



BY AIRMAIL

Hon. Mr. Benigno S. Aquino III
President of the Republic of the Philippines
Malacañang Palace
J.P. Laurel Street, San Miguel
NRC 1005, MANILA, **THE PHILIPPINES**
Fax: 0063 2 736 1010
@ corres@op.gov.ph , opnet@ops.gov.ph

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Your Excellency,

The Dutch Lawyers for Lawyers foundation would like to draw your urgent attention to the killing of our colleague, Atty. Rodolfo R. Felicio.

On 24 August 2014, Atty. Felicio was killed at Floodway, Taytay, Rizal, while reportedly amongst his clients. According to our information, four men on motorcycles opened gunfire on a campsite in Taytay, killing Atty. Felicio and injuring two others. At the time of the attack, Atty. Rodolfo was sleeping in a tent with two caretakers of the land owned by his clients.

The killing of Atty. Felicio seems to be related with the legitimate performance of his professional duties as a lawyer. Atty. Felicio was handling land dispute cases concerning a family's vast property in Taytay. He was also involved in other high profile cases, including the Olalia-Alay-ay double murder case.

The case of Atty. Felicio is not isolated. At least 23 lawyers has been killed since 2001. Many of them were labeled as 'enemies of the state' prior to being attacked, apparently because they were identified with their clients or their clients' causes as a result of performing their professional duties. So far, only one person has been convicted for these killings and this occurred in 2006.

Many other lawyers were – and still are - subjected to various forms of attacks ranging from surveillance, labelling, intimidation, harassment, threats or prosecution on fabricated charges. By letter of April 23, 2014, for example, Lawyers for Lawyers draw your urgent attention to the ongoing threats against human rights lawyer Atty. Maria Catherine L. Dannug-Salucon.

L4L would like to recall that your government has legal obligations to ensure the personal and professional safety of lawyers in the Philippines and to effectively prevent and punish attacks on their independence and/or safety, in line with the United Nations' *Basic Principles on the Role of Lawyers*¹ ('Basic Principles'), an instrument that is universally applicable.

¹ *Basis Principles on the Role of Lawyers*, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.M. Doc. A/CONF. 144/28/Rev.1
Lawyers for Lawyers P.O. Box 7113 1007 JC Amsterdam The Netherlands info@lawyersforlawyers.org www.lawyersforlawyers.org
Tel: +31 (0)20 717 1638 Fax: +31 (0)20 717 1327 Bankaccount: ABN AMRO 48.99.38.655 attn. Advocaten voor Advocaten – Amsterdam
BIC: ABNANL2A IBAN: NL69 ABNA 0489 938 655 kvk nr. 41181988



In particular paragraphs 16 and 17 of the Basic Principle state that the Government is under an obligation 'to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference' and '[W]here the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities'. Paragraph 18 states clearly 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, Lawyers for Lawyers urge your government to:

1. Make sure that a prompt, thorough, impartial and transparent investigation into the killing of Atty. Felicio is carried out, so as to identify all those responsible, bring them before a competent and impartial tribunal and apply to them the sanctions provided by the law.
2. Guarantee in all circumstances the physical and psychological integrity of lawyers in the Philippines.
3. Consistently condemn all forms of threats and attacks against lawyers publicly, at all levels and in strong terms.
4. Fully comply with the Basic Principles on the Role of Lawyers, in particular articles 16, 17 and 18.
5. Take all measures needed to end the culture of impunity and to demonstrate that the people can have faith in the functioning of the constitutional state and the rule of law.

Lawyers for Lawyers would like to thank you for your attention to this very important matter. Where appropriate, we are willing to support your administration constructively in addressing these serious problems in order to improve the position of members of the legal profession and safeguard their independence and we will continue to closely monitor this case.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Sincerely,

Lawyers for Lawyers

Adrie van de Streek
Executive director