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**For Immediate Release**

**July 15, 2013**

**Public Statement**

**The Law Society of Upper Canada Pleased to Hear of Conditional  
Release of Venezuelan Judge Maria Lourdes Afiuni**

**Toronto** – The Law Society of Upper Canada\* is pleased to hear of the recent conditional release of Judge Maria Lourdes Afiuni of Venezuela.

In a letter of June 3, 2010, addressed to former president of Venezuela, Hugo Chávez, the Law Society expressed its concerns related to the December 2009 arrest of Judge Afiuni after she ordered the conditional release of Eligio Cedeño while he was awaiting trial. The United Nations Working Group on Arbitrary Detention had declared Mr. Cedeño's detention arbitrary in September 2009, citing violations of his right to a fair trial. Furthermore, Mr. Cedeño had been in pre-trial detention for nearly three years; a violation of the two-year limit prescribed by Venezuelan law. As a result of Judge Afiuni's order, she was charged with corruption, being an accessory to escape, criminal conspiracy and abuse of power. According to reports, while Judge Afiuni was in prison, she was sexually assaulted, became pregnant and miscarried, which led to her current health complications.

In a letter of January 11, 2012, the Law Society wrote again to express continued concern regarding reports that on December 11, 2011, a judge granted a request by the public prosecutor, to extend Judge Afiuni's house arrest by two more years. This decision was condemned by the UN Special Rapporteur on the Independence of Judges and Lawyers, the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the UN Chair-Rapporteur of the Working Group on Arbitrary Detention.

Judge Maria Lourdes Afiuni was granted a conditional release by the Tribunal 17 de Juicio de Caracas on June 14, 2013. Reports indicate that this conditional release was granted on health grounds, following a request from the Attorney General.

The Law Society has been following this matter closely and is pleased to learn of this recent development. The Law Society of Upper Canada is deeply concerned about judges in Venezuela who, in carrying out their judicial duties, can be subjected to detention and imprisonment where their decisions are contrary to the views of public authorities. International human rights instruments, including the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights* and the *UN Basic Principles on the Independence of the Judiciary*, state that judicial independence and human rights are necessary to advancing the rule of law. The Law Society of Upper Canada views the conditional release of Judge Afiuni as a step in the right direction.

The Law Society urges the government of Venezuela to continue to take steps to ensure that human rights and fundamental freedoms, in accordance with national human rights standards and international instruments ratified by Venezuela, are respected in all circumstances.

*\*The Law Society of Upper Canada is the governing body for some 44,400 lawyers and 5,100 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 in their effort to advance the respect of human rights and to promote the rule of law.*

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