

## **MISSION STATEMENT**

*Verification & Fact Finding Mission on attacks against lawyers and judges in the Philippines 4 - 13 November 2008*

The present human rights situation in the Philippines, in particular with respect to lawyers and judges, is still of grave concern to the Netherlands Lawyers for Lawyers Foundation (**L4L**) (*Stichting Advocaten voor Advocaten*) and other lawyers organizations as mentioned below.

In June 2006, **L4L** organized an International Fact Finding Mission (IFFM) to the Philippines on the attacks against Filipino lawyers and judges, with the support of various Dutch and International Lawyers organizations. The report of the IFFM, '*From facts to Action. Report on the attacks against Filipino Lawyers and Judges*' was published on July 24, 2006.

In order to stop the atrocities against lawyers and judges, the IFFM report made a series of recommendations to the Philippine government, including:

*'to leave no stone unturned in investigating the serious allegations that its own security forces are involved in the killings' and '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' and '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'.*

The Philippine government stated in its report to the UN Human Rights Council in view of the Universal Periodic Review (UPR) in April 2008 that it has taken:

*'firm measures to address the problem of extrajudicial killings and enforced disappearances' and that 'addressing this most urgent concern, by bringing their perpetrators to justice and preventing such killings in future' would remain 'a priority of the government'.*

Although the number of killings has declined, international and Philippine civil society organizations claim that the reality remains that the killings, threats and harassment of persons involved in social activism, including lawyers and judges, still continue and that, for the main part, none of those responsible have been identified or convicted and people still fear to pursue cases in court or to testify because of the inability and failure of the justice institution to hold the perpetrators to account and ensure protection to their citizens.

In view of the above, **L4L** has agreed to organize a follow up Verification & Fact Finding Mission (**IVFFM**) of independent lawyers from both Belgium and The Netherlands to the Philippines, composed of the following individuals: Gerrard Boot (Judge), Jo Dereymaeker (Attorney), Thea Gijsberts (Judge), Hein Karskens (Attorney), Judith Lichtenberg (Head of Delegation/Lawyer), Angela Meijer (Attorney), Adrie van de Streek (Attorney) and Nol Vermolen (Judge) in order to:

- (a) verify the status of cases of harassed or killed lawyers and judges investigated by the IFFM in June 2006;
- (b) verify and collect as many findings as possible regarding several new cases of threats, harassment and killings of human rights lawyers and judges as well as the (lack of) reaction thereto by the competent Philippine authorities;
- (c) verify and collect as many findings as possible regarding the effectiveness of the measures the Philippine government claims to have taken to address the problem of extrajudicial killings, and
- (d) inform the appropriate Philippine authorities and the international community, more specifically any national and international lawyers organization about these findings.

The mission is supported by the Netherlands Bar Association, Flemish Bar Association (Belgium), Amsterdam Bar Association, Netherlands Association for the Judiciary, Netherlands Judges for Judges Foundation, Netherlands Lawyers without Borders Foundation and the Integrated Bar of the Philippines. The mission itself is fully independent from its Filipino Host Committee (the National Union of Peoples' Lawyers (NUPL) in collaboration with the Counsels for the Defense of Liberties (CODAL)) or any other individual, organization or authority it may meet during its investigation.