

Public Statement

The Law Society of Upper Canada expresses grave concern about the suspension and admonishment of Judge Iris Yassmin Barrios Aguilar, Tribunal President of Guatemala's Court for High Risk Crimes

The Law Society of Upper Canada is gravely concerned about the public admonishment and one-year suspension of Judge Iris Yassmin Barrios Aguilar by Guatemala's bar association.

Recently, the Honor Tribunal of Guatemala's bar association (*el Colegio de Abogados y Notrios de Guatemala*) publicly admonished and suspended Judge Iris Yassmin Barrios Aguilar for one year even though Guatemala's judicial competency authority ruled that the complaint from former dictator Efraim Rios Montt's counsel was without merit.

The Guatemala bar association's unprecedented ruling stems from Judge Iris Yassmin Barrios Aguilar's adjudication over former dictator Efraim Rios Montt's trial for genocide. He was found responsible for the death of 1,771 indigenous Ixil-Mayans. This trial gave voice to thousands of Ixil-Mayan victims, demonstrated the importance of an independent judiciary and provided a legal precedent for genocide cases.

Judge Iris Yassmin Barrios Aguilar has received international acclaim for her integrity and independence. In March 2014, she was one of the recipients of the 2014 International Women of Courage Award bestowed by First Lady of the United States, Michelle Obama.

The Law Society is deeply concerned about situations where members of the judiciary are themselves targeted in the legitimate exercise of their duties. The Law Society believes strongly in the importance of protecting judicial independence. Judges frequently have to rule on controversial matters and interpret the law in areas where there is legal uncertainty. Judges must be able to make controversial, and even unpopular, rulings without fear of politically motivated sanctions.

The Law Society urges the government of Guatemala to:

- a. reinstate Judge Iris Yassmin Barrios Aguilar to her position as Tribunal President, Court for High Risk Crimes;
- b. take steps to ensure that judges are not subject to politically motivated sanctions as a result of issuing decisions;

- c. publicly recognize the importance and legitimacy of the work of judges and their contributions to the strengthening of democracy and the rule of law;
- d. ensure that all judges can carry out their peaceful and legitimate duties and activities without fear of removal from office; and
- e. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

The Law Society of Upper Canada is the governing body for 46,000 lawyers and 6,300 paralegals in the Province of Ontario, Canada, and 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.

The Law Society urges the legal community to intervene in support of members of the legal profession and judiciary in their effort to advance the respect of human rights and to promote the rule of law.

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