

Laurel G. Bellows
President

AMERICAN BAR ASSOCIATION

321 North Clark Street
Chicago, IL 60654-7598
(312) 988-5109
Fax: (312) 988-5100
abapresident@americanbar.org

August 23, 2012

Honorable Juan Manuel Santos
Presidente de la República de Colombia
Palacio de Nariño
Carrera 8^a. N° 7-26
Bogotá, Colombia

Re: Concern regarding Human Rights attorney Mónica Roa

Dear President Santos:

The American Bar Association (ABA) is deeply concerned about reports of a recent attack on Colombian human rights attorney, Mónica Roa. We are also troubled by reports that the Deputy Inspector General has accused Ms. Roa of criminal defamation, a move that has been interpreted by many as retaliation for Ms. Roa's efforts as Director of Programs at the organization, Women's Link Worldwide, to ensure the enforcement of existing Constitutional Court decisions by the Inspector General.

The ABA is an independent, voluntary, nongovernmental organization of judges and lawyers with nearly 400,000 members worldwide. It regards human rights and the rule of law as cornerstones of a free and just society and is committed to strengthening them in the United States and internationally.

We understand that in 2006 Ms. Roa successfully brought a landmark case to the Colombian Constitutional Court, establishing a woman's right to an abortion under certain circumstances, including where the life of the mother is threatened. According to Ms. Roa, on May 7, 2012, shots were fired into her office, although she was not harmed. In addition, reportedly, her offices had been previously burglarized in April 2012. The ABA has also received reports that neither crime was apparently investigated in a timely manner by Colombian authorities, and believes the Government of Colombia should ensure that a thorough investigation is conducted into these matters.

With regard to the accusations of criminal defamation Ms. Roa is apparently facing, the ABA is specifically concerned that the basis of this charge appears to be that Ms. Roa defamed the character of the Inspector General and his deputy by filing a lawsuit (tutela) calling for the enforcement of the Constitutional Court's decision. The ABA believes

August 23, 2012
Honorable Juan Manuel Santos
Page 2

that a just and democratic society cannot flourish without an independent and functioning legal profession. The independence of attorneys, which includes the ability to advocate for their clients without harassment or malicious prosecution, is fundamental to maintaining international norms of equal justice and the rule of law.

We hope that relevant authorities will reject any criminal allegations against Ms. Roa that are based solely upon the lawsuit she has filed. We believe that any concerns about the legitimacy of the pleadings she filed should be resolved through the appeals process, not via parallel and retaliatory criminal proceedings.

We respectfully request that you inform us of the results of any investigation into the attacks upon Ms. Roa and that you conduct a review of the criminal allegations against her to determine if they are consistent with international law and the independence of the legal profession. Your consideration of this letter and the actions requested is greatly appreciated.

Sincerely,



Laurel G. Bellows

cc: United States Department of State
Embassy of the Republic of Colombia to the United States
Embassy of the United States to the Republic of Colombia