

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

5 JUN 15 2007

SENATE
P.S.R. No. 305

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS
TO CONDUCT AN INQUIRY IN AID OF LEGISLATION
ON THE INCREASING INCIDENCE OF HARASSMENTS AND KILLINGS OF
LAWYERS AND JUDGES

WHEREAS, the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders provides that: "Governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference and when the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities, lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions";

WHEREAS, Rule 139-A, Sec. 2 of the Rules of Court states that: "The fundamental purposes of the Integrated Bar shall be to elevate the standards of the legal profession, improve the administration of justice, and enable the Bar to discharge its public responsibility effectively";

WHEREAS, in order for lawyers and judges to carry out their purpose, Philippine laws must ensure that they are protected from harassment and violence in their chosen profession;

WHEREAS, the International Association of People's Lawyers expressed alarm over the violence being committed against lawyers and judges in the country; the organization claims that these attacks may have a chilling effect on the independence and integrity of the practitioners of law,

WHEREAS, various newspapers reported that three lawyers were killed this year, namely:

1. Las Piñas Public Attorney's Office lawyer Teresita Vidamo was killed by two alleged guns for hire last 9 February 2005;
2. Human rights lawyer Felidito Dacut was shot to death by unknown assailants in Tacloban City, Leyte last 14 March 2005, and
3. Lawyer and party-list group Anakpawis municipal coordinator Ambrosio Matias and his eldest son, law student Leonard, were killed in Llanera, Nueva Ecija last 8 May 2005;

WHEREAS, various newspapers reported the death of the following lawyers and judges last year.

- 1 Human rights lawyer and mayoral candidate Juvy Magsino was shot by unknown men in Calapan, Oriental Mindoro last 13 February 2004;

2. Victoria Mangapit Sturch was killed by a lone gunman in Baguio City last 14 April 2004;
3. Arbet Yongco was killed in her office in Cebu City last 11 October 2004,
4. Edgar Calizo was shot dead by two unidentified armed men in front of his apartment in Kalibo, Aklan last November 2004,
5. Binangonan RTC Judge Paterno Tiamson was stabbed to death on 21 February 2004,
6. Tabuk RTC Judge Milnar Lammawin was gunned down on 9 April 2004; and
7. Tanauan RTC Judge Voltaire Rosales was gunned down by two men aboard a motorcycle in Tanauan City last 9 June 2004;

WHEREAS, most of these lawyers and judges are handling or have handled sensitive and controversial cases involving land and labor disputes and human rights violations;

WHEREAS, there have been numerous reports of similar killings of lawyers and judges in the past decades;

WHEREAS, it is imperative for the government to conduct thorough investigations on the increasing incidence of violence and harassment against lawyers and judges, and to provide measures to assure their safety and freedom to practice law

WHEREFORE, be it resolved, as it is hereby resolved by the Philippine Senate, to direct the Senate Committee on Public Order and Illegal Drugs to conduct an inquiry in aid of legislation increasing incidence of harassment and killings of lawyers and judges.

Approved


MIRIAM DEFENSOR SANTIAGO

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