



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

Presidente Álvaro Uribe Vélez
Oficina del Presidente, Palacio de Nariño
Carrera 8ª, No 7-26
Santafé de Bogotá,
Colombia

London, 12 June 2009

Dear President

RE: Trial of Jorge Aurelio Noguera Cotes

The Bar Human Rights Committee of England and Wales (BHRC) is the international human rights arm of the Bar of England and Wales. It is an independent body concerned with defending the rule of law and internationally recognised legal standards relating to human rights, in particular the right to a fair trial.

BHRC is contacting you regarding the indictment and trial of Jorge Aurelio Noguera Cotes in connection with the mass killings of trade unionists, human rights defenders and politicians who denounced the collaboration between paramilitary groups and the political classes in Colombia.

BHRC welcomes the recent decision of Attorney General Mario Iguarán Arana to directly carry out an investigation into the activities of Mr Noguera Cotes and to present criminal charges against him on 6 May 2009.

According to information received, there is strong evidence that Mr Noguera Cotes encouraged, promoted, financed and carried out activities with paramilitary groups within his capacity as Director of the Administrative Department of Security. It has been alleged that he provided Rodrigo Tovar Pupo, leader of the Northern Bloc of the United Self-Defense Forces of Colombia, with a list of individuals that were being investigated by intelligence agencies. Named persons included trade unionists and human rights defenders, many of whom were subsequently subjected to threats, forced displacement, enforced disappearance and/or murder. As well as providing financial support to the paramilitary groups, it is alleged that Mr Noguera Cotes eliminated background records, arrest warrants and extradition requests against many of its members.

For years, impunity with regard to human rights abuses has run unchecked in Colombia, undermining attempts for democracy to fully flourish. According to the International Labour Organization, Colombia has been top of the list of countries where trade unionists are killed simply for their legitimate activities in support of workers' rights. It is alleged that there is rampant anti-union violence, in addition to violence committed against human rights defenders.

Bringing Mr Noguera Cotes to justice will send out a clear message that such cooperation with paramilitary groups will not, and should not, be tolerated within any government institution. It will be an important step in addressing the issue of impunity, and would consequently dignify both the victims and members of Colombian society.

BHRC shall be following the trial of Mr Noguera Cotes closely. We urge the Colombian authorities to provide the proper guarantees for due process and respect for the victims' right to truth, justice and reparation. It is essential that the victims may actively participate in the trial and not be hindered in intervening as witnesses in the case. Every effort should be made to protect the safety and security of those witnesses.

The Attorney General's office should remain consistent with the determinations in the indictment. An active and independent justice system is essential to tackling impunity. Therefore, it is hoped that this trial will assist in restoring public confidence in the Colombian justice system, and to the protection of human rights.

Yours sincerely,



Mark Muller QC
Chairman
Bar Human Rights Committee of England and Wales

Copies sent to:

- Fabio Valencia Cossio, Ministerio del Interior y de Justicia
- Attorney General Mario Iguarán Arana
- Noemí Sanin Posada, Ambassador of the Republic of Colombia to the United Kingdom
- HMA John Dew, British Ambassador to Colombia