
For Immediate Release

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The Law Society of Upper Canada Condemns the Detention and Imprisonment of Judge Maria Lourdes Afiuni

The Law Society of Upper Canada publicly condemns the detention and imprisonment of Judge Maria Lourdes Afiuni for releasing an accused person whose pre-trial detention was in violation of Venezuelan law. The reprisal of judges for exercising their judicial duties and constitutionally guaranteed functions demonstrates a fundamental disregard for the principle of judicial independence and weakens democracy and the rule of law.

Reports indicated that on December 9, 2009 Judge Maria Lourdes Afiuni was arrested by intelligence officers after ordering the conditional release pending trial of Eligio Cedeño. Mr. Cedeño's detention was declared arbitrary in September 2009 by the United Nations Working Group on Arbitrary Detention, who cited violations of his right to a fair trial. Judge Afiuni's actions were consistent with the conclusion of the United Nations Working Group and she released Mr. Cedeño because he had been in pre-trial detention for nearly three years; a violation of a two-year limit prescribed by Venezuelan law. As a result, Judge Afiuni was charged with corruption, being an accessory to escape, criminal conspiracy and abuse of power.

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.

Therefore, The Law Society of Upper Canada urges the Government of Venezuela to:

- a. release and guarantee in all circumstances the physical and psychological integrity of Judge Maria Lourdes Afiuni;
- b. put an end to acts of harassment against Judge Afiuni and all judges in Venezuela;
- 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 activities without fear of detention and imprisonment; and
- e. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with national human rights standards and international instruments ratified by Venezuela.

The Law Society of Upper Canada is the governing body for some 41,000 lawyers in the Province of Ontario, Canada. 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 Venezuela in their effort to advance the respect of human rights and to promote the rule of law and democracy.

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