



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

December 9, 2016

His Excellency Mr. Jimmy Morales  
President of the Republic of Guatemala  
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Guatemala City  
Guatemala

Office of the Treasurer

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Dear Mr. President:

**Re: Harassment of lawyer Ramón Cadena Rámila**

I write on behalf of the Law Society of Upper Canada to voice our grave concern in the matter of lawyer Ramón Cadena Rámila. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Ramón Cadena Rámila is a well-known human rights lawyer and the International Commission of Jurists' (ICJ) regional director for Central America. He was a key witness in the trial of former President Efraín Ríos Montt for his role in the alleged genocide and other atrocities committed during the civil war of the 1970s and 1980s. Ramón Cadena Rámila also provides legal advice on behalf of the ICJ to communities fighting against mining projects in Guatemala.

It has come to our attention that on August 15, 2016, armed men ransacked Ramón Cadena Rámila's home in Guatemala City while he was attending a workshop in another part of the country. Ramón Cadena Rámila's family and a security guard were forced to wait on their knees outside.

The Law Society is deeply concerned about these reports. It is our understanding that attacks against human rights lawyers in Guatemala have intensified in the past months and that this incident is the latest in a string of incidents of intimidation and harassment against human rights lawyers in Guatemala. We believe strongly that lawyers should be able to exercise their legitimate duties without fear for their lives, for their liberty and for their security.

The Law Society of Upper Canada urges Your Excellency to comply with Guatemala'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 Guatemala to:

- a. conduct an immediate and impartial investigation into the harassment and intimidation of Ramón Cadena Rámila and bring those responsible to justice;
- b. put an end to the harassment of lawyers and human rights defenders in Guatemala;
- c. ensure that all lawyers can carry out their legitimate activities without fear of physical violence or other human rights violations; and
- d. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Paul Schabas  
Treasurer

*\*The Law Society of Upper Canada is the governing body for more than 50,000 lawyers and 7,800 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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Alex Neve, Secretary General, Amnesty International Canada

Mary Lawlor, Executive Director, Front Line Defenders

Emma Achili, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

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

Yves Berthelot, President, Observatory for the Protection of Human Rights Defenders

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

Gabriela Knaul, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Charlotte Ford, Head of International Policy and Engagement, The Law Society of England and Wales