



The Law Society
of England and Wales



Human Rights
Institute



Organization: Lawyers for Lawyers
Item: 6 (UPR Outcomes)
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Speaker: Noa Guldemond

Oral Statement to the 53rd Session of the UN Human Rights Council from Lawyers for Lawyers (L4L), The Law Society, and the International Bar Association's Human Rights Institute (IBAHRI), NGOs in special consultative status

UPR Outcomes Guatemala

Mr. President,

Lawyers for Lawyers, The Law Society, and the International Bar Association's Human Rights Institute welcome that Guatemala accepted some UPR recommendations related to the protection of human rights defenders and lawyers.¹ We call upon Guatemala to effectively implement them without delay.

A fundamental aspect of the rule of law is access to justice and the independence of legal professions. Lawyers, judges and prosecutors must be able to carry out their professional duties without harassment, intimidation or improper interference.

In Guatemala, lawyers are often faced with improper interference by the authorities, including surveillance, and are subjected to or threatened with prosecution when working on politically sensitive cases. Multiple lawyers or their family members have had to leave the country in response to the threats they receive.

Further, we are concerned at reports that around 40 judges and prosecutors have been forced to go into exile to avoid being arbitrarily arrested following unfair trials.

Moreover, lawyers have reported being hindered in their ability to prepare an adequate defence for their clients, by not being provided with essential case documents or being prevented from visiting their clients.

Protection of human rights and fundamental freedoms requires effective access to legal services provided by an independent legal profession.

We urge Guatemala to:

- Effectively implement all supported UPR recommendations without delay;
- Comply with the UN Basic Principles and Guidelines on the role of Lawyers, Judicial Independence and the role of Prosecutors.
- Take immediate measures to safeguard the independence of legal professionals and provide protection against any form of undue interference with their work.

Thank you.

ⁱ Human Rights Council, 'Report of the working Group on the Universal Periodic Review Guatemala', A/HRC/53/9/ Add 1.

Supported recommendations that are being implemented or have been implemented according to Venezuela:

90.49 Improve the quality of training for judges, lawyers and prosecutors (Russian Federation);

90.59 Investigate all threats and attacks against human rights defenders, journalists and media workers, and ensure that perpetrators are brought to justice in fair trials (Lithuania); Ensure prompt, thorough and impartial investigations into all attacks against human rights defenders, journalists and media workers and bring those responsible to justice (Cyprus); Investigate promptly and effectively threats and attacks against human rights defenders, journalists and trade unionists and bring those responsible to justice (Greece); Investigate promptly, thoroughly and effectively all threats and attacks targeting human rights defenders, journalists and trade unionists, and punish those responsible (Poland);

90.60 Implement previously accepted recommendations in order to ensure rigorous, prompt, impartial and independent investigations into all attacks targeting human rights defenders and journalists, and bring those responsible to justice (Switzerland);

90.73 Take all appropriate measures to protect the freedom of the press and guarantee the safety of journalists and human rights defenders (France);