



The Law Society of Upper Canada | Barreau
du Haut-Canada

May 10, 2017

H.E. Mr. Rodrigo Duterte
President of the Republic of the Philippines
Malcañang Palace
J.P. Laurel Street, San Miguel
NRC 1005, Manila
The Philippines

Office of the Treasurer

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Your Excellency:

Re: Murder of lawyer Mia Mascariñas-Green

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the murder of lawyer Mia Mascariñas-Green. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Mia Mascariñas-Green was a public interest lawyer who was known for her work and advocacy on behalf of women, children, farmers, fisherfolk and the environment. She often took on cases and represented clients pro bono.

The Law Society's information states that on February 15, 2017, Mia Mascariñas-Green was gunned down by four men on motorcycles while driving home with her three children and a nanny. Although her children and their nanny were unharmed, Mia Mascariñas-Green was pronounced dead at the hospital.

Police believe that the assassination is tied to Mia Mascariñas-Green's legal work, as she was working on a contentious land dispute case at the time of her death.

The Law Society is deeply troubled by these reports. We strongly believe that lawyers should be able to carry out their professional duties and activities without fear for their lives, liberty and security.

The Law Society of Upper Canada urges Your Excellency to comply with the Philippines' obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

The Law Society urges the Government of the Philippines to:

- a. immediately conduct a fair, impartial and independent investigation into the murder of Mia Mascariñas-Green in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- b. put an end to all acts of harassment and violence against lawyers and human rights defenders in the Philippines;
- c. guarantee in all circumstances the physical and psychological integrity of all lawyers and human rights defenders in the Philippines;

- d. ensure that all lawyers in the Philippines can carry out their professional duties and activities without fear of reprisals, physical violence or other human rights violations; and
- e. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas
Treasurer

**The Law Society of Upper Canada is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.

cc:

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David F. Sutherland, Chair, Lawyers' Rights Watch Canada

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Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

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Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales