



Vanessa C. Wagenknecht

ATA Certified Translator

Federally Certified Court Interpreter

CERTIFICATE OF ACCURACY

State of Florida

County of Orange

I, the undersigned, Vanessa C. Wagenknecht, hereby certify that

1. I am competent to translate from the Spanish and English Languages.
2. I have translated the attached documents:
 - Legal Action for Writ for the Protection of Constitutional Rights. Hendrik van Bilderbeek vs. Central Office of the National Unit for the Termination of Ownership Rights and Against the Laundering of Assets of the Attorney General's Office.
3. This is a true and accurate English translation to the best of my knowledge, ability, and belief.

Signed in Orlando, Florida, this 17th day of October, 2006.

Vanessa C. Wagenknecht
ATA Certified Translator
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**CRIMINAL JUDGE IN AND FOR THE CIRCUIT OF BOGOTA
(DELIVERY)**

E. S. D.

HENDRIK VAN BILDERBEEK, identified by Citizen's Identification Card N° 79.942.302 issued in Bogota, acting on my own behalf, hereby file for a writ for the protection of constitutional rights against the CENTRAL OFFICE OF THE NATIONAL UNIT FOR THE TERMINATION OF OWNERSHIP RIGHTS AND AGAINST THE LAUNDERING OF ASSETS OF THE ATTORNEY GENERAL'S OFFICE with the purpose of allowing me to exercise the fundamental right to petition as set forth in Article 23 of the National Constitution based on the following:

I. FACTS

1. At this time I have been unfairly deprived of my freedom in the Model National Jail of Bogota, since September 30, 2005, as a result of the precautionary measure imposed with Investigation 2182 for the crime of Laundering of Assets filed by the 10th Public Prosecutors Office of Bogota appointed by the National Unit of Laundering of Assets.

2. In February 10th, I exercised my right to petition information before the CENTRAL OFFICE OF THE NATIONAL UNIT FOR THE TERMINATION OF OWNERSHIP RIGHTS AND AGAINST THE LAUNDERING OF ASSETS OF THE ATTORNEY GENERAL'S OFFICE, Ms. MARIA CRISTINA CHIRROLLA LOSADA, with the purpose of obtaining answers to questions about a communication sent by such Central Office to Mr. ALEJANDRO BORDA ROJAS, European Director, in which my name is referenced as well as the name of the company I chair, and in which facts that directly implicate me are alleged although they are not included in file 2482 L.A., in which I appear as defendant . Said questions are as follows:

1) What relationships have been juridically proven in legal proceeding 2182 LA between the illegal groups of the Self-Defense and Andres Velez Franco in particular, and any other defendant. Provide the evidence that your response is based on.

2) When and through what process was Mr. Gabriel Jaime Otalvaro extradited, and what relation does that extradition process have with the current proceeding 2182 LA?

3) How do you explain the following contradiction "...two contracts for oil exploration unilaterally terminated by the state-owned company due to non-compliance of its obligations ; such non-compliance, in any case, having been caused by the economic incapacity of Llanos which was not compatible with the monetary amounts that it was receiving as foreign investment...". In this sense, I need your specific explanation of the following:

a) After 18 months of investigation, the DAS and the public prosecutor (as grounds for the resolution to open the pre-trial investigation), based my arrest on the fact that no operation whatsoever had ever been executed with ECOPETROL, that is, there was no contractual relationship between us, therefore, what contracts is reference being made to? Regarding such contracts, indicate whether they were in force and/or after the preliminary investigation and opening of the pre-trial investigation?

- b) *What non-compliance are you referring to and what knowledge did you have regarding the activities that were developed or not developed by Llanos Oil and Servicios Petroleros del Caribe?*
- c) *Regarding the preceding matter, why do you write "...non-compliance having been caused by the economic incapacity of Llanos Oil, which was not compatible with the monetary amounts that it was receiving as foreign investments..."?*

4) Based on the above, how do you explain that "There is no relation between the beginning of this process or the connection to the process of any of the defendants and the causes for termination of the contracts between ECOPETROL and Llanos Oil Exploration Ltd., an issue which Mr. VAN BILDERBEEK has been using as defense strategy for the charge of laundering of assets that he is accused of." In terms of your answer, be aware that the Third Appointed Public Prosecutor, Martha Lucia Peña, with her resolution dated April 9, 2005, returned any and all documents related to the activities of LLANOS OIL EXPLORATION in the development of its oil activity, and the file shows that throughout the whole process, she has refused to accept any oil development activities, this means that the Public Prosecutor's Office accommodates the fact of attributing the receipt of "monetary amounts", with the purpose of maintaining its accusation against LLANOS and its executives, without willing to accept the contradictory proof.

5) Provide a copy of the document requesting judicial assistance of the U.S.A. in which it is requested that banking and economic evidence be collected in relation to LLANOS OIL EXPLORATION LTD, SERVICIOS PETROLEROS DEL CARIBE LTDA and its executives. Explain why this request is not included in the legal proceedings, as is the case of the request for judicial assistance for FLOR ANDINA, one of the defendants of proceeding 2182 LA.

6) Answer to which "individuals linked to HENDRIK VAN BILDERBEEK and his brother ALBERT VAN BILDERBEEK" does such request of judicial assistance refer and confirm if they are the same individuals linked to proceeding 2182 LA.

7) If such is the case, explain why Public Prosecutors Martha Lucia Peña and Juan Carlos Garrido, who were in charge of case 2182 LA, have not responded to several petitions to this regard from the undersigned, in which I advised that I was being investigated in the U.S.A. for the same facts and, therefore, the existing nullity was not provided for.

8) Further advise why you referred to the investigation carried out by the Central District of Florida, when Public Prosecutor Martha Lucia Peña asked the Court of the South District of Florida for information?

9) Where does it appear that the Public Prosecutor's Office has knowledge of a search and seizure warrant against Mrs. ELENA LOWEN, who was linked to LLANOS OIL EXPLORATION LTD ., AND SERVICIOS PETROLEROS DEL CARIBA LTDA, and its executives?

10) In the files, the information set forth in the preceding point only appears in some of the legal briefs of the undersigned, in which it is clearly established, among other things, that this case was precluded because there was no proof. Why did you fail to mention that important detail? Why did you fail to reveal the other important information obtained in this case, such as the document issued by the DEA, which not only confirms that the investigation that you are referring to of the Court for the Middle District of Florida involves ECOPETROL as a launderer of assets, provider of chemical inputs and drug trafficker, but is also the same investigation that the Public Prosecutor's Office carried out subsequently with proceeding 2182 LA?

11) Based on what reasons did you address the letter of May 13, 2005 to Mr. ALEJANDRO BORDA ROJAS, European Director?

3. To date, the entity sued has not answered to my petition, the period set forth to that end in the Constitution and in the Contentious - Administrative Code having elapsed.

4. The Attorney General, Mr. MARIO IGUARAN, was advised of this irregular situation through a brief submitted on March 7th, however, the matter has not been resolved to date.

5. Such information is of critical importance for my defense, especially in view that I am being deprived of my freedom, waiting, almost indefinitely, for my situation to be resolved.

6. Throughout this process, the investigating entity has had the habit of remaining silent despite my requests, or responding evasively to issues of critical importance to demonstrate my innocence. My fundamental rights are being placed at risk, as well as due legal process, the right to defense, to freedom and in this case, the right to petition.

II. PETITION

That the CENTRAL OFFICE OF THE NATIONAL UNIT FOR THE TERMINATION OF OWNERSHIP RIGHTS AND AGAINST THE LAUNDERING OF ASSETS OF THE ATTORNEY GENERAL'S OFFICE be ordered to respond in detail and immediately to the right to petition filed on February 10, 2006.

That copies be submitted to the Attorney General's Office, so that the respective disciplinary investigation be initiated against Maria Cristina Chirolla Losada, Esq., Head of the National Unit for the termination of ownership rights and against the laundering of assets of the Attorney General's Office, for not having responded to the right to petition filed on February 10, 2006, before such Office, and under the serious circumstances that have been set forth herein.

III. VIOLATION OF FUNDAMENTAL RIGHTS

I consider that my fundamental right to petition, established by Article 23 of the National Constitution has been violated.

IV. POINTS OF LAW

1. POLITICAL CONSTITUTION

Art. 23: *"All persons have the right to submit respectful petitions to the authorities for issues of general or personal interest and to obtain a prompt resolution. The legislator may regulate this practice before private organizations to guarantee the fundamental rights"*.

2. LAW

Contentious-Administrative Code, Article 17: *"The right to information. The right to petition that article 45 of the Political Constitution refers to also includes the right to request and obtain access to the information regarding the action of the authorities and, in particular, to be issued copies of their documents, under the terms considered herein"*.

3. CASE LAW

Sentence T-502-97: *"The fundamental right to petition is a participation mechanism that grants persons the possibility of addressing public authorities, based on personal or general interest, to obtain a response, within the legal term established. Should the administration not issue any statements whatsoever, we would be witnessing a violation of this right, and therefore, of the legitimacy of the writ for the protection of constitutional rights as the single mechanism for our immediate and effective protection, as it is a right of fundamental level and because our code does not contain an expedited judicial mechanism for its protection"*.

Sentence T-164-98: *"Our National Constitution established through Article 23, the fundamental right to petition which consists of the ability that all persons have of approaching the competent authorities to demand the thorough resolution of a petition filed within the timeframes set forth by law. This constitutional right will be considered violated when there is no response to the petition filed or when its resolution is delayed. In such cases, the Judge for the Protection of Constitutional Rights, must grant the protection requested through this special mechanism. This Corporation has stated that it is necessary, in addition to what has been previously mentioned, that the interested party be notified, as legally provided for, of the resolutions of the authority that the petition was addressed to. Therefore, a simple draft resolution, as is the case at hand today, does not constitute a definitive response, as the fundamental requirement of notifying the interested party of the results of his or her request has not been complied with."*

Sentence T-180-98: *"The right to petition provided for by Article 23 of the Constitution is basically considered as the ability of citizens to formulate requests before the corresponding authorities or ask them for copies of documents not subject to confidentiality, and obtain from such authorities a prompt and complete response regarding the issue."*

Sentence T-414-99: *"The essential core of the right to petition provided for by article 23 of the Constitution demands that once the request or petition has been formulated, it must be resolved in a prompt and timely manner. And as has been established by the case law of this Corporation, not only must force and effect be given to the essential core of the aforementioned right, through prompt resolution,*

but the response must be complete and the issues must be thoroughly decided. In order for the response to be considered timely , pursuant to the terms provided for by the constitutional and legal standards, it has to thoroughly comprise and resolve the request and be communicated to the petitioner, since the fundamental right at hand comprises the possibility of being made aware, once the legal term has elapsed, of the response of the entity to whom the petition was addressed .”

Sentence T-641-99: *“In several cases, the Constitutional Court has explained that the essential core of the right to petition, established as a fundamental right in Article 23 of the Political Constitution, consists of the possibility of addressing authorities and obtaining a prompt resolution to the petition formulated. Therefore, the lack of a response or a delayed resolution of the petition are considered a violation of such fundamental right, which , because of that, may be invoked through the use of a writ for the protection of constitutional rights, which has been expressly established for the protection of this category of rights.”*

V. PROOF

1. Photocopy of Citizen's Identification Card.
2. Right to petition filed before the Attorney General's Office on February 10, 2006.
3. Communication submitted to the Attorney General, Mr. MARIO IGUARAN, in March 7.

VI. NOTIFICATIONS

For all purposes hereof, I may be notified at Carrera 13 A No. 108 -35 Bogota.

To the entity sued in the **XXXXXX** Bogotá.

VII. OATH

I hereby state under oath that I have not filed for any other writ for the protection of constitutional rights involving the same facts and complaints.

To the Judge,

Sincerely,

HENDRIK VAN BILDERBEEK

Citizen's Identification Card N° 79.942.302 issued in Bogotá.