke with representatives of the judiciary with a strong commitment to human rights.

These preliminary findings of the Caravana delegation will be shared with local and national authorities for their response. Final findings and recommendations will be published in a report on the Caravana Filipina in due course.

In the meantime, the delegation's preliminary findings will be presented tomorrow – Friday, 14 June 2024 – at the International Fair Trial Day Conference and Ebru Timtik Award Ceremony at the University of the Philippines. This event is open to all and free of charge.

The members of the Caravana delegation are honoured to stand shoulder-to-shoulder in solidarity with the courageous lawyers, prosecutors, and judges of the Philippines. They reflect the very best of the legal profession and shine as beacons for us all.

Notes to editors

The fact-finding mission extended from 4 to 13 June 2024.

The use of the term Caravana is to symbolise a group of persons travelling together for safety and with a common aim. It was inspired by the long established "Colombian Caravana" UK lawyers group, similarly working on the promotion of access to justice and the rule of law in Colombia.

The Caravana aims to release its final findings in a public report over the next months and continue to engage with legal professionals and civil society in the Philippines. The Caravana delegates include lawyers representing the following organisations:

1. European Association of Democratic Lawyers for Democracy and Human Rights (ELDH) <https://eldh.eu/en/>
2. European Democratic Lawyers (AED) <http://www.aeud.org/>
3. Day of the Endangered Lawyer Foundation <https://dayoftheendangeredlawyer.eu/>
4. International Association of Lawyers' Institute for the Rule of Law (UIA-IROL) <https://www.uianet.org/en/uia-irol>
5. International Bar Association Human Rights Institute (IBAHRI) <https://www.ibanet.org/IBAHRI>
6. International Observatory for Lawyers in Danger (OIAD) <https://protect-lawyers.org/en/>
7. Lawyers for Lawyers (L4L) <https://lawyersforlawyers.org/>
8. The Law Society of England and Wales <https://www.lawsociety.org.uk/campaigns/international-rule-of-law/whats-changing/lawyers-at-risk>
9. New York City Bar Association <https://www.nycbar.org/>
10. Associació Catalana per a la Defensa dels Drets Humans <https://acddh.cat/>

About the International Fair Trial Day

International Fair Trial Day (IFTD) is observed on 14 June each year since 2021 to raise awareness about the importance of respect for fair trial rights globally. Each year, one country with systemic violations of fair trial rights is selected, where an event and series of activities are held to mark the Day and draw attention to the situation in that country, including concrete recommendations for reform. In 2024, the Philippines was designated as the country of focus due to systemic problems with the independence of the judiciary, serious human rights violations against lawyers and human rights defenders, a culture of impunity, and a failure to respect procedural rights for a fair trial.

On 14 June 2024, a one-day conference will be held at the University of the Philippines in Quezon City, Manila, bringing together local and international stakeholders and experts, including victims of fair trial violations or their families, to raise awareness of these concerns and discuss actions to address them. The event is organised by the IFTD Steering Group in collaboration with the University of the Philippines College of Law, notably the UP Institute of Human Rights (UP IHR) and UP Office of Legal Aid (UP OLA); the National Union of Peoples' Lawyers (NUPL); and the Integrated Bar of the Philippines (IBP).

An annual award will also be presented for outstanding commitment and sacrifice in upholding fundamental values related to the right to a fair trial. The award is named after Ebru Timtik, a lawyer from Turkey who died in August 2020 following a 238-day hunger strike which she began to fight for the right to a fair trial.

For more details, see:

- [International Fair Trial Day website](#)
- [Programme for the IFTD Conference and Ebru Timtik Award Ceremony 2024](#)
- [Joint statement announcing the Philippines as the country of focus for IFTD 2024](#)