



From the President

His Excellency Mr. Jimmy Morales
President of the Republic of Guatemala
Casa Presidencial
6ª Avenida 4-41, Zona 1, Puerta del Centro
Ciudad de Guatemala
Guatemala

22 December 2016

Dear Mr President

Killing of human rights defender - Jeremy Barrios

The Law Society is a professional body representing more than 166,000 lawyers in England and Wales. Its aims include upholding the independence of the legal profession, the rule of law and human rights around the world.

The Law Society is deeply concerned about the death of the Guatemalan human rights defender Jeremy Abraham Barrios Lima. On 12 November 2016, in the early evening, Mr Barrios was shot and killed by unknown assailants in Guatemala City. We understand that he was found with two bullets in his head and his personal belongings were left intact. Mr Barrios was a 22 year-old human rights defender who since 2014 worked as an assistant to Yuri Melini, Director of CALAS and also a human rights defender. CALAS stands for Centre for Legal, Environmental and Social Action (Centro de Acción Legal-Ambiental y Social, in Spanish) and is a human rights organisation that highlights abuses committed by mining companies in Guatemala .

On several previous occasions, the Law Society expressed its concerns and highlighted the situation of lawyers and human rights defenders in Guatemala. The most recent intervention letters date as follows: 13 October 2016, 5 September 2016, 11 March 2015 and 6 May 2014. The killing of Mr Barrios is the latest manifestation in what it seems to be a consistent pattern of intimidation and harassment committed against lawyers and human rights defenders in Guatemala, which in this instance ended with the murder of Mr Barrios. Consequently, the Law Society is seriously worried about the evident climate of hostility against Guatemalan lawyers and human rights defenders and, in particular, against those defending environmental rights and the rights of indigenous and rural communities.

In this context, we recall that Guatemala is a member of the United Nations and acceded to the UN **International Covenant on Civil and Political Rights on 5 May 1992:**

Article 6

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Guatemala also ratified the **American Convention on Human Rights (1969) (IACHR)** which provides in its article 4 on the Right to life that:

1. Every person has the right to have his life respected. This right shall be protected by law and, in general, from the moment of conception. No one shall be arbitrarily deprived of his life.

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As a member of the United Nations, Guatemala should take into consideration the **Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (1998)**:

Article 1

Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

Article 2

1. Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.

2. Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.

Article 9

5. The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

Article 12

1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

In this context, the Law Society respectfully urges Your Excellency:

- 1) To ensure that the relevant authorities carry out a full and comprehensive investigation into the killing of Mr Barrios in a prompt, effective and independent manner, so as to make sure that the perpetrators are brought to justice;
- 2) To ensure that lawyers and human rights defenders can carry out their work without any hindrance and/or fear of intimidation.

Yours sincerely,



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President

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