

President Cristina Fernández de Kirchner  
Casa Rosada  
Balcarce 50, 1064, Buenos Aires,  
Argentina

Brussels, 8 November 2012

**Re: Concerns over the defamation against human rights lawyer Dr Diego Jorge Lavado**

Your excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its deep concerns over the harassment of Dr Diego Jorge Lavado, a well-known human rights lawyer in Mendoza who has represented victims in a local trial for crimes against humanity and who, together with other local lawyers, has also been a strong opponent of inhuman and degrading treatment of prisoners in Mendoza's penitentiary institutions.

It has been brought to our attention that on 19 October 2012, a number of defamatory posters had been put up in the vicinity of the Court of Mendoza, containing photos of Dr Diego Lavado together with insults against him and his work. Later that day, Dr Diego Lavado also received an anonymous phone call from a woman who identified herself as a policewoman. She informed Dr Diego Lavado that the posters against him had been motivated by his efforts to resist a recent law, known as the 'mano dura' ("hard hand") or Petri law. This law, named after its legislator Luis Petri, aims to attach significantly stricter conditions to early release from prison for convicted perpetrators of violent crimes. The defamatory posters are believed to be linked to far-right groups who are strongly opposed to Dr Diego Lavado's efforts to have the law declared unconstitutional.

The CCBE is alarmed by the appearance of these defamatory posters, which are bound to discredit Dr Lavado's legitimate and peaceful work as a human rights lawyer. In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

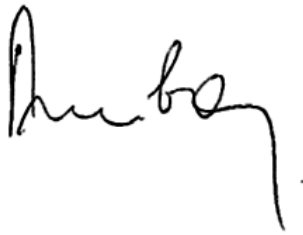
*Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

Furthermore, Article 23 states that:

*Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.*

In view of the above, the CCBE urges the Argentinian authorities to carry out an immediate, thorough and impartial investigation into these defamatory posters and guarantee in all circumstances that lawyers in Argentina are able to carry out their legitimate human rights activities without fear of intimidation or harassment and free of all restrictions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Prunbauer-Glaser', with a long vertical stroke extending downwards from the end of the signature.

Marcella PRUNBAUER-GLASER  
CCBE President