



Public Statement

The Law Society of Upper Canada expresses grave concern about the murder of lawyer Jhon Fredy Concha Valbuena and the attempted murder of lawyer Jorge Enrique Belalcázar Gutierrez in Colombia

Toronto, ON — The Law Society of Upper Canada expresses grave concern about the murder of lawyer Jhon Fredy Concha Valbuena and the attempted murder of lawyer Jorge Enrique Belalcázar Gutierrez in Colombia.

It has come to the Law Society's attention that on January 24, 2017, criminal lawyer Jhon Fredy Concha Valbuena was shot dead by *sicarios* (hired assassins) outside his home in the city of Cali. Reports indicate that at the time of his death, Jhon Fredy Concha Valbuena was representing three individuals accused of kidnapping twelve congressmen (eleven of whom later died) in 2002. The accused are members of the Revolutionary Armed Forces of Colombia ("FARC"), Colombia's largest rebel group. Additionally, just prior to his death, Jhon Fredy Concha Valbuena had successfully defended and secured the freedom of a group of people accused of illegal mining in the Cauca River.

On February 1, 2017, criminal lawyer Jorge Enrique Belalcázar Gutierrez was shot in the shoulder by a *sicario* while driving his vehicle in the San Nicolás neighbourhood of the city of Cali. According to reports, Jorge Enrique Belalcázar Gutierrez had previously been denied protection by Colombia's National Protection Unit.

The Law Society of Upper Canada is deeply concerned about the mounting violence against lawyers in Colombia and urges the Government of Colombia to comply with Colombia's 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, economic 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 Colombia to:

- a. immediately conduct a fair, impartial and independent investigation into the murder of Jhon Fredy Concha Valbuena and the attempted murder of Jorge Enrique Belalcázar Gutierrez 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 in Colombia;
- c. guarantee in all circumstances the physical and psychological integrity of all lawyers in Colombia;
- d. ensure that all lawyers in Colombia 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.