

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them
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BY AIRMAIL

Hon. Mr. Benigno S. Aquino III
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Amsterdam, 23 April 2014

Subject: Threats to Atty. Maria Catherine L. Dannug-Salucon

Your Excellency,

The Netherlands Lawyers for Lawyers Foundation (L4L) and Lawyers' Rights Watch Canada (LRWC) would like to draw your urgent attention to the ongoing threats against human rights lawyer Atty. Maria Catherine L. Dannug-Salucon.

According to our information, Atty. Dannug-Salucon has been the subject of different forms of harassment, including death threats, labelling, surveillance and verbal intimidation by military officers throughout the last months.

The harassment of Atty. Dannug-Salucon seems to be related to her legal profession. Atty. Dannug-Salucon is a founding member of the National Union of Peoples' Lawyers (NUPL) and has been taking on high profile cases, including the defense of several political detainees as well as cases related to various mass and people's organizations.

Practice of labeling

Atty. Dannug-Salucon is reportedly incorporated in the Filipino military's Watch List of so-called 'Communist Terrorist' supporters providing legal services. The Regional Intelligence Division of the Philippine National Police (PNP) has allegedly ordered the PNP office in the

home town of Atty. Dannug-Salucon (Burgos, Isabela), to carry out a background investigation into whether Atty. Dannug-Salucon is a 'Red Lawyer.'

Surveillance and intimidation

Since March, Atty. Dannug-Salucon has also been under the surveillance of the Intelligence Services of the Armed Forces of the Philippines. On 12, 19 and 21 of March 2014, men on motorcycles, who appeared to be members of the military, were monitoring the area around her office and questioned members of the local community as to her whereabouts. A few weeks later, on 3 and 12 April 2014, Atty. Dannug-Salucon's home was also under surveillance of two men on a motorcycle. Between 31 March and 10 April 2014, Atty. Dannug-Salucon's office was visited several times by individuals presumably being members of the Military Intelligence Group (MIG).

The surveillance is particularly concerning in view of the killing on 25 March 2014 of Mr William Bugatti, a human rights defender who was also working as a paralegal to Atty. Dannug-Salucon in the case of Rene Boy Abiva and Virgilio Corpuz, both development workers who allegedly are prosecuted based on fabricated charges. William Bugatti died after being shot by persons in civilian clothing in Bolog, Kiangan, Ifugao. Before his death, William Bugatti had been the subject of death threats, harassment and surveillance.

Pattern of ongoing threats against legal profession

The case of Atty. Dunnig-Salucon is not isolated. In July 2013, for example, Army chief Lt. Gen. Noel Coballes reportedly branded the NUPL as an 'enemy' in reaction to the NUPL's criticism on the promotion of an army general who is facing credible charges of human rights violations. Till now, the tag of "enemy of the state" against NUPL has not been withdrawn by the Army chief. Previously, also many other individual lawyers were labeled as enemy of the state. In February 2014, Atty. Edre Olalia received a threatening Facebook message in reaction to a post regarding his involvement in a case against the privatization of a government hospital.

In addition, Filipino lawyers increasingly fear for being silenced by fabricated charges that seem to be produced through the subversion of court procedures and rules on evidence. In February 2014, Atty. Bartolome Rayco was arbitrary arrested when he presented himself as counsel of a participant of an assembly in relation to a legal dispute in a local electric company. Also, the false criminal charge against Edre Olalia for supposed violation of a public assembly law remains pending at the prosecutor. Another lawyer in Mindanao was also charged with illegal assembly for opposing the pork barrel system but was cleared.

L4L and LRWC are deeply concerned about the ongoing harassment of lawyers and the continued practice of labeling of lawyers as enemies of the state by the military in particular.

We would like to recall that the practice of labeling – combined with the culture of impunity and the military involvement in politics – has in the past been identified by national and international fact finding commissions as one of the main root causes for the spate of extrajudicial killings in the Philippines since 2001. At least 23 lawyers were killed from 2001 to 2009. 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.


L4L and LRWC recall that your government has legal obligations to ensure the personal and professional safety of lawyers in the Phillipines and to effectively prevent and punish attacks on their independence and/or safety.

In view of the above, L4L and LRWC call on your administration to:

1. Protect Atty. Dannug-Salucon and guarantee her personal and professional safety.
2. Prevent further unwarranted surveillance and investigation of Atty. Dannug-Salucon and other interference with her professional work.
3. Remove the name of Atty. Dannug-Salucon from the Filipino military's Watch List of so-called 'Communist Terrorist' supporters.
4. Consistently condemn all forms of threats and attacks against lawyers publicly, at all levels and in strong terms.
5. Fully comply with the Basic Principles on the Role of Lawyers, in particular articles 16, 17 and 18, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.
6. 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.

L4L and LRWC 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.

Sincerely,



Gail Davidson, Lawyers’ Rights Watch
Canada, Executive Director



Adrie van de Streek, Executive Director,
Lawyers for Lawyers

Copied to:

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Supreme Court of the Philippines

Atty. Vicente M. Joyas

National President, Integrated Bar of the Philippines

P/Dir.Gen. Alan La Madrid Purisima

Chief, Philippine National Police
PNP National Headquarters

Ret. Lt. Gen. Voltaire T. Gazmin

Secretary, Department of National Defense

Atty. Leila De Lima

Secretary, Department of Justice

Hon. Loretta Ann P. Rosales

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