



The Law Society
of England and Wales



INTERNATIONAL
OBSERVATORY
FOR LAWYERS



AVOCAT·ES EUROPÉEN·NES DEMOCRATES
PARÉZERËN DEMOKRAT YËN EWROPAYË
AVRUPALI DEMOKRAT AYUKATLAR
EUROPAISCHE DEMOKRATISCHE RECHTSANWALT·INNEN
ADVOCATS EUROPEUS DEMOCRATES
ABOGADOS Y ABOGADAS EUROPEOS DEMOCRATAS
ΕΥΡΩΠΑΙΟΙ ΔΗΜΟΚΡΑΤΕΣ ΑΙΚΗΤΟΦΟΙ
AVVOCATI EUROPEI DEMOCRATICI
EUROPESE DEMOKRATISCHE ADVOCATEN
EUROPEAN DEMOCRATIC LAWYERS



Press Conference Statement

**THE PHILIPPINES: INTERNATIONAL DELEGATION
LAUNCHES *BLACK ROBES, RED TARGETS*
REPORT OF FACT-FINDING MISSION ON EXTRAJUDICIAL KILLINGS AND
OTHER GROSS HUMAN RIGHTS VIOLATIONS AGAINST LEGAL
PROFESSIONALS BETWEEN 2016 AND 2023**

The Hague, 4 June 2025

We stand together in The Hague, a city that has come to symbolise international justice, on a day of significance. Exactly one year ago, our international delegation of 12 lawyers representing a coalition of 10 legal organisations from multiple countries embarked on a mission across the Philippines. Our objective was to investigate extrajudicial killings and other serious attacks against legal professionals during the presidency of Rodrigo Duterte.

Today, as former President Duterte remains in detention awaiting trial at the International Criminal Court, it is no coincidence that we launch our findings here - in the very place where accountability is being pursued for the crimes his regime stands accused of.

The fact-finding mission, known as *Caravana Filipina* draws on the tradition of 'Caravanas', communal journeys of solidarity and resistance. It symbolises both a physical and metaphorical movement: one that brings people together to confront challenges.

The Caravana investigated human rights violations that are part of a larger pattern of crimes committed against the people of the Philippines across the presidency of Duterte. The report we launch today contributes to a growing body of evidence documenting these violations.

Our mission focused specifically on attacks against legal professionals as it builds on a fundamental premise: that justice systems cannot function - and democracies cannot survive - when those who defend the rule of law are themselves at risk. To this end, the Caravana Filipina coalition came together to answer a series of pressing questions:

What is the professional hazard of being a public interest lawyer or an independent judge/prosecutor in the Philippines?

What has become of the rule of law in the Philippines when lawyers, judges, and prosecutors are being harassed, red-tagged, and killed for fulfilling their professional duties?

What responsibilities does the Philippine State bear for these human rights violations?

Why did none of the cases of killed legal professionals proceed to trial?

What are the avenues towards redress for victims and to re-establish confidence in institutions?

The report we present today is the culmination of months of desk research and 10 days of intensive fieldwork from the Cordillera region in the north to Cebu Island in the south. It documents a chilling reality.

We met with around 100 individuals, including lawyers, judges, paralegals, journalists, community organisers, religious workers, and victims' relatives from across the three main regions of the country – Mindanao, the Visayas and Luzon. We held discussions with Justices from the Supreme Court, with the Commission on Human Rights, with Bar Associations, forensic and academic institutions and national and local civil society organisations. The testimonies we received were consistent, credible, and deeply alarming.

Today, we present the report *Black Robes, Red Targets*, which outlines the key findings from our mission and puts forward a set of recommendations to the government of Marcos Jr and the international community.

KEY FINDINGS

1. Legal professionals in the Philippines have faced - and continue to face - extraordinary risks simply for upholding the rule of law.

During Duterte's so-called 'war on drugs', thousands of innocent civilians were killed. But also those who tried to hold the government accountable became targets themselves. That includes journalists, human rights defenders, activists, but also legal professionals, attacked just for carrying out their professional duties. They were attacked for upholding the rule of law and for speaking truth to power. The National Union of Peoples' Lawyers documented 59 prima facie

work-related killings of legal professionals between July 2016 and 2022, of which none proceeded to trial.

We are talking about lawyers, paralegals - even law students - but also judges and prosecutors who, in politically sensitive cases, refused to appease the government and refused to bend justice to the executive's will. Our documentation on some of these cases confirms that the attacks directed against legal professionals are not isolated incidents, but rather part of a wider, coordinated strategy designed to silence those who defend human rights and dare to uphold the rule of law.

Let's look at who is being targeted. It's not random. These are legal professionals from similar backgrounds. Many are unionised. Many work in public interest law. They represent indigenous peoples, religious minorities, workers, farmers, and others from marginalised communities.

The methods used to silence them are also disturbingly consistent.

- First / **Surveillance and intimidation.** Legal professionals are watched. Followed. Threatened. The goal is to push them to stop. And to send a message: don't take on politically sensitive cases.
- Second / **Red-tagging.** This means branding them as communists or terrorists. It's a smear campaign. It's meant to tarnish their reputations and isolate people from their communities. But more than that, red-tagging is a warning sign. In nearly every case we looked at, the person was red-tagged before they were killed.
- Third / **Lawfare.** This is the misuse of the law to punish and paralyse dissent, essentially all those perceived as opponents. Authorities issue arbitrary search warrants, often as a pretext to plant evidence. They file trumped-up charges, frequently under the twin anti-terror laws: the Anti-Terror Act and the Terrorism Financing Prevention and Suppression Act. Law is weaponised to go after lawyers and activists. But lawfare is a powerful tool also to target and hamper the work of civil society groups, by freezing their bank accounts and prosecuting their staff.
- And finally / **Extrajudicial killings.** Targeted assassinations. These killings are planned. Organised. They follow the same pattern, a specific *modus operandi*, again and again. Most are carried out by two people on a motorcycle - what is referred to as 'riding in tandem'. No registered plates. Full-face helmets. They strike in broad daylight. In public. Often with numerous witnesses and CCTV cameras present.

The recurrence and consistency of these tactics reveal a pattern that is not random, but calculated and systematic. The consistency across the cases analysed indicate coordinated a scheme, which is meant to silence any voice of dissent, and instil fear across the legal profession. It ultimately fosters a chilling effect in the legal profession that is no accident, but a consequence of a deliberate policy. And this brings us to our second key finding.

2. The independence of the judiciary and the legal profession has been put under serious threat, weakening the whole justice system – a key pillar of democracy

The Philippine State is under the obligation to ensure that judges, prosecutors and lawyers can carry out their professional duties without fear of intimidation, harassment or violence. This obligation stems not only from international treaties to which the Philippines is a party, but also from the country's Constitution and the democratic principle of separation of powers.

The judiciary, and by extension the whole justice system, must be able to function independently of the executive, as a key part of its role is to hold that same executive to account. Dismantling this system of checks and balances is often the first step taken by authoritarian leaders seeking to concentrate power in their own hands.

The Philippine State has been found in grave breach of such obligations as the government has systematically failed to protect legal professionals from the human rights violations just described. And it's not just a matter of failure to protect. In many cases, through both action and omission, the State has created, and sustained, a climate of fear. A climate designed to stop lawyers, judges, and prosecutors from doing their work independently.

We are not only talking about the infringement of the rights of legal professionals. The overall impact is wider than that, wider than the individual cases. Because when legal professionals are threatened, access to justice for ordinary people disappears. Communities are left without a defence or access to the Courts. The public loses faith in the system. And the Philippines' international standing suffers too.

Think about what it means when lawyers are afraid to take on certain cases, when judges fear retribution for impartial rulings, and when prosecutors are pressured to serve political interests rather than the law. What you get is a justice system that no longer works. This is a crisis of trust that has severely shaken the rule of law in the Philippines.

3. The Philippine State bears responsibility for the physical attacks and extrajudicial killings of legal professionals – whether through direct involvement or acquiescence

Credible evidence was gathered revealing that the Philippine State violated its obligation to respect and protect the right to life of legal professionals.

Let's start from the finding red tagging has emerged as a clear warning sign – a predictor of physical attacks or unlawful killings. In some cases, we documented a direct link between red-tagging campaigns and state agencies. In all cases, law enforcement, local and national authorities, and the courts failed to act. Despite knowing the risks associated with red-tagging, no protection was offered. No preventive steps were taken. This failure created an environment where violence was not only possible, but very much foreseeable. It enabled it, and it silently and explicitly permitted it. It sent a message: if you're a legal professional working on politically sensitive cases, you better watch your back, as you're on your own.

This failure to protect is not passive. The documented links between State agencies and red-tagging campaigns; the common profile of legal professionals targeted; the lawfare initiated by State agencies against them; the same *modus operandi* adopted in all targeted killings; and the government's unwillingness to issue protective measures, or to investigate or condemn such killings: all these elements, taken together, strongly suggest State responsibility. Because when the State does nothing in the face of credible threats, when it turns a blind eye to foreseeable violence, that is not neutrality. That is complicity.

4. Structural flaws in the investigation system are systematically exploited by the authorities to foster a climate of impunity

We observed a consistent pattern of incomplete and inadequate investigations into the killings of legal professionals, reflecting a culture of institutional acquiescence. With one exception, none of

the cases examined by the Delegation have proceeded to trial, as they were all prematurely declared "cold cases". This recurring failure constitutes a blatant and sustained breach of the Philippines' obligation to investigate violations of the right to life. And it has consequences. It sends a signal to perpetrators, that they won't be held to account. It feeds a pervasive culture of impunity, which in turn has served as a push factor for further violations.

The investigative system is riddled with flaws. Let us highlight just a few – you will find indication of many more in the report:

- There is no independent, specialised prosecutor's office to handle cases that might involve State actors as perpetrators.
- Families, journalists and even constitutional bodies like the Commission on Human Rights are denied access to essentially all the information concerning ongoing or archived investigations. This is often done through misuse of Executive Order No.2 of 2016.
- Witness protection is insufficient, leading to a near-total absence of eyewitness testimony, even though most attacks happened in public, in broad daylight.
- Forensic processes are shockingly inadequate: crime scenes are contaminated, scientific methods such as ballistics are neglected, CCTV camera recordings are rarely accessed and autopsies - when they happen at all - are often incomplete, privately funded, or even fabricated. There is a critical shortage of forensic experts, with only two trained forensic pathologists in the entire country and no domestic training opportunities.

These investigative failures are an affront to the right of the families of victims to an effective remedy. But they also embolden those who commit abuses. Because when justice is consistently denied, impunity takes root - and it spreads.

Padayon!

Against this backdrop of fear and impunity, the Caravana also uncovered something powerful: a resilient, engaged, and courageous civil society. Across the country, we met Filipino legal professionals who, despite the risks and their low numbers, remain unwavering in their commitment to upholding the rule of law and defending human rights. *Padayon!* (Let's Keep Going!) is not by chance the motto, in the Visayan dialect, of public interest lawyers from that region, and it embodies the spirit of this segment of the legal profession across the country.

RECOMMENDATIONS

The recommendations we present in the report offer a roadmap, outlining fundamental and urgent steps for both the government of the Philippines and the international community. Let us highlight just a few of these recommendations now. We strongly encourage you to access the full report for the complete list.

Starting with our recommendations that should **pave the way towards accountability** for the abuses committed, those include:

1. The Philippine government should establish an **independent and impartial body** to investigate thoroughly and effectively all extrajudicial killings, threats and other forms of harassment against lawyers in the Philippines of the past years. This investigative body (i) must be free from control or influence of the executive to operate truly independent, (ii) must have adequate resources, (iii) must have all necessary investigative and prosecutorial

powers, and (iv) must be allowed also to investigate such crimes if induced or committed by State officials, including persons with command or superior responsibility, irrespective of rank or status.

2. The Philippine government should **review all existing accountability bodies** for police abuse and human rights violations and, where appropriate, dissolve these and give primary jurisdiction on all police abuse cases to the abovementioned independent body.
3. The Philippine government should develop policies for **reparations for victims** of human rights violations.
4. The Philippine government should fully **cooperate with the International Criminal Court** in the context of the ongoing proceedings against former President Rodrigo Duterte for crimes against humanity.
5. The Philippine government should **ratify again the Rome Statute** to the ICC.
6. The Philippine government should strengthen its **cooperation with the OHCHR and UN Human Rights mechanisms**, including through monitoring and technical assistance.

Confronting the deep-rooted culture of impunity in the Philippines demands more than legal reform. It requires (i) empowering civil society, (ii) rebuilding trust in public institutions, and (iii) protecting those who speak out. Our recommendations regarding the crucial task of **rebuilding trust in the law system and its institutions** include the following:

7. The Philippine government should **strengthen judicial independence** by (i) improving mechanisms for the selection and appointment of judges and prosecutors, (ii) enhancing support to Judicial Marshals, and ensuring adequate resourcing for their work; and (iii) creating a special protection protocol for judges and prosecutors facing threats because of their rulings respectively prosecutions in sensitive cases.
8. The Philippine government should **strengthen the protection of lawyers** in a similar manner, by developing and implementing effective protection measures, and, among other things, by ratifying the 2025 Council of Europe Convention for the Protection of the Profession of Lawyer, which will be open for signature by states beyond the Council of Europe.
9. The Philippine government should **investigate and dismantle** the National Task Force to End Local Terrorist Armed Conflict (**NTF-ELCAC**), its agents and proxies, which are reported to be involved in the planning and perpetrating of red-tagging.
10. The Philippine government should swiftly adopt legislation to define and **criminalise red-tagging**.
11. The Philippine government should **end the misuse and instrumentalisation of counter-terrorism laws** to target, criminalise, and obstruct the legitimate work of human rights defenders, development and aid organisations and their employees. The Philippine government should in particular repeal or structurally amend the Anti-Terrorism Act and the Terrorism Financing Prevention and Suppression Act.

12. The Philippine government should **reform the Philippine Commission on Human Rights (CHR)** to empower and strengthen its role as the country's human rights watchdog. Currently the CHR is constrained by limited powers, external dependencies and budgetary challenges.
13. The Philippine government should reform laws and policies to ensure that all investigations into suspicious deaths **meet the international standards outlined in the Minnesota Protocol**. This includes, for instance, (i) ceasing the application of the principle of the presumption of regularity for public officials' acts, (ii) reforming the Witness Protection, Security and Benefit Program, (iii) introducing a Mandatory Autopsy Bill, and (iv) building domestic expertise in forensic pathology.

The **International Community** has a key role to play in this.

14. We recommend that all diplomatic and legal tools at the disposal of States will be mobilised to **put pressure on the government of the Philippines** (i) to conduct independent, thorough and effective investigations into extrajudicial killings and other serious human rights violations against lawyers which have taken place, and continue to take place in the country, and (ii) to implement the recommendations we have put forward to dismantle the prevailing culture of impunity and rebuild trust in the law system and its institutions in the Philippines. Human rights must be a non-negotiable red line in all bilateral and multilateral relations. We recommend that every trade deal, financial agreement, mutual legal assistance treaty, or form of state support must be made conditional on clear, measurable commitments to deliver justice and accountability.
15. At the same time, we recommend the international community **provide increased material and technical assistance to civil society organisations** in the Philippines that are documenting violations and working tirelessly to promote access to justice for victims.

With the trial of former President Duterte underway at the ICC, we have a vital opportunity to serve justice for the victims. States must build on this momentum by actively engaging with the government of the Philippines to strengthen accountability mechanisms, not only internationally but crucially at the domestic level as well.

The time for statements of concern has long passed. What is needed now is sustained, coordinated action.

Notes to editors

The *Caravana Filipina* is a fact-finding mission which sought to investigate extrajudicial killings and other gross human rights violations against legal professionals in the Philippines between 2016 and 2023. It is a joint initiative of 10 different lawyers' organisations from multiple countries. The cases examined by the Caravana Filipina relate primarily to lawyers, as well as judges and prosecutors.

Rooted in the tradition of communal travel, the use of the term 'Caravana' symbolises the physical and metaphorical movement of people uniting to confront challenges. The choice of the term pays

tribute to another initiative with a similar mission, the 'Colombian Caravana', a UK based charity that works to promote access to justice and uphold the rule of law in Colombia.

The Caravana Filipina is a joint initiative of the following organisations:

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