

NEW YORK
CITY BAR

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President Álvaro Uribe Vélez
Palacio de Nariño
Carrera 5ª, No. 15-80
Bogota, Colombia

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Dear President Uribe:

I am writing on behalf of the New York City Bar Association to express our concern over recent statements you made in response to an op-ed piece published by one of Colombia's most prominent jurists, Dr. Ramiro Bejarano. In our view, those statements are inconsistent with international standards that safeguard the independence of lawyers and judges, including the United Nations Principles on the Independence of Judges and the United Nations Principles on the Independence of Lawyers.

Founded in 1870, the New York City Bar Association has a membership of more than 22,000 lawyers, judges, law professors and government officials, principally from New York City but also from throughout the United States and 50 other countries. The Association has a long history of dedication to human rights, notably through its Committee on International Human Rights, which investigates and reports on human rights conditions around the world, including within the United States.

We are aware that Dr. Bejarano has had a long and highly distinguished career in academia, public service, and private practice. Currently, he serves as a substitute Justice on the Constitutional Court of Colombia. As an Emeritus Professor of Law at the Universidad Externado de Colombia for over 25 years and the author of several legal publications, Dr. Bejarano is widely respected for his legal expertise. At the same time, he has maintained an active private practice as a litigator and, over the last eight years, has written a regular op-ed column for the newspaper *El Espectador*.

In a recent op-ed, Dr. Bejarano publicly asked you a number of serious questions concerning the highly disturbing recent corruption scandals that have embroiled – with potentially very far-reaching implications – the presidency's intelligence agency, known as the Administrative Department of Security (or DAS). In response to that op-ed, you made some very dismissive and aggressive comments directed towards Dr. Bejarano, which could be perceived as threatening, and have a chilling effect on the media. In particular, you stated that you had in the past met the notorious paramilitary commander

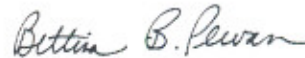
and drug trafficker Salvatore Mancuso, and then said that Dr. Bejarano “better not come out saying” that you and Mancuso are friends.

Dr. Bejarano has a right to ask questions about a matter of public concern. *See* International Covenant on Civil and Political Rights, Art. 19.

International standards further guarantee that lawyers and judges shall not be subject to governmental interference or pressure as a result of the discharge of their professional duties, including the promotion of the rule of law. *See* Universal Declaration of Human Rights, Art. 10 and International Covenant on Civil and Political Rights, Art. 14.1, developed by the United Nations Principles on the Independence of Judges (adopted by the Seventh United Nations Congress on the Prevention of Crimes and the Treatment of Offenders and endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985) and the United Nations Principles on the Independence of Lawyers (adopted by the Eighth United Nations Congress on the Prevention of Crimes and the Treatment of Offenders).

We are deeply troubled by these personal attacks against a highly distinguished legal expert, who your own administration had appointed last year to a commission to examine allegations of corruption in the DAS. Such attacks are particularly alarming in a country like Colombia, which continues to present extremely high rates of violence and impunity. *See* Human Rights Watch World Report 2005, Country Summary, Colombia, available at <http://hrw.org/wr2k5/pdf/colomb.pdf>; U.S. Department of State Country Reports on Human Rights Practices 2005, available at <http://www.state.gov/g/drl/rls/hrrpt/2005/61721.htm>.

Respectfully yours,



Bettina B. Plevan