



STATEMENT DENOUNCING ASSASSINATION OF MARCELO PECCI

The New York City Bar Association (“City Bar”) denounces the May 10, 2022 assassination of Marcelo Pecci, one of Paraguay’s top prosecutors.¹

I. MARCELO PECCI’S ASSASSINATION

Pecci, 45, married Claudia Aguilera, a well-known journalist on Unicanal TV, on April 30, 2022, in Paraguay’s capital, Asunción.² The newlyweds were spending their honeymoon relaxing at the Decameron Barú Hotel, a resort located on the Barú peninsula on Colombia’s Caribbean coast, south of Cartagena.³

Early on May 10, 2022 (the sixth and final day of their holiday), the couple announced via social media that they were expecting a child, posting a photo taken on the hotel’s private beach, with a pair of infants’ shoes in the foreground and the two of them embracing in the background.⁴ A short time later, at approximately 10:30 a.m., two men on a jet ski pulled up onto the beach.⁵ Without saying a word, one of the men approached Pecci and shot him three times, execution-style, in the face and in the back.⁶ The gunman also attempted to shoot a hotel security guard, but the security guard was not injured.⁷ The two assailants then fled on the watercraft.⁸ No shots were fired at Aguilera.⁹

After the shooting, when investigators reviewed closed camera TV (“CCTV”) footage, they discovered that the two assailants had scoped out the hotel beach earlier.¹⁰ According to Aguilera, there had been no recent threats to Pecci or the couple.¹¹ However, a friend of Pecci recounted a suspicious incident on Pecci’s wedding day, when a black SUV with no license plates attempted to block Pecci’s vehicle as he was returning from the ceremony. The maneuver was thwarted by Pecci’s bodyguard, who was driving at the time.¹²

Given the high-profile nature of his work, Pecci was one of the most heavily guarded people in Paraguay.¹³ However, seeking privacy for his honeymoon, Pecci left his security team in Paraguay and was traveling alone, with his new wife.¹⁴ Colombian officials reportedly had not even known that Pecci was in the country.¹⁵

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has approximately 24,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.

II. PECCI'S TARGETING BASED ON HIS WORK AS A PROSECUTOR

Law enforcement officials are treating the assassination as a professional “hit,” a murder-for-hire directly tied to Pecci’s work as a prosecutor in Paraguay.¹⁶ Pecci was one of that country’s leading prosecutors, specializing in cases involving allegations of organized crime, drug trafficking, money-laundering, and terrorism.¹⁷ For example, Pecci had been investigating a case involving two murders at a January 2022 concert – one a drug trafficker, Marcos Rojas Mora, and the other, Cristina (“Vita”) Aranda, the ex-wife of a soccer player, who was also a well-known model/social media “influencer” and the daughter of a regional governor.¹⁸

Pecci was also responsible for the 2020 prosecution of global soccer icon Ronaldinho, who was charged with entering Paraguay on a fake passport.¹⁹ Other high-profile cases included the Zootopia case and several cases involving the violent Brazilian prison gang Primeiro Comando da Capital (“First Capital Command”) (“PCC”), as well as Hezbollah.²⁰

Most recently Pecci was at the center of an ongoing operation against a large drug-smuggling and money-laundering network moving cocaine from Bolivia and Colombia through Paraguay and on to European ports. Known as “A Ultranza Py,” the operation is the largest targeting cocaine trafficking and money laundering in Paraguay’s history. The operation has led to dozens of arrests and has implicated politicians, army personnel, and business elites, highlighting the strong links between organized crime and some of the biggest names in Paraguay. In addition, Pecci seized luxury vehicles, airplanes, yachts, cattle, real property, and other assets. Drug traffickers have lost more than US\$100 million.²¹

Law enforcement officials immediately launched a massive transnational investigation, which is ongoing. Because Pecci had often worked closely with authorities in the United States,²² the U.S. Federal Bureau of Investigation (“FBI”) and the U.S. Drug Enforcement Administration (“DEA”) are involved in the investigation, together with Paraguay, Colombia, and Interpol.²³ As part of the manhunt, authorities have released a grainy, blurred photo (a screenshot from the CCTV footage),²⁴ as well as a police artist’s composite sketch of one of the assailants, based on eyewitnesses’ accounts.²⁵ A reward of approximately US\$500,000 is being offered for information leading to the apprehension of the suspects.²⁶ In the meantime, Aguilera and her family, and Pecci’s family, are under heavy guard.²⁷

Officials believe that Pecci’s execution is intended to intimidate law enforcement and prosecutors, and to “send a message” that no one is beyond the reach of the gangs, drug cartels, and organized crime, including the mafia.²⁸ Sources report that the assassination has left prosecutors in Paraguay “in a state of fear and panic.”²⁹ And the International Association of Prosecutors has called on states worldwide to take all measures necessary to ensure prosecutors’ safety and security.³⁰

III. SPECIAL PROTECTIONS FOR LAWYERS AND PROSECUTORS UNDER INTERNATIONAL LAW

International law recognizes the unique role that lawyers play in any society. Because lawyers serve as the guardians of justice for all, international law accords lawyers special

protections.³¹ For example, the U.N. Basic Principles on the Role of Lawyers (“U.N. Principles on Lawyers”) provide that clients’ positions and causes are not to be attributed to their counsel.³² In other words, a lawyer is obligated to make the best case possible for a client. But no matter who the client is and no matter what the client’s position or cause may be, that position or cause is not attributable to the lawyer personally.

The U.N. Guidelines on the Role of Prosecutors (“U.N. Guidelines on Prosecutors”) recognize that prosecutors in particular “play a crucial role in the administration of justice”³³ as “representatives of the public interest.”³⁴ In other words, “the people” are a prosecutor’s “client.” As such, on behalf of the people, prosecutors are obligated to “[play] an active role in criminal proceedings,” including “the investigation of crime” as well as the “institution of prosecution.”³⁵ Prosecutors’ positions and interests in service to their clients – “the people” – are separate and distinct from the prosecutors’ own personal positions and interests. The two are not to be confused or conflated.³⁶

The U.N. Principles on Lawyers further provide that governments are to “ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference.”³⁷ Similarly, as to prosecutors in particular, the U.N. Guidelines on Prosecutors specify that governments shall “ensure that prosecutors are able to perform their functions without intimidation, hindrance, harassment, improper interference or unjustified exposure to . . . liability.”³⁸ Further, “[w]here the security of lawyers is threatened as a result of discharging their functions,” the U.N. Principles on Lawyers state that the lawyers “shall be adequately safeguarded by the authorities.”³⁹ To the same end, the U.N. Guidelines on Prosecutors stipulate that “[p]rosecutors and their families shall be physically protected by the authorities . . . [whenever] their personal safety is threatened as a result of the discharge of prosecutorial functions.”⁴⁰

As both a lawyer and a prosecutor, Pecci was entitled to all of these protections.

IV. RESOLUTION AND CALL TO ACTION

The New York City Bar Association joins Paraguay and Colombia in grieving Pecci’s violent and untimely death at the hands of assassins for no apparent reason other than that he excelled at his job. The Bar looks to the authorities in those countries to apprehend all those responsible for Pecci’s execution and to bring them to justice. And the Bar urges governments everywhere to redouble their commitment to the safety and security of their prosecutors, to honor the memory of Pecci and his lifetime of public service.

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¹ More than 150 years old, the New York City Bar Association (“City Bar”) is an organization of approximately 24,000 members in New York City and elsewhere throughout the United States, and in more than 50 countries around the globe. Its members include judges, prosecutors, defense counsel, government lawyers, and public interest/non-governmental organization practitioners, as well as legal academics and attorneys representing nearly every major law firm and corporation in the United States. The City Bar has a long and distinguished history of promoting the rule of law and human rights, including the rights of legal professionals to fulfill their professional obligations. The City Bar’s Task Force on the Independence of Lawyers and Judges, Inter-American Affairs Committee, and the Cyrus R. Vance Center for International Justice assisted with this Statement.

² See Paraguayan Organized-Crime Prosecutor Shot Dead on Beach During Honeymoon (Wall Street Journal, May 10, 2022) (“WSJ”), <https://www.wsj.com/articles/paraguayan-organized-crime-prosecutor-shot-dead-on-beach-during-honeymoon-11652225668>; Paraguay drugs prosecutor killed on honeymoon on Colombian beach (The Guardian, May 11, 2022) (“The Guardian”), <https://www.theguardian.com/world/2022/may/11/paraguay-top-prosecutor-killed-on-honeymoon-on-colombian-beach>; Paraguay anti-drug prosecutor shot dead on honeymoon in Colombia (Al Jazeera, May 10, 2022) (“Al Jazeera”), <https://www.aljazeera.com/news/2022/5/10/paraguay-anti-drug-prosecutor-shot-dead-on-honeymoon-in-colombia>; Paraguayan anti-drug prosecutor assassinated on Colombia beach on honeymoon with journalist wife (Daily Mail, May 12, 2022) (“Daily Mail”), <https://www.dailymail.co.uk/news/article-10809889/Paraguayan-anti-drug-prosecutor-assassinated-Colombia-beach-honeymoon-journalist-wife.html>; Hunt for killers of anti-mafia prosecutor on honeymoon (BBC News, May 13, 2022) (“BBC-2”), <https://www.bbc.com/news/world-latin-america-61422628>; Paraguay anti-drug prosecutor shot dead on honeymoon in Colombia (France 24, May 11, 2022) (“France 24”), <https://www.france24.com/en/americas/20220511-paraguay-anti-drug-prosecutor-shot-dead-on-honeymoon-in-colombia> Prosecutor on his honeymoon is gunned down by hit men at beach (Washington Post, May 11, 2022) (“Washington Post”), <https://www.washingtonpost.com/world/2022/05/11/colombia-paraguay-prosecutor-marcelo-pecci/>; Security in Colombia’s Caribbean under scrutiny after murder of Paraguayan prosecutor (City Paper, May 11, 2022) (“City Paper”), <https://thecitypaperbogota.com/news/security-in-colombias-caribbean-under-scrutiny-after-murder-of-paraguayan-prosecutor/>. (All websites cited in this document were last visited on June 2, 2022.)

³ See Paraguayan’s organized crime prosecutor is slain while honeymooning on a Colombian beach (National Public Radio (“NPR”)/Associated Press, May 12, 2022) (“NPR”), <https://www.npr.org/2022/05/12/1098492179/paraguay-prosecutor-killed-colombia-beach-honeymoon>; Paraguay organized crime prosecutor slain on Colombia beach (ABC News/Associated Press, May 10, 2022) (“ABC”), <https://abcnews.go.com/International/wireStory/paraguay-organized-crime-prosecutor-slain-colombian-beach-84630284>; Police search for killers of anti-drug prosecutor shot while honeymooning on Colombia beach (El Pais, May 11, 2022) (“El Pais”), <https://english.elpais.com/international/2022-05-11/police-search-for-killers-of-anti-drug-prosecutor-shot-while-honeymooning-on-colombia-beach.html>; City Paper, *supra* n.2.

⁴ See BBC-2, *supra* n.2; El Pais, *supra* n.3; Washington Post, *supra* n.2; France 24, *supra* n.2; Paraguay organized crime prosecutor is slain on Colombian beach (Los Angeles Times/Associated Press, May 10, 2022) (“LA Times”), <https://www.latimes.com/world-nation/story/2022-05-10/paraguay-organized-crime-prosecutor-slain-on-colombian-beach>; ABC, *supra* n.3; WSJ, *supra* n.2; Daily Mail, *supra* n.2; City Paper, *supra* n.2.

⁵ See Washington Post, *supra* n.2; El Pais, *supra* n.3; ABC, *supra* n.3; Al Jazeera, *supra* n.2;

BBC-2, *supra* n.2; Assassins Just Killed a Narco Prosecutor on His Honeymoon at the Beach (Vice, May 12, 2022) (“Vice”), <https://www.vice.com/en/article/akvbba/paraguay-marcelo-pecci-claudia-aguilera>.

⁶ See France 24, *supra* n.2; Washington Post, *supra* n.2; ABC, *supra* n.3; Al Jazeera, *supra* n.2; Murder on the Beach (Tablet, May 17, 2022) (“Tablet”), <https://www.tabletmag.com/sections/news/articles/murder-on-the-beach-marcelo-pecci>. Authorities have reported that the first shot was to Pecci’s mouth, “a clear message that he was being punished for not keeping it shut, and the signature of a skilled marksman.” Tablet, *supra* n.6.

⁷ See NPR, *supra* n.3; ABC, *supra* n.3; LA Times, *supra* n.4; Marcelo Pecci: Anti-mafia lawyer shot dead during honeymoon in Colombia – hours after announcing he’s expecting first child (Sky News, May 11, 2022) (“Sky News”), <https://news.sky.com/story/marcelo-pecci-anti-mafia-lawyer-shot-dead-during-honeymoon-in-colombia-hours-after-announcing-hes-expecting-first-child-12610541>; Paraguay Organized Crime Prosecutor Slain on Colombian Beach (Law.com, May 11, 2022) (“Law.com”),

<https://www.law.com/dailybusinessreview/2022/05/11/paraguay-organized-crime-prosecutor-slain-on-colombian-beach/>; El Pais, *supra* n.3.

⁸ See Al Jazeera, *supra* n.2; France 24, *supra* n.2; El Pais, *supra* n.3; Honeymoon Hit: Pregnant TV star sobs over body of prosecutor husband shot dead on beach honeymoon by ‘cartel hitman on a jet ski’ (Irish Sun, May 13, 2022) (“Irish Sun”), <https://www.thesun.ie/news/8791146/wife-prosecutor-husband-dead-beach-honeymoon/>.

⁹ See The Guardian, *supra* n.2; ABC, *supra* n.3; NPR, *supra* n.3; City Paper, *supra* n.2; Irish Sun, *supra* n.8.

¹⁰ See The Guardian, *supra* n.2.

¹¹ See The Guardian, *supra* n.2; France 24, *supra* n.2; BBC-2, *supra* n.2; Washington Post, *supra* n.2; Al Jazeera, *supra* n.2; In Paraguay, the murder of prosecutor Marcelo Pecci causes shock (Le Monde, May 16, 2022) (Le Monde”), https://www.lemonde.fr/en/international/article/2022/05/16/in-paraguay-the-murder-of-prosecutor-marcelo-pecci-causes-shock_5983682_4.html; City Paper, *supra* n.2.

¹² See BBC-2, *supra* n.2; Paraguayan anti-mafia prosecutor killed on Colombia honeymoon (BBC News, May 11, 2022) (“BBC-1”), <https://www.bbc.com/news/world-latin-america-61403318>; The Guardian, *supra* n.2.

¹³ See NPR, *supra* n.3; WSJ, *supra* n.2; ABC, *supra* n.3; Washington Post, *supra* n.2; Sky News, *supra* n.7; City Paper, *supra* n.2; Vice, *supra* n.5.

¹⁴ See France 24, *supra* n.2; El Pais, *supra* n.3; BBC-2, *supra* n.2; Washington Post, *supra* n.2; Vice, *supra* n.5.

¹⁵ See WSJ, *supra* n.2; ABC, *supra* n.3; Law.com, *supra* n.7; El Pais, *supra* n.3; BBC-2, *supra* n.2; NPR, *supra* n.3; City Paper, *supra* n.2.

¹⁶ See BBC-2, *supra* n.2; Washington Post, *supra* n.2; Paraguayan prosecutor’s murder in Colombia likely transnational hit – police (Reuters, May 11, 2022) (“Reuters”), <https://www.reuters.com/world/americas/paraguayan-prosecutors-murder-colombia-likely-transnational-hit-police-2022-05-11/>; NY Post, *supra* n.16; France 24, *supra* n.2; Paraguay Grapples with Criminal Sophistication After Prosecutor’s Slaying (InSight, May 12, 2022) (“InSight”), <https://insightcrime.org/news/paraguay-grapples-changing-criminal-landscape-prosecutor-assassination/>; Le Monde, *supra* n.11; Irish Sun, *supra* n.8.

Commentators have underscored that, particularly as an assassination carried out in a foreign land (*i.e.*, a country other than Pecci’s home country, Paraguay), Pecci’s execution “required significant . . . planning, intelligence gathering, and monitoring,” and that “only three categories of suspects fit the bill for such a complex operation: a state actor, a transnational criminal organization, or a terrorist organization.” Tablet, *supra* n.6.

¹⁷ See Washington Post, *supra* n.2 (describing Pecci as “one of the most powerful prosecutors in Paraguay”); BBC-1, *supra* n.12; France 24, *supra* n.2; Paraguayan Anti-mafia Prosecutor Killed on a Colombian Beach (Organized Crime & Corruption Reporting Project (“OCCRP”), May 16, 2022) (“OCCRP”), <https://www.occrp.org/en/daily/16328-paraguayan-anti-mafia-prosecutor-killed-on-a-colombian-beach>; Al Jazeera, *supra* n.2.

¹⁸ See Washington Post, *supra* n.2; The Guardian, *supra* n.2; ABC, *supra* n.3; Law.com, *supra* n.7; Paraguay: Anti-mafia prosecutor killed on Colombia beach (Deutsch Welle, May 11, 2022) (“DW”), <https://p.dw.com/p/4B73y>; Sky News, *supra* n.7; LA Times, *supra* n.4; Reuters, *supra* n.16; NPR, *supra* n.3; City Paper, *supra* n.2; *see also* Model, 29, among two killed when gangsters open fire on a South American music festival crowd to murder rival cartel member (Daily Mail/Opera News, Jan. 31, 2022),

<https://www.dailyadvent.com/news/0eaf475b6b8b42e31ca902e651c51ebe-Model-29-is-among-two-killed-when-gangsters-open-fire-on-a-South-American-music-festival-crowd-to-murder-rival-cartel-member>.

¹⁹ See Washington Post, *supra* n.2; Al Jazeera, *supra* n.2; Reuters, *supra* n.16; DW, *supra* n.18; BBC-1, *supra* n.12; Irish Sun, *supra* n.8; City Paper, *supra* n.2; *see also* Ronaldinho Leaves Paraguay After Five Months’ Detention in Forged Passport Scandal (News 18/Agence France-Presse, Aug. 26, 2020),

<https://www.news18.com/news/sports/ronaldinho-leaves-paraguay-after-five-months-detention-in-forged-passport-scandal-2819267.html>.

²⁰ See InSight, *supra* n.16; OCCRP, *supra* n.17; Tablet, *supra* n.6; The Murder of Paraguayan Prosecutor Marcelo Pecci (video) (CBS News “Eye on the World”/YouTube, May 16, 2022), <https://m.youtube.com/watch?v=D6apAqWV4pY>.

²¹ See OCCRP, *supra* n.17; The Guardian, *supra* n.2; Washington Post, *supra* n.2; WSJ, *supra* n.2; BBC-2, *supra* n.2; El Pais, *supra* n.3; Le Monde, *supra* n.11; InSight, *supra* n.16; Irish Sun, *supra* n.8.

²² See, e.g., Washington Post, *supra* n.2 (reporting that Pecci was “a key South American partner of the U.S. Drug Enforcement Administration”).

²³ See Washington Post, *supra* n.2; Le Monde, *supra* n.11; OCCRP, *supra* n.17; Al Jazeera, *supra* n.2; BBC-2, *supra* n.2.

²⁴ See BBC-2, *supra* n.2; The Guardian, *supra* n.2; France 24, *supra* n.2; El Pais, *supra* n.3; Le Monde, *supra* n.11; Colombian police suspect “someone close” was behind Pecci’s murder (MercoPress, May 14, 2022) (“MercoPress”), <https://en.mercopress.com/2022/05/14/colombian-police-suspect-someone-close-was-behind-pecci-s-murder>; Vice, *supra* n.5.

²⁵ See The Guardian, *supra* n.2 (reporting that sketch depicts suspect wearing black long-sleeved T-shirt, black shorts, and Panama hat); BBC-2, *supra* n.2; Washington Post, *supra* n.2; Le Monde, *supra* n.11; MercoPress, *supra* n.24; City Paper, *supra* n.2.

²⁶ See WSJ, *supra* n.2; OCCRP, *supra* n.17; NY Post, *supra* n.16; BBC-2, *supra* n.2; City Paper, *supra* n.2; Vice, *supra* n.5. Colombian authorities announced that, as of May 18, 2022, 17 people had been arrested in conjunction with Pecci’s assassination, from countries including not only Colombia, but also Venezuela, Italy, the Dominican Republic, the Netherlands, and Albania. However, the connection (if any) between those individuals and the crime is unclear. See New people involved in the murder of Paraguayan prosecutor Marcelo Pecci: Colombian authorities detain 17 suspects of 6 nationalities (247 News Agency, May 18, 2022), <https://247newsagency.com/top-news/129844.html>.

²⁷ See France 24, *supra* n.2; Al Jazeera, *supra* n.2.

²⁸ See The Guardian, *supra* n.2; El Pais, *supra* n.3; WSJ, *supra* n.2.

²⁹ See Washington Post, *supra* n.2.

³⁰ See The International Association of Prosecutors Deplores Murder of Paraguay Prosecutor Marcelo Pecci in Colombia (International Association of Prosecutors, May 11, 2022), <https://www.iap-association.org/News/THE-INTERNATIONAL-ASSOCIATION-OF-PROSECUTORS-DEPLO>. In the days since Pecci’s assassination, two more prosecutors have been murdered in Latin America – one in Ecuador, on May 25, 2022, and the other in Honduras, on May 27, 2022. See More prosecutors killed in Latin America (MercoPress, May 30, 2022), <https://en.mercopress.com/2022/05/30/more-prosecutors-killed-in-latin-america>.

³¹ See generally United Nations Basic Principles on the Role of Lawyers (Sept. 7, 1990) (“U.N. Principles on Lawyers”), <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers>; United Nations Guidelines on the Role of Prosecutors (1990) (“U.N. Guidelines on Prosecutors”), <https://www.ohchr.org/en/instruments-mechanisms/instruments/guidelines-role-prosecutors>; see also United Nations Basic Principles on the Independence of the Judiciary (Sept. 6, 1985), Principles 2, 4, & 11, <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary>.

³² See U.N. Basic Principles on the Role of Lawyers, Principle 18 (stating that “[l]awyers shall not be identified with their clients or their clients’ causes as a result of their functions”).

³³ See U.N. Guidelines on the Role of Prosecutors, Preamble.

³⁴ See U.N. Guidelines on the Role of Prosecutors, Para. 11.

³⁵ See U.N. Guidelines on the Role of Prosecutors, Para. 11.

³⁶ *See* U.N. Basic Principles on the Role of Lawyers, Principle 18.

³⁷ *See* U.N. Basic Principles on the Role of Lawyers, Principle 16.

³⁸ *See* U.N. Guidelines on the Role of Prosecutors, Para. 4.

³⁹ *See* U.N. Basic Principles on the Role of Lawyers, Principle 17.

⁴⁰ *See* U.N. Guidelines on the Role of Prosecutors, Para. 5.