



JEROME J. SHESTACK
President

AMERICAN BAR ASSOCIATION

750 North Lake Shore Drive
Chicago, Illinois 60611
(312) 988-5109
FAX: (312) 988-5100
Internet: abapresident@abanet.org

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President Fidel V. Ramos
Republic of the Philippines
Malacañang, Metro Manila

Your Excellency:

The American Bar Association (ABA), with over 391,000 members of the legal community, strongly supports fundamental human rights and the rule of law throughout the world. Our concern focuses on an independent judiciary that is free from undue political influence and that respects the independence of lawyers, judges and human rights advocates in order to maintain internationally recognized standards of fairness and justice. These principles are embodied in the most recent "Rule of Law Resolution" adopted by the ABA House of Delegates in August 1997.

Pursuant to this "Rule of Law Resolution," we are deeply concerned about the alleged threats against and harassment of Lawyers Romero T. Capulang, Marie Yuviengco, and Rolando Rico Olalia.

According to organizations concerned with human rights violations, on February 2, 1998, the lawyers' law offices were broken into. Specifically, the locks were broken, and the inner doors were torn down, all filing cabinets containing case files were forcibly opened. The central processing unit of the computer was taken together with \$1700 pesos in cash.

Also, according to sources, on January 13, 1998, the three lawyers received telephone calls at their home residences from unidentified persons requesting information regarding their movements. The lawyers believe that they are under surveillance. On January 13, 1998, a suspicious van was observed next to Attorney Capulong's home. Moreover, the lawyers' offices were visited by suspicious individuals, alleging to seek legal assistance.

These allegations, if true, would reflect serious violations of the rule of law in the Philippines. Invading the private offices and confidential case files of lawyers which are protected by law is a very important matter. The 1990 UN Basic Principles on the Role of Lawyers states that "Governments shall recognize and respect that all communications and consultations between lawyers and their clients within professional relationship are confidential."

Moreover, Principle 6 of the same UN Basic Principles requires Governments to ensure that lawyers "are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference." Further, Principle 17 of the Basic Principles requires Governments to adequately safeguard lawyers when their security is threatened as a result of discharging their functions. These Principles were adopted by the General Assembly on consensus 14 December 1990.

The independence of lawyers to represent their clients is fundamental to maintaining the international norms of equal justice and due process enumerated in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

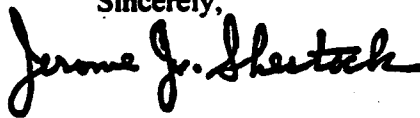
The sole concern of the American Bar Association is for the maintenance of the rule of law in the international community and the elements necessary to sustain it. We agree that the preservation of public order is the responsibility of any government. Nevertheless, these concerns cannot justify the suppression of freedom of expression and opinion, or punishing lawyers for vigorously representing unpopular clients.

We respectfully urge the Philippine government to carry out a full investigation into these allegations, identify those responsible, bring them before an impartial tribunal and apply the appropriate sanctions against them. We also respectfully request that the lawyers be provided with immediate and effective protection. We also intend to monitor future intimidation of lawyers in the Philippines.

The 50th Anniversary of the Universal Declaration of Human Rights will be celebrated this year. The government of the Philippines, therefore, has an obligation to implement these fundamental human rights to which it has subscribed as a member of the United Nations.

With utmost respect, we further urge your government to comply with the Basic Principles on the Role of Lawyers as stated above, and to take the necessary steps to remedy a condition within your power to correct.

Sincerely,

A handwritten signature in black ink that reads "Jerome J. Shestack". The signature is written in a cursive, slightly slanted style.

Jerome J. Shestack

cc: The Honorable Madeleine Albright
The Honorable John Shattuck