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NEW YORK
CITY BAR

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**STATEMENT CONDEMNING ASSASSINATIONS OF
PROSECUTORS AND LAWYERS IN ECUADOR AND HONDURAS**

The New York City Bar Association (“City Bar”) is gravely concerned by the sustained violence targeting prosecutors, as well as lawyers, in Latin America and calls for action to bring an end to the carnage.¹

Last month was a particularly deadly month for prosecutors in Latin America. On May 10, 2022, Paraguayan prosecutor Marcelo Pecci was assassinated while on his honeymoon in Colombia.² Regrettably, the fatal attack on Pecci was a harbinger of things to come, including the tragic assassinations of prosecutors and lawyers in Ecuador and Honduras since Pecci’s death.

I. ASSASSINATIONS OF PROSECUTORS AND LAWYERS IN ECUADOR

At approximately 8:00 a.m. on May 25, 2022, armed assassins in a car fatally shot Luz Marina Delgado, a prosecutor for Manta, a city in the far west of Ecuador in the coastal province of Manabí, roughly 260 miles from Quito.³ At the time, Delgado was riding in a car driven by a lawyer colleague,

¹ More than 150 years old, the New York City Bar Association is an organization of over 23,000 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 and its Inter-American Affairs Committee assisted with this Statement, as did the Cyrus R. Vance Center for International Justice.

² See New York City Bar Association Statement Denouncing Assassination of Marcelo Pecci (New York City Bar Association, June 3, 2022), <https://www.nycbar.org/media-listing/media/detail/new-york-city-bar-association-denounces-assassination-of-marcelo-pecci>; see also Four of those involved in the murder of prosecutor Marcelo Pecci are sentenced to more than 23 years in prison (Newsbeez, June 18, 2022), <https://newsbeez.com/colombiaeng/four-of-those-involved-in-the-murder-of-prosecutor-marcelo-pecci-are-sentenced-to-more-than-23-years-in-prison/>; Who were the three Latin American prosecutors murdered in recent weeks and what were they investigating? (The Gal Times, May 28, 2022) (“Three Latin American prosecutors murdered”), <https://thegaltimes.com/who-were-the-three-latin-american-prosecutors-murdered-in-recent-weeks-and-what-were-they-investigating/13357/>. (All websites cited in this statement were last visited June 29, 2022.)

Jefferson Mendoza, who was also killed in the same attack.⁴ Delgado had asked Mendoza to drive her from her home to her office that morning because her car needed repair.⁵

According to authorities, Delgado was targeted based on her work leading to the April 2018 arrest of Julia JMG, the close personal companion of Washington Prado (a/k/a “Gerald”), known as “the Ecuadorian Pablo Escobar.”⁶ Prado was extradited from Colombia to the United States for trafficking an estimated 250 tons of cocaine to this country.⁷

To date, three women have been arrested and charged with murder in connection with the deaths of Delgado and Mendoza.⁸

³ See They murder a transit prosecutor in Manta along with a companion (24/7 News Bulletin, May 25, 2022) (“Murder of Manta prosecutor”), <https://247newsagency.com/opinion/133921.html>; A prosecutor and her assistant are murdered in Manta, Ecuador (Ultimas Noticias, May 26, 2022) (“Prosecutor & assistant murdered”), <https://en.ultimasnoticias.com.ve/news/world/a-prosecutor-and-her-assistant-are-murdered-in-manta-ecuador/>; Honduran prosecutor Karen Almendares was assassinated: it is the third crime of this type in Latin America in less than a month (Paudal, May 28, 2022) (“Honduran prosecutor assassinated”), <https://www.paudal.com/2022/05/28/honduran-prosecutor-karen-almendares-was-assassinated-it-is-the-third-crime-of-this-type-in-latin-america-in-less-than-a-month/>; Honduras: a prosecutor was shot when leaving the gym (Zyri, May 28, 2022) (“Prosecutor shot leaving gym”), <https://www.zyri.net/2022/05/28/honduras-a-prosecutor-was-shot-when-leaving-the-gym/>; More prosecutors killed in Latin America (MercoPress, May 30, 2022) (“More prosecutors killed”), <https://en.mercopress.com/2022/05/30/more-prosecutors-killed-in-latin-america/>; Honduran prosecutor Karen Almendares was assassinated: it is the third crime of this type in Latin America in less than a month (World Today News, May 28, 2022) (“Almendares assassinated”), <https://world-today-news.com/honduran-prosecutor-karen-almendares-was-assassinated-it-is-the-third-crime-of-this-type-in-latin-america-in-less-than-a-month/>; They assassinate a transit prosecutor in Manta together with a companion (Archyde, May 27, 2022) (“Assassination of prosecutor & companion”), <https://www.archyde.com/they-assassinate-a-transit-prosecutor-in-manta-together-with-a-companion-security-news/>; Three Latin American prosecutors murdered, *supra* n.2.

⁴ See Murder of Manta prosecutor, *supra* n.3; Prosecutor shot leaving gym, *supra* n.3; Three prosecutors killed in Latin America in two weeks (Ruetir, May 30, 2022) (“Three prosecutors killed”), <https://www.ruetir.com/2022/05/30/three-prosecutors-killed-in-latin-america-in-two-weeks/>; More prosecutors killed, *supra* n.3; Assassination of prosecutor & companion, *supra* n.3; Three Latin American prosecutors murdered, *supra* n.2.

⁵ See Murder of Manta prosecutor, *supra* n.3.

⁶ See More prosecutors killed, *supra* n.3; Honduran prosecutor assassinated, *supra* n.3; Prosecutor & assistant murdered, *supra* n.3; Three prosecutors killed, *supra* n.4; Almendares assassinated, *supra* n.3; Three Latin American prosecutors murdered, *supra* n.2.

⁷ See Prosecutor & assistant murdered, *supra* n.3; *see also, e.g.*, Colombia extradites 'Pablo Escobar of Ecuador' to US (The Guardian/Associated Press, Feb. 25, 2018), <https://www.theguardian.com/world/2018/feb/25/colombia-extradites-pablo-escobar-of-ecuador-to-us-washington-edison-prado>.

⁸ See More prosecutors killed, *supra* n.3; Three arrested for alleged participation in the murder of a prosecutor in Ecuador (Latin American News, May 28, 2022), <https://latin-american.news/three-arrested-for-alleged-participation-in-the-murder-of-a-prosecutor-in-ecuador/>; Prosecutor’s Office reports the arrest of three women for their alleged participation in the murder of prosecutor Luz Marina Delgado (17blogs, May 28, 2022), <https://17blogs.com/prosecutors-office-reports-the-arrest-of-three-women-for-their-alleged-participation-in-the-murder-of-prosecutor-luz-marina-delgado-security-news/>; *see* Foreigners rented two houses for 30 days to follow up on the prosecutor who was later murdered; officials ask for security in Manabí (Archyde, May 27, 2022), <https://www.archyde.com/foreigners-rented-two-houses-for-30-days-to-follow-up-on-the-prosecutor-who-was-later->

Authorities have not determined whether Delgado’s murder is related to an apparent attempt at intimidation earlier this year. On January 31, 2022, a cardboard box containing two decapitated roosters was discovered outside the Manta Prosecutor’s Office.⁹ Delgado had received threats but, unlike some other prosecutors, had not been assigned security protection.¹⁰

The May 25 murders of Delgado and Mendoza were just the latest attacks on Ecuadorian prosecutors. In early May 2022, there was an attempt on the life of Victor Hugo Alcívar, the prosecutor for Santo Domingo, Ecuador. Alcívar was injured but survived the attack. His companion, however, did not.¹¹ And on May 18, 2022, as he left his office for lunch, lawyer Juan Neira, 58, the former prosecutor for San Lorenzo, Ecuador, was murdered. Two men astride a motorcycle ambushed and shot him at least four times, a mere few feet from the Esmeraldas government offices and a Community Police Unit.¹²

Similarly, on the morning of May 5, 2022, two men on a motorcycle assassinated lawyer Walter Vallejo, 49, who had served as defense counsel for the drug lord Prado. According to a witness, a “hitman” dressed in all black shot Vallejo in front of the entrance to a luxury hotel in Guayaquil, before fleeing on the motorcycle.¹³

[murdered-officials-ask-for-security-in-manabi-security-news/](#).

News reports state that the three women – identified as Genesis de los Angeles CS, Ginger Lisbeth SP, and María Celeste CQ (nationals of Venezuela, Colombia, and Ecuador) – are being held pending trial for their roles in the Delgado-Mendoza murders. *See, e.g.*, Women detained for the crime of a prosecutor in Manta provided logistics to foreign assassins (24/7 News Bulletin, May 28, 2022) (“Women detained”), <https://247newsagency.com/opinion/136052.html>. A fourth suspect, still at large, is believed to be the individual who gave the orders to the three women. *See* Women detained, *supra* n.8.

⁹ *See* Murder of Manta prosecutor, *supra* n.3; Assassination of prosecutor & companion, *supra* n.3.

¹⁰ *See* Murder of Manta prosecutor, *supra* n.3; Assassination of prosecutor & companion, *supra* n.3.

¹¹ *See* Prosecutor & assistant murdered, *supra* n.3.

¹² San Lorenzo is a port town on the northern coast of Ecuador, in the province of Esmeraldas. *See* Former prosecutor Juan Neira was killed in the heart of Esmeraldas (Pulevsmir, May 18, 2022), <https://pulevsmir.co.uk/former-prosecutor-juan-nira-was-killed-in-the-heart-of-esmeraldas/>; The lawyer Juan Neira is the new victim of the hitman (World Today News, May 18, 2022), <https://www.world-today-news.com/the-lawyer-juan-neira-is-the-new-victim-of-the-hitman/>; Ex-prosecutor of Esmeraldas murdered a few meters from the Government and a UPC (24/7 News, May 18, 2022), <https://247newsagency.com/opinion/129867.html>; The lawyer Juan Neira is the new victim of the hitman (Memesita, May 18, 2022), <https://www.memesita.com/tag/hitman/>; A prosecutor and her assistant are murdered in Manta, Ecuador (Ultimas Noticias, May 26, 2022), <https://en.ultimasnoticias.com.ve/news/world/a-prosecutor-and-her-assistant-are-murdered-in-manta-ecuador/>; *see also* Three Latin American prosecutors murdered, *supra* n.2.

¹³ To date, 10 arrests have been made in the case. *See, e.g.*, Almendares assassinated, *supra* n.3; 10 arrested for the murder of lawyer Walter Vallejo (World Today News, May 6, 2022), <https://www.world-today-news.com/10-arrested-for-the-murder-of-lawyer-walter-vallejo/>; The lawyer of a drug trafficker was murdered at the door of a luxury hotel in Guayaquil (Memesita, May 7, 2022), <https://www.memesita.com/the-lawyer-of-a-drug-trafficker-was-murdered-at-the-door-of-a-luxury-hotel-in-guayaquil/>; Walter Vallejo, the lawyer murdered outside a hotel, had shared on his social networks that he was kidnapped in the pandemic (24/7 News Bulletin, May 6, 2022), <https://247newsagency.com/opinion/121805.html>; Prosecutor's Office confirms that lawyer Walter Vallejo,

II. ASSASSINATION OF A SPECIAL ENVIRONMENTAL PROSECUTOR IN HONDURAS

May was a deadly month in Honduras as well. Special Environmental Prosecutor Karen Almdares was assassinated on the evening of May 27, 2022, in the El Chagüite neighborhood of Nacaóme, which is located in the El Salvador-bordering department of Valle, approximately 60 miles from Tegucigalpa.¹⁴ Almdares, 39, was accosted by a pair of gunmen and shot as she was opening the gate to her home following a visit to the gym.¹⁵ Authorities have linked her execution to “organized crime.”¹⁶

Almdares’s assassination has been condemned far and wide, from the International Association of Prosecutors, to the Secretary General of the Organization of American States and the Inter-American Commission on Human Rights (“IACHR”), in addition to the United Nations representative in Honduras and Xiomara Castro, the President of the country.¹⁷

mentioned in the audio of the case that involved Bucaram, was the person murdered outside the hotel (24/7 News Bulletin, May 5, 2022), <https://247newsagency.com/opinion/121071.html>; Lawyer Walter Vallejo was killed near a hotel in Guayaquil (Pulevsmir, May 5, 2022), <https://pulevsmir.co.uk/lawyer-walter-vallejo-was-killed-near-a-hotel-in-guayaquil/>.

¹⁴ See More prosecutors killed, *supra* n.3; Three prosecutors killed, *supra* n.4; Commotion in Honduras over the shooting death of a prosecutor when she entered her house (Zyri, May 28, 2022) (“Commotion in Honduras”), <https://www.zyri.net/2022/05/28/commotion-in-honduras-over-the-shooting-death-of-a-prosecutor-when-she-entered-her-house/>; The International Association of Prosecutors Deplores the Murder of Honduras Prosecutor Karen Gabriela Almdarez Herrera (International Association of Prosecutors, June 1, 2022) (“IAP deploras murder”), [https://www.iap-association.org/News/The-International-Association-of-Prosecutors-d-\(1\)](https://www.iap-association.org/News/The-International-Association-of-Prosecutors-d-(1)); A Honduran prosecutor is shot dead in the south of the country (Latin American News, May 29, 2022) (“Prosecutor shot dead”), <https://latin-american.news/a-honduran-prosecutor-is-shot-dead-in-the-south-of-the-country/>; Pdta. of Honduras condemns murder of prosecutor Karen Almdarez (Today90, May 31, 2022) (“President condemns murder”), <https://www.today90.com/pdta-of-honduras-condemns-murder-of-prosecutor-karen-almendarez-news/>; Honduran president condemns murder of prosecutor Karen Almdarez (Radio Havana Cuba, May 31, 2022) (“Honduran president condemns murder”), <https://www.radiohc.cu/en/noticias/internacionales/289392-honduran-president-condemns-murder-of-prosecutor-karen-almendarez>; IACHR Condemns Murder of Public Prosecutor Karen Almdares in Honduras (Organization of American States/Inter-American Commission on Human Rights, June 7, 2022) (“IACHR condemns murder”), https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2022/128.asp; Honduran prosecutor assassinated, *supra* n.3; Prosecutor shot leaving gym, *supra* n.3; Three Latin American prosecutors murdered, *supra* n.2.

Note that sources are inconsistent in the spelling of the prosecutor’s name. Some sources spell it “Almdares,” while others spell it “Almdarez.”

¹⁵ See More prosecutors killed, *supra* n.3; Three prosecutors killed, *supra* n.4; Commotion in Honduras, *supra* n.14; Prosecutor shot dead, *supra* n.14; President condemns murder, *supra* n.14; Honduran president condemns murder, *supra* n.14; IACHR condemns murder, *supra* n.14; Honduran prosecutor assassinated, *supra* n.3; IAP deploras murder, *supra* n.14; Prosecutor shot leaving gym, *supra* n.3; Three Latin American prosecutors murdered, *supra* n.2.

¹⁶ See Commotion in Honduras, *supra* n.14; IAP deploras murder, *supra* n.14.

¹⁷ See IAP deploras murder, *supra* n.14; Commotion in Honduras, *supra* n.14; IACHR condemns murder, *supra* n.14; President condemns murder, *supra* n.14; Honduran president condemns murder, *supra* n.14.

The IACHR pointedly observed that, “[i]n its country reports of 2019 and 2015,” it had “noted the persistence of violence and threats to the independence and personal integrity of judicial officers in Honduras,” emphasizing that the “death threats, murders, assault[s], intimidation, harassment, and interference” documented in those reports “made it difficult for judicial officers to do their work independently and impartially.”¹⁸

III. SPECIAL PROTECTIONS FOR LAWYERS AND PROSECUTORS UNDER INTERNATIONAL LAW

International law recognizes the unique role that lawyers play in any society. Because lawyers are charged with safeguarding justice for all, international law accords lawyers special protections.¹⁹ 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.²⁰ 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”²¹ as “representatives of the public interest.”²² 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.”²³ 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.²⁴

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

¹⁸ See IACHR condemns murder, *supra* n.14.

¹⁹ 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>.

²⁰ 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”), *supra* n.19.

²¹ See U.N. Guidelines on the Role of Prosecutors, Preamble, *supra* n.19.

²² See U.N. Guidelines on the Role of Prosecutors, Para. 11, *supra* n.19.

²³ See U.N. Guidelines on the Role of Prosecutors, Para. 11, *supra* n.19.

²⁴ See U.N. Basic Principles on the Role of Lawyers, Principle 18, *supra* n.19.

improper interference.”²⁵ 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.”²⁶

In addition, “[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.”²⁷ 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.”²⁸

As lawyers and prosecutors, all of the individuals discussed above – five from Ecuador, and one from Honduras – were entitled to these protections.

Both the Inter-American Commission on Human Rights (“IACHR”) and the International Association of Prosecutors (“IAP”) have underscored states’ responsibilities and lawyers’ and prosecutors’ rights. Specifically, the IACHR “stresses that . . . [States have] a duty to protect the safety of judicial officers [including prosecutors and lawyers] from all forms of internal and external pressure to prevent a serious impact on their institutional functions, and to ensure the free conduct of judicial efforts and preserve access to justice for victims of human rights violations.”²⁹ And, as to prosecutors in particular, the IAP emphasizes that its Standards for Protection and Security of Prosecutors direct states to “take all necessary measures to ensure that public prosecutors, together with their families, are all physically protected by the appropriate authorities when their personal safety is threatened as a result of the proper discharge of their functions.”³⁰ The IAP observes that, “[i]f prosecutors are to uphold criminal justice, maintain the rule of law, and hold criminals to account, they, and their families, must be fully protected at all times.”³¹

IV. CALL TO ACTION

The New York City Bar Association extends its deepest condolences to Ecuador and Honduras and looks to the authorities in those countries to bring to justice those responsible for the vicious attack on Victor Hugo Alcívar and the execution deaths of Luz Marina Delgado, Jefferson Mendoza, Juan Neira, Walter Vallejo, and Karen Almendares. And the City Bar notes that governments everywhere must take all measures necessary to protect the safety, security, and

²⁵ See U.N. Basic Principles on the Role of Lawyers, Principle 16, *supra* n.19.

²⁶ See U.N. Guidelines on the Role of Prosecutors, Para. 4, *supra* n.19.

²⁷ See U.N. Basic Principles on the Role of Lawyers, Principle 17, *supra* n.19.

²⁸ See U.N. Guidelines on the Role of Prosecutors, Para. 5, *supra* n.19.

²⁹ See IACHR condemns murder, *supra* n.14.

³⁰ See IAP deploras murder, *supra* n.14.

³¹ See IAP deploras murder, *supra* n.14.

independence of their lawyers and prosecutors, to ensure the continued vitality of the rule of law and the promise of access to justice for all.