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Mr. David Rothkopf, CEO and Editor
Mr. Ben Pauker, Executive Editor
11 Dupont Circle, NW, Suite 600
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Dear Mr. Rothkopf and Mr. Pauker,

I am writing in relation to the article published by *Foreign Policy* on July 27, 2015, by Roberto Lovato entitled “The Making of Leopoldo López.” I serve as international counsel to López. While I am a great admirer of *Foreign Policy* and know that it generally publishes only the highest-quality work, this article contains numerous factual errors and material omissions. These factual errors and material omissions work to create an unfair image of López that the Venezuelan Government has long attempted to create in order to discredit and defame him. This image is also contradicted by *Foreign Policy*’s profile of López as one of its “Leading Global Thinkers of 2014.”

While all journalists are entitled to express their opinions and perspectives, there should be clear distinctions between opinions and facts and journalists are not entitled to make serious errors nor may they omit material facts that change the meaning of a situation entirely. I ordinarily would not take the time to provide such a detailed response; I am doing so here because I am concerned this article is well outside the norm for acceptable error from a journalist.

In short, to me, it appears that Lovato had a clear agenda before he started researching his piece, as evidenced by his prior writings, and he set out to prove what he already believed by willfully excluding contradictory or exculpatory information and omitting material facts that would contradict his preconceived narrative.

I would therefore request the following:

First, that specific errors described below be corrected and that a list of errors corrected be attached to the article. Second, that material omissions that are valuable for the context be included in the article and a list of all new material added be attached to the article. And third, that biased language presented without explanation be removed, such as seven mentions of the word “radical” to describe López and his political party.

Finally, I would ask that this letter be posted online as a response, right below the title, with the prominence required to demonstrate that this article has a response from López’s international lawyer.

Before addressing the specifics of the article itself, I believe it is important to recognize that the author had a transparent agenda in writing this profile. As further detailed in this document, Lovato has repeatedly taken a very public stance against López and the Venezuelan opposition, going so far as to be comfortable having an article that he wrote refer to López and other opposition leaders as “neo-fascists” in the title. The fact that López’s political party *Voluntad Popular* is a member of Socialist International was one of many inconvenient facts lost on Lovato that failed to make it into his article. Additionally, in a recent interview with *HuffPost Live*, Lovato patently refused to acknowledge the lack of evidence to support the charges against López, saying that he is “not a lawyer” and “not really privy to the details of the legal case.” Such comments are shocking from a journalist writing a profile on a political prisoner. They also conveniently fail to recognize that the United Nations Working Group on Arbitrary Detention, an independent and impartial body of five experts from different parts of the world, after considering the Government’s claimed justification for López’s imprisonment, found he was being held arbitrarily and in violation of international law and urged his immediate release

I was first contacted by Lovato more than a year ago with urgent demands that I get back to him immediately as he claimed he had imminent deadlines with *Foreign Policy*. Given I know that he had more than a year to research and write what was merely a 6,000-word piece, it is reasonable for me to assume that his errors and omissions are intentional. This assessment provides a selection of the most egregious factual errors, material omissions, and evidence of bias. There were others but my focus was on those that were most concerning.

I. Factual Errors

1. *But the international embrace of López has depended heavily on his image as a stalwart defender of democracy . . .*
2. *... central to that claim [of democratic legitimacy] is the ability of their charismatic leader to distance himself from Venezuela’s brief 2002 coup attempt, which remains an open political wound.*

The underlying premise of the article as described above is demonstrably false.

In fact, the only reason why Lovato had to frame his argument this way is because he wanted to revisit the events around the 2002 coup attempt. It is interesting that in his selectivity, Lovato conveniently excludes from his story, as I told his editor at The Nation Institute in email correspondence, that López’s name doesn’t even appear in *The Silence and the Scorpion*, the definitive account of the 2002 coup attempt. The book was written in 2009 by Brian Nelson and based on 100+ interviews with almost every protagonist on all sides. The former Editor-in-Chief of *Foreign Policy*, Moises Naim, said about the book in a dust-cover endorsement it “will become the indispensable reference for Hugo Chávez’s apologists and critics alike.” *The Economist* selected it as one of the best books of that year. To ignore this seminal work entirely, and the inconvenient fact that López did not even deserve even a footnote in the book, reaffirms the author’s true agenda.

Additionally, in looking to López's past record, Lovato conveniently left out again the accolades received by López for being an effective public servant, including awards from Transparency International for running the country's most honest and efficient municipality, and third place in the World Mayors contest, which nominates the "world's most outstanding mayors." In fact, the foundation that runs the contest, wrote in its description of López that "It would be easy to caricature him as the scion of the country's wealthy elite, standing in the way of Chávez' social justice crusade. But López' record on activism has shown a commitment to promoting legal equality and his constituents speak passionately about a mayor who has delivered on public services and funding new infrastructure."¹

As you will see attached in the Appendix to this letter with original source citations, in dozens of statements about López from the last 17 months since his arrest – from such people as President Obama, the UN High Commissioner for Human Rights, European Parliament, Amnesty International, *New York Times* and *Washington Post* editorial pages, etc. – none focused on supporting López because of an image as a stalwart defender of democracy or anything of the sort.

The support is narrowly focused on the simple fact that he is wrongly detained, that his arrest, trial, and imprisonment are politically-motivated with no justifiable legal basis, and that his detention has no grounding in facts or evidence. Some go further to talk about his detention as symbolic of broader abuses in the country. While some people and organizations discuss his background as a mayor and having been an advocate for freedom and human rights for years, none mention the coup attempt in 2002 or López's "safe" or "unsafe" distance from it. His reputation is almost exclusively grounded in his present status as a prisoner of conscience.

As a human-rights lawyer who has represented dozens of prisoners of conscience worldwide such as Aung San Suu Kyi, Liu Xiaobo, Anwar Ibrahim, and Mohamed Nasheed, among others, our global campaign has focused on the fact he is wrongly imprisoned and that he and other political prisoners must be immediately released.

My goal on my client's behalf, working with his family, has been narrow and straightforward – secure his release and that of other political prisoners. To achieve that goal, I merely need to persuade others that he is wrongly imprisoned and that his detention is a symptom of the underlying persecution of political dissenters and human rights defenders in the country. We have no need to prove to anyone he is a stalwart defender of democracy to succeed in our work. All that said, those opposed to what López believes in, point to historical and long-discredited attacks that have been leveled against him to try and justify his ongoing detention. That is what Lovato has done here.

3. *At parliamentary hearings on the coup, convened in June of that year, video from a broadcast of 24 Horas, a news show on Venevision, was shown, in which the younger López seems to be celebrating Chávez's removal. (Venevision said that it could not locate any footage from 2002.)*

¹ *Kidnapped and Shot At, a Venezuelan Mayor Opposes Country's President*, available at <http://www.citymayors.com/mayors/chacao-mayor.html>

In relation to the events of April 11-12, 2002, I must reiterate that López did not sign the Carmona Decree and that Lovato failed to mention that the popular and massive march that preceded the new Carmona government was not a coup. In *The Silence and the Scorpion*, Brian Nelson states:

Huge demonstrations numbering close to a million people marched on Hugo Chávez's presidential palace to demand his resignation . . . the opposition represented a broad cross section of society furious with Chávez's mishandling of the economy and his interference with Venezuela's oil industry. When the march was met by National Guard troops and Chávez loyalists a bloody gun battle ensued, sparking a military revolt and the ousting of Chávez.

We find this an objective characterization of the event. As cited previously, in the 355 pages of this work the name of Leopoldo López does not appear. At the same time, López has repeatedly said publicly he did not support the coup attempt and has made very clear, as anyone can see in his public speeches available on YouTube and in our White Paper, that he would only support the replacement of the Government through democratic means within the framework of the Constitution.

Unless *Foreign Policy* can produce the video referenced in the article, this paragraph should be removed. The source cited to by the author is from the Venezuelan parliament, which has long been aligned against the political opposition. There is no way to know if the video is what the parliament claimed it to be or something else entirely. Anyone who knows Venezuela would read the statement that this was from an “official parliamentary transcript” as not remotely sufficient in this context to take for granted its accuracy.

As far as López “celebrating” Chávez’s departure, millions celebrated. Even if the statement is true, that isn’t the same thing as supporting the coup at all.

4. *The judge has been far from friendly to López’s defense, rejecting all but one of the 65 witnesses his attorneys sought to call, while admitting 108 witnesses for the prosecution.*

The one witness who was approved to testify had already said to the defense and prosecution that if approved, he would decline to testify, so approving the testimony was an empty gesture.

5. *In 1998, López’s mother joined PDVSA as well . . . In 1998, a comptroller general investigation found that López’s mother had channeled \$120,000 in corporate donations from PDVSA to Primero Justicia while she and López were at the firm, in violation of anti-corruption laws.*

There are extraordinary omissions from this narrative, which will be addressed in detail in the next section.

But as a start, López’s mother joined PDVSA in **1980** not 1998. As written and with the factual error, it appears like she joined PDVSA to steer money to *Primero Justicia*. In fact, she had a long and distinguished career with the company. And as described in the next section, the Inter-

American Commission and Court of Human Rights found the administrative anti-corruption findings to be politically motivated and in flagrant violation of international law. Lovato obviously did this intentionally given that a simple search of Antonieta Lopez and PDVSA brings up her LinkedIn profile, which shows she began working there years earlier.

6. ... and one opposition governor calling for an end to “anarchy or guarimbas,” the street barricades that were the preferred tactic of López’s youthful followers.

Lovato claims that street barricades were the “preferred tactics” of López’s followers. What is the evidence for this claim? López actually only promoted the marches and street protests. The “barricades” came after the protests, after government violence had taken the lives of dozens of Venezuelans. This is already well documented. Linking López, or his political party, *Voluntad Popular*, with the barricades has no grounding in evidence.

Street protests are a legitimate, constitutional form of civic expression in Venezuela. Asking for the resignation of a president who has proven to be incompetent is also allowed by the Venezuelan constitution. The article implies that López committed a crime by leading some of these protests. In fact, it was fear of the protests that led the regime to put López in prison.

7. But the fact that he played some role in the contentious events of 2002 is widely known in his home country and has likely colored how many Venezuelans view his role in the protests that erupted in Caracas last February.

The claim López played “some role” in the contentious events is devoid of meaning. He acknowledges having participated in the protests that led up to the coup as it was a massive general strike. But this statement falsely implies that López’s popularity has been impacted by a public perception he played “some role” in 2002 events. Lovato fails to note that López outpolls Maduro in their approval ratings and that he is the opposition leader with the highest approval ratings as well. This is another inconvenient fact ignored by Lovato.

8. The hunger strike, joined by a handful of student supporters, “represents the suffering of all Venezuelans,” declared López’s wife, Lilian.

By the end of López’s hunger strike, there were over 100 students participating in the hunger strike. The author referencing them as a “handful” is just way to try and further discredit López. Additionally, the hunger strike was a significant, recent event in Venezuela that led to setting of a date for the parliamentary elections, the release of five political prisoners, and the public agreement of UNASUR, OAS, and EU to monitor the upcoming elections. Such achievements were the work of López, as acknowledged by numerous independent media outlets such as *Reuters*, but they too were not included in the story.²

9. She was joined by *Ledezma’s* wife for the Caracas protest on May 30, which attracted an estimated 3,000 followers — a sliver of the mass actions last year.

² *Jailed Venezuela Opposition Leader López Ends Hunger Strike*, REUTERS, Jun. 23, 2015, available at <http://www.reuters.com/article/2015/06/23/us-venezuela-politics-idUSKBN0P322F20150623>.

The number 3,000 is the low estimate of the gatherings that day, especially when reputable sources such as *El País* said “20,000” and *the Wall Street Journal* said “tens of thousands.” Lovato clearly went with the low number rather than provide a range, or merely tens of thousands. Additionally, Lovato conveniently omitted that in January 2015, President Maduro announced publicly that he had granted powers to the military to use force to control peaceful demonstrations. This decision attracted widespread global condemnation at the time and self-evidently would have a dramatic impact on turnout. And yet by omitting this information, Lovato makes it appear like depressed turn-out must have been the result of the opposition’s declining popularity rather than fear.

10. Outside the courtroom, the public debate continues to swirl between those who believe López is a freedom fighter facing trumped-up charges and those who believe he is the violent “fascista” the government of President Nicolás Maduro claims.

The article mentions the existence of a public debate in Venezuela between those who believe López is a freedom fighter and those who believe he is a violent fascist, sowing doubt about his potential democratic credentials. What truly exists is an extensive Government campaign to paint López as a criminal while there is a strong body of domestic and international public and legal opinion against this characterization. Only the highly-discredited Venezuelan Government of Nicolás Maduro, and those who serve it, cling to the notion that López is a violent fascist. Indeed, Lovato’s description implies an even split between those who view López as one way or the other – yet he fails to include any reference to the extensive public opinion polling done in Venezuela which undermines his pre-determined conclusion. This polling shows: (1) 60 percent of Venezuelans believe López to be a prisoner of conscience; (2) Maduro’s approval rating is in the mid-20 percent range; and (3) among opposition political leaders, López has the highest approval rating.

These indisputable facts demonstrate the fallacy of Lovato’s assumptions. In short, how much “swirling” is there when 60 percent of Venezuelans believe he is a “political prisoner,” and he is the most popular opposition politician?

11. Burelli, who currently lives in McLean, Virginia, is now considered a fugitive from justice by Venezuelan authorities.

Burelli has lived in the United States continuously since 2000. He never fled from Venezuela as he hasn’t lived there in 15 years. Moreover, as far as I am aware, he has never been indicated, charged, or convicted of any crime by Venezuelan authorities. And an online search on INTERPOL’s database shows he is not the subject of a Red Notice. The dictionary says a fugitive is “a person who has escaped from a place or is in hiding, especially to avoid arrest or persecution.” While the Government of Venezuela has absolutely thrown around wild accusations against Burelli, it never took any specific action that would render “fugitive” an accurate descriptor. And yet, again, falsely painting Burelli as a fugitive is necessary for a guilt by association accusation to have any impact. It is again self-evident that López being friends with Burelli had little meaning in the first place – but Lovato’s readers would have realized it had no meaning if he had accurately said that Burelli has been accused of many crimes in the

media but the Government has never charged, convicted, or sentenced him for any crimes nor requested international law enforcement to take any action against him.

II. Material Omissions

1. *But in Venezuela the picture is far more complicated. López has been in jail since February 2014 on charges of arson, public incitement, and conspiracy related to the first big anti-government protest that year, on Feb. 12, 2014, which left three protesters dead and kicked off weeks of rallies, street blockades, vandalism, and violence. The charges against him, which Amnesty International has called “politically motivated,” could carry a prison sentence of 10 years.*

The article states that the picture of López’s imprisonment is far more complex. Lovato is right, but he utterly and intentionally failed to capture it. Here is what the author failed to note about the situation in just this one paragraph alone:

- On February 12, 2015, the protests at which hundreds of thousands of people attended had ended and virtually everyone, including López, had gone home. There were literally only a few dozen people outside the Attorney General’s office.
- Contrary to the implication of this paragraph, neither López nor the protests themselves left anyone dead — government security forces, captured on video and available online, shot and murdered the unarmed protestors. But by juxtaposing the charges next to the deaths and leaving unstated that López wasn’t even present and that the murders were actually committed by government security forces, Lovato willfully leaves readers with the impression he might be responsible. Amnesty International’s statement doesn’t clarify this critical point in any way.
- In López’s speech that day, available online, and in the possession of the author, he explicitly, clearly, and repeatedly exhorts the crowd to non-violence — just as he had in numerous prior speeches.
- The Government’s entire theory of the case — because López wasn’t actually physically present when the government forces opened fire on the small crowd and how could he be blamed for acts of violence when he explicitly and repeatedly advocated non-violence — was that he had used “subliminal messages” to inspire people to violence. This claim took up a dozen pages of the indictment. Later the Government’s expert witness recanted her testimony on this critical point. Dozens of reputable news sources reported the Government’s charge that López used subliminal messages to inspire people to violence. These include the *Washington Post*, *New York Times*, *The Guardian* (UK), *Associated Press*, *Reuters*, and *Agence France Press*, among others. Yet Lovato, conveniently, omits this entirely from his narrative.
- This “subliminal message” claim isn’t just some cockamamie theory. It was publicly embraced by President Maduro on national television. On July 23, 2014, President Maduro was asked about López’s case and he said: “Well, it is the trial of the extreme right leader,

who is responsible of crimes, violence, and destruction of human lives that he planned . . . He has . . . quite a crazy messianic vision . . . that, let me tell you, alienates and poisons people making them crazy.”³ This quotation and the link to the original video is in the White Paper. And yet Lovato doesn’t believe this is relevant information for readers to assess to legitimacy of the charges against López nor is he capable of assessing for himself what this means.

- López went into hiding on February 12th because the Government announced that very evening he was being charged with crimes and then released a statement that he was going to turn himself in. He urged people to join him non-violently a few days later when he did so. Hundreds of thousands of people turned out in the streets on February 18th — that is the picture of him being arrested that is used at the front of this story. And yet Lovato fails to mention that just days after his arrest for allegedly inciting people to violence (when in fact he did the opposite), he again urged a public rally, exhorted people to non-violence, and hundreds of thousands of people turned out and there was no violence. This series of events has been confirmed by various witnesses during the course of López’s trial.
- While it is correct that Amnesty International calls López’s charges “politically motivated,” Lovato omits the organization also said he “should be immediately released.”
- The UN Working Group on Arbitrary Detention, an independent and impartial body of five experts from different parts of the world, after considering the Government’s justification for his imprisonment, found he was being held arbitrarily and in violation of international law and urged his immediate release. Lovato also fails to note that any of the following institutions and individuals have called for López’s immediate release: UN High Commissioner for Human Rights Zeid Ra’ad, UN Committee Against Torture, European Parliament, Human Rights Watch, International Crisis Group, Colombian President Juan Manuel Santos, Spanish President Marion Rajoy Brey, former US President Bill Clinton, a group of 23 former Presidents and Prime Ministers from Latin America, and the *Washington Post* and *New York Times*.
- López faces up to 12 years in prison—not 10. And Lovato also missed one of the four charges against López, property damage.
 2. *In 1998, a comptroller general investigation found that López’s mother had channeled \$120,000 in corporate donations from PDVSA to Primero Justicia while she and López were at the firm, in violation of anti-corruption laws . . . But the comptroller general nevertheless barred López from holding office from 2008 until 2014.*

Here is what Lovato omitted from his narrative:

- PDVSA received applications for support from 600 NGOs and 200 received funding the year the grant was provided to *Primero Justicia*.

³ See original Spanish video from Carabobo 24, *available at* <http://www.youtube.com/watch?v=9jtwFkts3YQ&feature=youtu.be>

- López’s mother had no role in the selection of the NGOs which received funding. As Manager for Public Affairs, she was merely secretary to the Committee and recorded the vote in support of the broader package of donations. The Government never had or even claimed it had any evidence she asked anyone on the Committee to support *Primero Justicia*’s application. It just saw an opportunity to persecute López, who had become a political threat, and in Venezuela evidence is not required to take action. The decision to grant 200 NGOs funding was independently endorsed by the Board of Directors of PDVSA and the Inter-American Foundation, which actually administered the grants.
 - Lovato conveniently omitted that an audit conducted by the Internal Comptroller of PDVSA concluded the money allocated was spent on its intended purpose and not actually used for corrupt purposes.
 - The only people administratively charged in this case were López and his mother. No charges were brought against Members of the Committee, which actually voted to approve the funding, the Board of Directors of PDVSA or the Inter-American Foundation, nor against the Executive Director of *Primero Justicia*. That fact alone, again omitted by Lovato, demonstrates the political nature of the charges.
 - The disqualification of López to run for political office was indeed issued by the Comptroller General, but the author omits the essential fact that later, on this precise disqualification, both the Inter-American Commission and Inter-American Court of Human Rights in a case brought by López, found that his administrative conviction and disqualification from running for political office was unlawful and in violation of his right to freedom of political participation and due process of law. The Inter-American Court of Human Rights ordered the Government of Venezuela to reinstate López’s right to run for political office. In violation of the Inter-American Convention on Human Rights, to which Venezuela is a party, the Supreme Court of Venezuela refused to abide by that order.
 - Lovato merely explains that López’s lawyers point out that he never stood trial on the charge. When combined with the description of his disqualification from political office, it leaves the unmistakable impression of his guilt. And yet, if Lovato had mentioned that the Inter-American Commission and Court found the Government’s actions illegal and ordered it to rectify the situation, this whole episode would have been viewed by readers as an example of the Government’s political persecution of López. Instead readers were intentionally misled to think that he was likely corrupt and that the disqualification was valid.
3. In an article about coups, coup attempts, and coup makers, the author goes to great lengths to try and discredit López for having “some role” in the 2002 coup attempt. Yet he omits the irony of this assertion.

Lovato fails to mention the essential fact that Hugo Chávez himself led the failed Operation Zamora coup attempt in February 1992, resulting in the deaths of hundreds of people. Today the date of that failed coup, as well as another failed attempt, are now national holidays. It is indeed

extraordinary that *Chavismo* simultaneously embraces its own violent failed coups, but then condemns alleged coup plotting by others.

4. *A September 2003 poll by Datanálisis, one of Venezuela's most prominent polling firms, found that more than 90 percent of respondents preferred that the country's political crisis be resolved by legal, democratic, and peaceful means.*

The author includes an entire paragraph about the lack of public support for the coup. This sentence falsely implies that today López wishes to take power by anti-democratic means. He fails to explain that *La Salida*, which lays out a legal, non-violent, and constitutional set of actions to advance a transition of power and that in the four speeches cited by the prosecution as its “evidence” in his current case, each discusses the need for any political solution to be legal, democratic, and peaceful. I am unaware of any comments ever made by López where he says he would support a transition of power by illegal, anti-democratic, or violent means. It is also utterly unremarkable that a poll would show results of the kind described.

5. *Compared to that wave of street protests — which ultimately left a total of 43 anti-government protesters, government supporters, and national guardsmen dead — López's trial has proceeded largely without fanfare.*

The author has failed to provide any connection or any evidence to link López to the deaths of these people. He fails to note, importantly, that López has never used or advocated violence and that, in fact, he repeatedly advocated non-violence over the course of his career going back 15 years. From January 2014 to his detention in late February 2014, through four separate sets of remarks made public at speeches and available online – he also called for non-violent, constitutional reform. Almost all of the deaths mentioned above, save the three on February 12th, occurred subsequent to López's imprisonment where he was only allowed visits by counsel and immediate family and he also had extended periods of *incommunicado* detention. But even López's messages that he has delivered from prison also have advocated non-violence.

Lovato also fails to note that what López turned himself in, which was the day when the picture at the front of the article in *Foreign Policy* was taken, that he had from hiding urged the people of Venezuela to come out and witness his turning himself in and to do so non-violently – and that there was, in fact, no violence at an event reported to have had hundreds of thousands in attendance.

Similarly, when López urged people to the streets for May 30, 2015, and to do so non-violently, there was also no violence.

6. *“Leopoldo López began rallying the neighbors with his megaphone, saying I was a murderer, that I was responsible for the killings,” said Chacín. “He was gathering them in, telling them I would be brought to justice for the murders of the past few days.” A news clip of the incident shows Chacín being beaten by the crowd. But according to the transcript of those June 2002 parliamentary hearings about the coup, other news video from that day quotes López claiming that the Chávez government is “in hiding, but here, justice will be imposed, because what Venezuela is calling for right now is justice.”*

Again, there is total reliance on the accuracy of a transcript from a parliamentary hearing, which cannot be viewed as providing objective and reliable information about political opponents of the Government of Venezuela. Astonishingly, this article accepts as factual a story from a person at the inner circle of Chávez's government, that he was "beaten by the crowd" due to López's urging, without presenting any proof of his assertion. Lovato fails to explain that Rodriguez Chacín was one of the main military collaborators of Hugo Chávez, and served as Minister of Interior and Justice under Chávez. He was Chávez's liaison with the FARC and has been indicted by the U.S. Government for his involvement with drug trafficking. Thus, Rodriguez Chacín is hardly an unbiased and neutral observer—yet no reference is made to his potential bias. And there is no mention, despite the author's focus on alleged coup makers, that Rodriguez Chacín himself was jailed and served two years in prison for his involvement in the November 1992 attempted coup.

6. *President Maduro responded by releasing, on March 4, what he claims is another opposition document; this one lays out a detailed 100-day transition plan whose blueprint contains echoes of 2002. He claimed, obliquely, that the document had been authored by the "violent ones who are in prison."*

The author mentions multiple coup attempts "discovered" by Maduro in the article with no disclaimer of any kind as to how Maduro uses accusations of coup as propaganda to drum up support for his unpopular government and to oppress the activities of human rights defenders and opposition leaders. Taken out of context, it would appear as if such accusations are trustworthy and factual, when in reality, they are not. I would ask *Foreign Policy* to request the author provide specific evidence from any independent and reliable news source that has described the charges by President Maduro from March 4th have any credibility.

7. Lovato paints López as being neo-fascist but omits evidence which shows his politics to be left of center.

It is highly material that *Voluntad Popular* applied for and was approved to be a member of Socialist International. It is important that our legal team includes former Spanish President Felipe González, a highly respected and world-famous socialist figure, and who has embraced López as a prisoner of conscience and democrat and directly confronted President Maduro through the media and travel to Venezuela. And it is somewhat ironic that despite this article's research being funded by The Nation Institute, a progressive left-leaning organization connected to *The Nation*, Lovato omitted the fact López was a subscriber to *The Nation* while a student at Kenyon College.

III. Bias

1. Despite being a hard news piece, Lovato's article in *Foreign Policy* seems to have embraced a strategy of discrediting López through repetition of the pejorative "radical." This description bookends the beginning and end of the article and is repeated a total of seven times.

- “... *The 44-year-old jailed leader of Venezuela’s radical opposition.*” (first sentence of the article)
- “... *The younger more radical flank of the Venezuelan opposition led by López.*”
- “*Democracy is at the heart of a new, more radical movement’s claim to legitimacy...*”
- “*López and his allies on the radical flank of the opposition have long tried to distance themselves from its [the coup’s] memory.*”
- “*Both its moderate and radical wings closed ranks in defending Ledezma . . .*”
- “... *In the face of the growing influence of López and his radical flank.*”
- “*whether the court of national opinion will continue to see López and his flank of the opposition as a serious new voice for democratic change or as a movement marked by unpopular strains of radicalism.*” (last sentence of the article).

I do not understand the author’s claims. The term “radical” is used as a pejorative incessantly by the state-run media in Venezuela. Yet in the Lovato’s entire article he fails to explain what is “radical” about López or his political party. He claims López fomented violence by omitting the relevant information that demonstrates there is no evidence whatsoever to support that claim. I would ask each of you to read the four speeches that López gave that provide the sum-total of the “evidence” of his use of “subliminal messages” and his “radical agenda.” They are in our White Paper. To me his speeches read like those of any of my prior clients who have been prisoners of conscience.

2. *But interviews with key figures in the 2002 coup, a look at López’s close associates, and a review of Venezuelan press accounts, videotaped events, and U.S. government documents paint a more complex picture about these claims.*

I was quite surprised to see that the main argument to support the attenuated accusations in this article is that López is guilty by association. Lovato implies by linking López to “conservative” Republicans in the United States, such as Rob Gluck (who is merely a college friend), more controversial figures in Venezuela, such as Lorent Saleh, those accused of conspiracy (though disproven), such as Pedro Burelli, or those who did sign the 2002 Carmona Decree, such as Maria Corina Machado, disproves López’s commitment to democracy or connects him to the 2002 coup. Yet there is no causation proven of any kind.

The article further gives support to the accusations made by the Government against María Corina Machado and Pedro Burelli of being involved in an assassination attempt against President Maduro. By noting both Machado and Burelli are friends of López, Lovato arrives at the conclusion that López must be a co-conspirator. No less than 20 accusations of attempts on the lives of deceased President Chávez and current President Maduro have been made by them to the public without any substantiation. The charges against Pedro Mario Burelli have also been proven false. It wasn’t merely as Lovato said that Burelli’s own forensic investigators said Google had no record of the emails but Google produced certified records in court, under a District Court subpoena and under penalty of perjury, that it had no such records. By omitting these key facts, Lovato shows his bias. The charges against Machado have also proven false and one more aggression against the remaining leader of the so-called “hard” opposition who is not in prison (López and Antonio Ledezma being the other two).

3. *At the time of the coup attempt, the younger López, then 30, was mayor of Chacao, a Caracas subdivision. He supported both the general strike of April 9-10 and the massive opposition march on April 11 that immediately preceded Chávez's removal. Both events were pivotal to the coup's brief success, and López and Primero Justicia offered its leaders both legitimacy and a crucial base of popular support.*

These two statements again attempt to try and draw a parallel between López and the coup. He participated in the general strike and peaceful protests on April 10-11, both activities are within the freedoms afforded to Venezuelans in their constitution and as guaranteed by the International Covenant on Civil and Political Rights. These actions are not actions that endorsed the coup and López has repeatedly stated he did not support the coup. As such, such assertions are false and unsubstantiated.

4. *In a video communiqué from Primero Justicia released as the coup was unfolding on April 11, López and other party leaders flank their spokesperson, opposition parliament member Julio Borges, who says he and other MPs are ready to resign their positions and demand that Supreme Court, the president, and his cabinet "resign" their posts as well, a tactic to legitimize the dissolution of the Chávez government. López repeatedly uses the same word, renuncia, or resignation, as well as salida, the favored terms of the coup leaders, during an April 11 interview on Venevisión's popular Napoleon Bravo morning talk show.*

This is another unfair attempt to try and connect López to the coup, even though his advocating resignation is democratic, non-violent, and constitutional. By saying that López had used "the favored terms of the coup leaders" Lovato is again trying to draw a parallel that is not there – indeed, had Chávez resigned along with everyone else, no one would have characterized what took place as a coup. So López offering to resign and urging Chávez to resign are not evidence of coup plotting. He deployed a non-violent and democratic tactic to put pressure on Chávez.

5. *The telegenic Tintori, a former model, kite-surfing champion, and reality show star, appeared at a rally for political prisoners . . . Vibrant in a bright orange windbreaker, with her flawless smile and long blonde hair, Tintori's strengths as standard-bearer for her jailed husband's message were on full display.*

The article speaks about Lilian Tintori, López's wife, in a misogynistic way. Tintori's effectiveness comes from her extraordinary character, intelligence, grace, dignity, and courage. She is also relentless and one of the hardest-working people that I know. To describe Tintori, at her core, as merely being an attractive face is offensive.

Tintori has had to juggle the competing demands of being a single mother having to care for two young children while fighting for her husband's freedom. She has had to comfort her children such as when her daughter Manuela asked her not long ago after seeing López in jail whether her Daddy "was going to die in prison." And she is under intense and daily psychological pressure generated by President Maduro and other public figures calling her a traitor, threatening to charge her with treason, and arbitrarily cutting off access for her and her children to López. This

is all in addition to the verbal threats she receives daily and the occasional hacking of her social media accounts and electronics

By dismissing Tintori as a pretty (albeit effective) face and sticking to his preconceived narrative that López's rise was on the back of his claimed democratic credentials, he equally ignored the patently obvious reality that López would have remained an obscure figure if it hadn't been for his wife's extraordinary efforts on his behalf and her ability to maintain grace under fire.

Having participated in countless meetings with Tintori all over the world, people are drawn to her and she is persuasive because she is a wife and mother who also committed herself to the cause of freedom for her country.

Although it is certainly not unusual for a media publication to define and characterize a woman only by her looks, a magazine as prestigious as *Foreign Policy* should challenge and find completely unacceptable writing by any of its journalists which seek to marginalize or dismiss the role of powerful women. To be clear, I am not saying this merely for its own sake, but because such an approach leads journalists to faulty conclusions.

6. Other Evidence.

In addition to this specific article, Lovato has repeatedly demonstrated a bias against López in many of his writings and public appearances that call into question his capacity to write a fair profile of López. Indeed, Lovato published an interview in *The Nation* in 2014 entitled "Why the Media Are Giving a Free Pass to Venezuela's Neo-Fascist Creeps," which refers specifically to López. I sincerely question a journalist's capacity to write an objective profile on López when he was previously comfortable in his prior discussions of that person having labeled them "neo-fascist."

Subsequent to this article being published, Lovato gave a revealing interview to Alyona Minkovski with *HuffPost Live*, which further call into question his own biases:

Minkovski: But so why then, I guess the question is, how then should we be looking at a situation like this? Is this someone who should still be imprisoned within Venezuela? Should we be more skeptical of the types of people who are heralding him worldwide as somebody who is a leader for potential democracy?

Lovato: I'm not a lawyer, I'm not really privy to the details of his legal case – so I really can't speak to whether or not he should be.

Minkovski: But is it fair to consider him a political prisoner?

Lovato: He's a political person so you know he's in jail- I don't know. It's not for me to really to judge. My story was on his kinda democratic bonafides, his commitment to democracy, which you know he refers to the constitution and to democracy a lot and so does his movement, and I went and I looked at these commitments and they were more complex than what we are getting in our media.

When Lovato was asked if López should be imprisoned, he claims he is not really privy to the details of his legal case. Not only is this a brazen lie, but if one were to accept what he says as truth, then he should not have written this article. It is a lie because he helpfully references in the article that he has referred to our White Paper, which is 105 pages with 380 footnotes to original sourcing telling the complete and detailed story of his legal case.⁴ The entire crux of Lovato's article is whether López is a democrat or a neo-fascist. How can he write a strong narrative on that precise question having no opinion as to whether or not López's currently imprisonment is justifiable? It isn't merely in this interview conducted later where he dodges the question, but in the article itself he takes no position on the issue, merely limply reporting that Amnesty International said his prosecution was "politically motivated." If López's imprisonment is not justified or legal then he is a democrat imprisoned for exercising his fundamental human rights to freedom of opinion and expression, peaceful demonstration, and political participation. And if he committed the real and serious crimes with which he was charged, then he is a criminal who fomented violence. How can what happened in Venezuela in April 2002 be more relevant than what is happening right now?

It is also disingenuous of Lovato to claim he cannot offer an opinion because he is not a lawyer. The White Paper offers dozens of assessments on the question from the international community, which conclude he is a political prisoner. And the UN Working Group on Arbitrary Detention, an independent and impartial body of the United Nations, after hearing the case and considering the Government's response, determined he was being held arbitrarily and in violation of international and should be immediately released.

In addition, on Lovato's personal blog, on March 13, 2014, he published a misleading article about Venezuela's opposition, where his skewed perspective and disgust comes across very clearly:

*So ask the following question: If the Venezuelan opposition is led by millionaires in a poor country and if instead of fighting multi-million dollar US policy initiatives (as do most Latin American opposition movements) the Venezuelan opposition is receiving million\$ from US policy, how do we account for all those images of students wearing a symbol associated with and used by leftist movements?*⁵

Lovato's bias against appears again in his recent interview with *Huffington Post*, where he says the main question behind the Foreign Policy article is as follows:

How does somebody come, by his admission, from the 1 percent . . . represent . . . the revolutionary who has it all? I've been in LA reporting form years and I've always seen revolutionaries coming generally form the bottom up and usually opposed to US policy. Here we have a revolutionary coming . . . from the way up

⁴ *White Paper on the Case of Leopoldo López Mendoza v. Government of the Bolivarian Republic of Venezuela*, April 16, 2015, available at <http://perseus-strategies.com/wp-content/uploads/2014/09/López-White-Paper-4.16.2015-English.pdf>

⁵ <https://ofamerica.wordpress.com/2014/03/15/fauxccupy-the-selling-and-buying-of-the-venezuelan-opposition/>

top as in related to very influential powerful people all the way down to the bottom

With such a premise, Lovato spends the entire interview, again, trying to make López guilty by association by labeling the alleged anti-leftist connections he has and focusing relentlessly on his privileged upbringing. This is an argument put forward repeatedly by the Venezuelan Government as an attempt to discredit López and Lovato's reinforcement of these core messages reaffirms his bias.

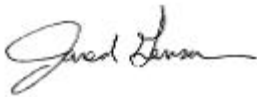
But perhaps the most incongruous aspect of the article is the manner in which it describes López and his family, their alleged living style – with no evidence of any kind to back that up, social position, and “frivolous” traits, a strategy designed to demean them, lacking decency and respect, and without any consideration at all to the hardship and suffering of López and his family.

Where does Lovato mention anywhere that López has been denied access to his family for one-third of time he has been in prison, let alone that he has been apart from his two young children? Where does Lovato mention that extended solitary confinement is torture under international law and that the Government by its actions is torturing him? And where does he talk about the incident where prison authorities sprayed down his cell with human feces and urine in the middle of the night and turned off the water and electricity to his cell for 12 hours?

Lovato also never mentioned that President Maduro refers publicly to López as the “Monster of Ramo Verde,” the undignified place where he is a prisoner in deplorable conditions. Or that he is also referred to by Maduro as the “Murderer of Ramo Verde,” despite the fact that López is not even standing trial for murder. Instead, when the Venezuelan Government is mentioned, its comments are taken as fact and at face value, despite international condemnation of its repressive censorship and propaganda tactics.

I very much hope that *Foreign Policy* will understand our concerns as articulated and will take immediate and comprehensive corrective action. While I truly enjoy reading your magazine and the broad range of opinions articulated in your comment pieces, I feel strongly that the news pages of *Foreign Policy* should be free of overt bias and not be used to advance a political agenda without regard for facts. I hope that you agree.

Sincerely,



Jared Genser

Appendix – Public Comments About Leopoldo López

International Organizations:

“The prolonged and arbitrary detention of political opponents and protestors in Venezuela is causing more and more concern internationally . . . I call on the Venezuelan authorities to act on the opinion[] of the Working Group and immediately release Mr. López . . . as well as all those detained for exercising their legitimate right to express themselves and protest peacefully.” – Prince Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights⁶

“It recommends to the Government of . . . Venezuela that it immediately free . . . Leopoldo López and grant comprehensive reparation, including the compensation of his moral and compensatory character, as well as measures of satisfaction, which could be a public statement of apology in his favor.” – United Nations Working Group on Arbitrary Detention⁷

“The opposition cannot have a seat at the table, as long as so many of their leaders are imprisoned, and even if they wouldn't want to have a dialogue, they are the opposition and should have the opportunity. . . Venezuela is clearly a divided country, a country divided in half. If these halves do not come together, appalling results will follow for years to come. We have learned this in a terrible way, and paid a high price.” – Jose Miguel Insulza, Secretary-General of the Organization of American States⁸

“The State party should adopt without delay effective measures to restrict the number of individuals detained at the scene of the crime, and that, according to the views of the Working Group on Arbitrary Detention, release immediately Leopoldo López . . . and all those who have been arbitrarily detained for exercising their right to speak out and protest peacefully. Likewise, the State must guarantee the enjoyment, from the beginning of the deprivation of liberty, of all the fundamental legal guarantees.” – United Nations Committee Against Torture⁹

“I am seriously worried about the continuing climate of confrontation in the country and the continuing arbitrary detentions and arrests of leaders of the opposition and of students . . . We continue to monitor certain cases, including that of Leopoldo López and the four students detained at the same time.” – Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy¹⁰

⁶ *UN Human Rights Chief Urges Venezuela to Release Arbitrarily Detained Protesters and Politicians*, UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, Oct. 20, 2014, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15187&LangID=E>.

⁷ *Leopoldo López v. Venezuela*, Opinion No. 26/2014, UN WORKING GROUP ON ARBITRARY DETENTION, A/HRC/WGAD/2014/26, Adopted Aug. 26, 2014, at ¶ 60.

⁸ *Insulza Dice Que La Oposición No Puede Dialogar Si Tiene Dirigentes Presos*, EL UNIVERSAL, Sept. 26, 2014, available at <http://www.eluniversal.com/nacional-y-politica/140926/insulza-dice-que-la-oposicion-no-puede-dialogar-si-tiene-dirigentes-pr>.

⁹ *UN Committee Against Torture Final Report on Venezuela*, *supra* note **Error! Bookmark not defined.**

¹⁰ *UE "seriamente preocupada" por detenciones arbitrarias en Venezuela*, EL UNIVERSAL, Dec. 10, 2014, available at <http://www.eluniversal.com/nacional-y-politica/141219/ue-seriamente-preocupada-por-detenciones-arbitrarias-en-venezuela>.

“[We] call on the Venezuelan authorities to immediately release Antonio Ledezma, Leopoldo López, Daniel Ceballos and all peaceful protesters, students, and opposition leaders arbitrarily detained for exercising their right to freedom of expression and their fundamental rights.” – European Parliament¹¹

“Pleased to meet Lilian Tintori to urge release of husband Leopoldo Lopez and all political prisoners in Venezuela.” – Martin Schulz, President of the European Parliament¹²

“Be it resolved that the Subcommittee condemns the arbitrary and illegal detention and imprisonment of Mr. López and the violations of his fundamental freedoms and rights to a fair trial as guaranteed under international law and the Venezuelan constitution... [and] calls for the release of Leopoldo López . . . and all political prisoners in the country.” – Subcommittee on International Human Rights of the House of Commons of Canada.¹³

“The international community should demand López's immediate release . . . The arrest is an egregious violation of one of the basic principles of due process, that you can't jail someone without evidence.” – Human Rights Watch¹⁴

“Leopoldo López, leader of the Venezuelan opposition party *Voluntad Popular*, should be immediately released in compliance with an August 2014 call by the UN Working Group on Arbitrary Detention.” – Amnesty International¹⁵

“Opposition leader Leopoldo López and others are still imprisoned and Caracas Mayor Antonio Ledezma was arrested in February 2015. Their detention has become a rallying point for the opposition.” – Council on Foreign Relations¹⁶

“What is needed includes . . . the immediate freeing of Antonio Ledezma, Leopoldo López and all those currently imprisoned for political activities.” – International Crisis Group¹⁷

Public Personalities:

¹¹ *European Parliament Resolution on the Situation in Venezuela*, 2015/2582(RSP), EUROPEAN PARLIAMENT, Adopted Mar. 12, 2015, at ¶ 2.

¹² *Tweet by President of the European Parliament, Martin Schulz — Dec. 16, 2014*, available at https://twitter.com/EP_President/status/544769096261591040.

¹³ *House of Commons Subcommittee on International Human Rights Condemn Venezuela's Arbitrary and Illegal Detention and Imprisonment of Opposition Leader Leopoldo López*, SUBCOMMITTEE ON INTERNATIONAL HUMAN RIGHTS OF THE HOUSE OF COMMONS OF CANADA, Adopted Nov. 27, 2014.

¹⁴ Merry Mogollon and Chris Kraul, *Venezuela Opposition Leader Leopoldo Lopez Surrenders, Urges Protests*, LOS ANGELES TIMES, Feb. 18, 2014, available at <http://www.latimes.com/world/la-fg-venezuela-opposition-20140219-story.html>.

¹⁵ *Venezuela: Opposition Leader Leopoldo López Should Be Released*, AMNESTY INTERNATIONAL, Nov. 4, 2014, available at <http://www.amnesty.org/en/library/info/AMR53/023/2014/en>.

¹⁶ Patrick Duddy, *Political Crisis in Venezuela*, THE CENTER FOR PREVENTATIVE ACTION, THE COUNCIL ON FOREIGN RELATIONS, Mar. 2015.

¹⁷ *Time for UNASUR to Defuse the Crisis in Venezuela*, INTERNATIONAL CRISIS GROUP, Mar. 11, 2015, available at <http://www.crisisgroup.org/en/publication-type/media-releases/2015/latin-america/statement-time-for-unasur-to-defuse-the-crisis-in-venezuela.aspx>.

“From Russia to China to Venezuela, you are seeing relentless crackdowns, vilifying legitimate dissent as subversive . . . We stand in solidarity with those who are detained at this very moment. In Venezuela, Leopoldo López . . . And so many others. They deserve to be free. They ought to be released.” – US President Barack Obama¹⁸

We are concerned with the latest developments [in Venezuela]. We have expressed— publicly and privately— our desire that the rights of opponents are respected. We have even called for the release of Leopoldo López.” – Colombian President Juan Manuel Santos¹⁹

“We demand the immediate release of all of the political prisoners [in Venezuela], among them the democratic leader Leopoldo Lopez and mayors Antonio Ledezma and Daniel Ceballos.” – former Presidents: Nicolas Arbito Barletta (Panama), Oscar Arias (Costa Rica), Jose María Aznar (Spain), Belisario Betancur (Colombia), Armando Calderón Sol (El Salvador), Felipe Calderón (Mexico), Rafael Ángel Calderón (Costa Rica), Laura Chinchilla (Costa Rica), Alfredo Cristiani (El Salvador), Ernesto Duhalde (Argentina), Vicente Fox (Mexico), Felipe Gonzalez (Spain), Lucio Guitiérrez (Ecuador), Osvaldo Hurtado (Ecuador), Luis Alberto Lacalle (Uruguay), Luis Alberto Monge (Costa Rica), Mireya Moscoso (Panama), Andre Pastrana (Colombia), Sebastián Piñera (Chile), Jorge Quiroga (Bolivia), Miguel Ángel Rodríguez (Costa Rica), Alejandro Toledo (Peru), Álvaro Uribe (Colombia), and Juan Carlos Wasmosy (Paraguay).²⁰

“Leopoldo López, leader of an opposition party, has been abruptly deprived of his freedom and indicted for various crimes, with a noticeably political bias. . . We condemn such acts and urge the Venezuelan Government and all parties and political actors to establish a constructive discussion, in accordance with the canons of democracy universally recognized and embodied in the Inter-American Democratic Charter.” – Oscar Arias Sanchez (Costa Rica), Fernando Henrique Cardoso (Brazil), Ricardo Lagos (Chile), and Alejandro Toledo (Peru), Former Presidents on Behalf of the Club of Madrid²¹

“We have been witnessing with deep concern the ongoing weakening of the rule of law, the lack of independence of public institutions, and the criminalization of freedom of expression in

¹⁸ *Speech by U.S. President Obama at Clinton Global Initiative in New York, NY—Sept. 23, 2014, available at <http://www.whitehouse.gov/the-press-office/2014/09/23/remarks-president-clinton-global-initiative>.*

¹⁹ *Juan Manuel Santos pidió liberación de Leopoldo López y que se garantice el debido proceso a Ledezma, NOTIHOY, Feb. 20, 2015, available at <http://notihoy.com/juan-manuel-santos-pidio-liberacion-de-leopoldo-lopez-y-que-se-garantice-el-debido-proceso-ledezma/>.*

²⁰ Nicolas Arbito Barletta, Oscar Arias, Jose María Aznar, Belisario Betancur, Armando Calderón Sol, Felipe Calderón, Rafael Ángel Calderón, Laura Chinchilla, Alfredo Cristiani, Ernesto Duhalde, Vicente Fox, Felipe Gonzalez, Lucio Guitiérrez, Osvaldo Hurtado, Luis Alberto Lacalle, Luis Alberto Monge, Mireya Moscoso, Andres Pastrana, Sebastián Piñera, Jorge Quiroga, Miguel Ángel Rodríguez, Alejandro Toledo, Alvaro Uribe, and Juan Carlos Wasmosy, Declaration of Panama about Venezuela from the Former Heads of Government and State, IDEA, Apr. 9, 2015 available at <http://perseus-strategies.com/wp-content/uploads/2014/09/Ex-Presidents-Declaration-ofPanama-about-Venezuela-1.pdf>.

²¹ Oscar Arias Sánchez, Fernando Henrique Cardoso, Ricardo Lagos, Alejandro Toledo, *Declaración Conjunta, CLUB OF MADRID, Mar. 10, 2014, available at http://www.clubmadrid.org/es/noticia/el_club_de_madrid_se_adhiere_a_la_declaracion_sobre_venezuela_de_sus_miembros_arias_cardoso_lagos_y.*

Venezuela, all of which entail and represent serious human rights violations . . . On this occasion, we have decided to adhere to the opinion of the Working Group on Arbitrary Detention of the UN dated August 26, 2014, which recommends the immediate release of Mr. Leopoldo López, leader of the Venezuelan opposition party *Voluntad Popular*, by the Government of the Bolivarian Republic of Venezuela. The Working Group on Arbitrary Detention's opinion confirms our prior statements on the lack of compliance with democratic principles and the respect for human rights in Venezuela." – Alejandro Toledo (Peru), Andres Pastrana (Colombia), Luis Alberto LaCalle (Uruguay), Ricardo Lagos (Chile), Felipe Calderón (Mexico), Jorge Quiroga (Bolivia) and Osvaldo Hurtado (Ecuador), Former Presidents on Behalf of the Club of Madrid²²

"With Lilian Tintori, concerned by Leopoldo López, prisoner in Venezuela. His freedom and right to demonstrate are necessary." – Spanish Prime Minister Mariano Rajoy Brey²³

"We call for the immediate release of Leopoldo López, the cessation of harassment against the opposition and the restoration of plurality in the media and in electoral and judicial bodies." – Mario Vargas Llosa, Enrique Krauze, Antonio Muñoz Molina and 17 others, *Solidaridad con Venezuela*, EL PAIS, Aug. 6, 2014, available at http://elpais.com/elpais/2014/08/05/opinion/1407253359_026592.html.

"The Government repression against the legitimate exercise of the right to peaceful protest is unjustifiable, unacceptable and outrageous . . . In particular, it should be a demand of international democratic consciousness that the order of arrest for Leopoldo López is suspended. Freedom is indivisible, and one cannot be free in his own country, if others are not free in theirs." – Sergio Ramírez, writer and former Vice President of Nicaragua, and Edmundo Jarquín, Nicaraguan politician²⁵

"Leopoldo López and the political prisoners in Venezuela should be released without delay." – Bill Clinton, former US President²⁶

"Met Lilian Tintori to talk about freeing her husband Leopoldo López & Venezuela[n] political prisoners." – John Baird, Canadian Foreign Minister²⁷

²²Felipe Calderón, Osvaldo Hurtado, Luis Alberto LaCalle, Ricardo Lagos, Andres Pastrana, Jorge Quiroga, Alejandro Toledo, *Declaración Conjunta*, CLUB OF MADRID, Nov. 25, 2014, available at <http://www.voluntadpopular.com/index.php/ver-noticia/noticias/8-noticias/2128-expresidentes-del-mundo-piden-a-maduro-cumplir-resolucion-de-onu-y-liberar-inmediatamente-a-leopoldo-lopez>.

²³ Tweet by Spanish Prime Minister Mariano Rajoy Brey—Oct. 22, 2014, available at <https://twitter.com/marianorajoy/status/524897980030402560>.

²⁴ Mario Vargas Llosa, Enrique Krauze, Antonio Muñoz Molina and 17 others, *Solidaridad con Venezuela*, EL PAIS, Aug. 6, 2014, available at http://elpais.com/elpais/2014/08/05/opinion/1407253359_026592.html.

²⁵ Edmundo Jarquín and Sergio Ramírez, *Declaración de Personalidades Nicaragüenses Sergio Ramírez y Edmundo Jarquín sobre situación en Venezuela*, FUNDACIÓN ARIAS PARA LA PAZ Y EL PROGRESO HUMANO, Feb. 18, 2014, available at <http://arias.or.cr/declaracion-de-personalidades-nicaraguenses-sergio-ramirez-y-edmundo-jarquín-sobre-situación-en-venezuela>.

²⁶ Tweet Former US President Bill Clinton—Feb. 19, 2015, available at <https://twitter.com/billclinton/status/568605975286026241>.

²⁷ Tweet by Canadian Foreign Minister John Baird—Nov. 25, 2014, available at <https://twitter.com/Baird/status/537405749060968448>.

“Venezuelan opposition leader Leopoldo López has today spent four months in custody. And there is still not even a trial.” – Carl Bildt, Former Swedish Foreign Minister²⁸

“The only head of state in Latin America who has met with President Maduro and asked specifically for the release of Leopoldo Lopez has been President Bachelet. She did this as a head of state, she made no fuss about it, but she did it. Now whether President Maduro will listen to anyone, that's another subject.” – Jorge Tarud, Representative in the Parliament of Chile²⁹

“The situation of Leopoldo López, other political leaders, and university students detained cannot pass unnoticed one minute more in the eyes of the international community. This case has become the symbol of those who believe that it is not acceptable, under any circumstances, to repress citizens for publicly expressing their political opinion, whatever it is, if it is consistent with the Supreme values of freedom and democracy” – José Antonio Kast and 63 Others, Representatives in the Parliament of Chile³⁰

“We demand the immediate, unconditional release of the prominent Venezuelan opposition leader, Leopoldo Lopez.” – Representatives from the Parliaments of El Salvador, Guatemala, and Nicaragua.³¹

“Yesterday’s sham trial is indicative of the corrupt judicial system in Venezuela that is being used to silence freedom-loving individuals who seek justice,” – US Congresswomen Debbie Wasserman-Schultz (D-FL) and Ileana Ros-Lehtinen (R-FL)³²

Media:

Top 100 Global Thinkers of 2014 for “upending the tactics of Venezuela’s loyal opposition.” – *Foreign Policy*³³

“International reactions to Mr. López’s arrest were swift. José Miguel Vivanco of Human Rights Watch ... said that the Venezuelan authorities had provided no evidence linking Mr. López to

²⁸ Tweet by Swedish Foreign Minister Carl Bildt—Jun. 18, 2014, available at <https://twitter.com/carlbildt/status/479202454849208320>.

²⁹ Mario José Vega, *Tarud Asegura que Bachelet Pidió a Maduro Liberar a Leopoldo López*, 24 HORAS.CL, Mar. 3, 2015, available at <http://www.24horas.cl/politica/tarud-asegura-que-bachelet-pidio-a-maduro-liberar-a-leopoldo-lopez-1596680>.

³⁰ R. Alvarez, *UDI Entrega Carta a Bachelet para que Intervenga por Violaciones a DD.HH en Venezuela*, LA TERCERA, Aug. 22, 2014, available at <http://www.latercera.com/noticia/politica/2014/08/674-592522-9-udi-entrega-carta-a-bachelet-para-que-intervenga-por-violaciones-a-ddhh-en.shtml>.

³¹ *Diputados centroamericanos piden liberación de López y Ledezma*, EL UNIVERSAL, Mar. 9, 2015, available at <http://www.eluniversal.com/nacional-y-politica/150309/diputados-centroamericanos-piden-liberacion-de-lopez-y-ledezma/>.

³² *Joint Statement by U.S. Representatives, Ileana Ros-Lehtinen and Debbie Wasserman Schultz in Washington DC—Jul. 24, 2014*, available at <http://ros-lehtinen.house.gov/press-release/joint-statement-us-reps-ileana-ros-lehtinen-and-debbie-wasserman-schultz-continuing>.

³³ *Top 100 Global Thinkers of 2014*, FOREIGN POLICY, Nov 2014, available at <http://globalthinkers.foreignpolicy.com/#challengers/detail/lopez>.

any crime—just ‘insults and conspiracy theories.’” – *The Economist*³⁴

“[López is] the most prominent face of the opposition, driving thousands of Venezuelans into the streets to protest against food shortages, a stagnant economy, widespread crime and an increasingly encroaching socialist government.” – *Newsweek*³⁵

“Mr. López's trial, which began in July, is a travesty. The indictment bizarrely contends that Mr. López, who peacefully called for Mr. Maduro's resignation, incited violence through ‘subliminal’ messages conveyed during public speeches demanding change that won him strong public support. The judge in the case approved more than 100 witnesses for the prosecution and rejected all but two defense witnesses. Mr. Maduro, who has called Mr. López an American pawn, has told reporters ‘He has to pay, and he's going to pay,’ all but determining the outcome.” – *New York Times* Editorial Board³⁶

“Mr. López has been held in isolation on a military base. Now he is undergoing a trial that can only be described as farcical. The government claims that Mr. López is somehow responsible for violent clashes in Caracas, even though he was not present when they took place and had publicly called on his followers to remain peaceful. A judge has disallowed all but one of the more than 60 witnesses he called, while scheduling more than 100 for the prosecution. As *The Post*'s Nick Miroff recently reported, Mr. Maduro has already declared the trial's outcome: “He has to pay, and he will pay.” – *Washington Post* Editorial Board³⁷

“In February of this year, the Venezuelan opposition leader Leopoldo López was imprisoned by the Chávez regime, accused — without any foundation . . . In the middle of [his] . . . custody by an authoritarian Government, the Working Group on Arbitrary Detention of the United Nations made public a decision that not only expresses their objection to his detention, but also recommends his immediate release . . . It is true that, more than presenting new information, the decision confirms what we already knew: the trial of Leopoldo López is unfair and arbitrary . . . To the irregularities denounced by the UN we could add many more. Well, what is at stake in the case of Leopoldo López is now much more than the declaration of his innocence. López is perhaps the most visible but not the only victim of the Venezuelan regime. Mr. Nicolás Maduro and the rest of the ruling party are proving that they have no qualms in violating the human rights of Venezuelans. We hope that, as the Working Group of Arbitrary Detention of the United Nations opened its eyes to the case of Venezuela, their neighbors in Latin America may do the same.” – *El Comercio* (Peru)³⁸

³⁴ *A Tale of Two Prisoners*, THE ECONOMIST, Feb. 22, 2014, available at <http://www.economist.com/news/americas/21596945-after-opposition-leader-arrested-violence-continues-unabated-tale-two-prisoners>.

³⁵ Karla Zabrudovsky, *Leopoldo López Gives Venezuela the Image of a Revolutionary Who Has It All*, NEWSWEEK, Feb. 21, 2014, available at <http://www.newsweek.com/2014/02/28/leopoldo-lopez-gives-venezuela-image-revolutionary-who-has-it-all-245568.html>.

³⁶ The Editorial Board, *Venezuela's Crackdown on Opposition*, THE NEW YORK TIMES, Sept. 20, 2014, available at <http://www.nytimes.com/2014/09/21/opinion/sunday/venezuelas-crackdown-on-opposition.html>.

³⁷ The Editorial Board, *Venezuela Doesn't Deserve a Seat on the U.N. Security Council*, THE WASHINGTON POST, Sept. 20, 2014, available at http://www.washingtonpost.com/opinions/keep-venezuela-off-the-un-security-council/2014/09/20/1e23f01e-3dcd-11e4-b0ea-8141703bbf6f_story.html.

³⁸ The Editorial Board, *Violación en Venezuela*, EL COMERCIO, Oct. 10, 2014, available at <http://elcomercio.pe/opinion/editorial/editorial-violacion-venezuela-noticia-1761947>.

“Mr. Maduro and government media are trying to portray Mr. López as an extremist, calling him “the face of fascism” and alleging he was plotting a coup. In fact, the 42-year-old former mayor is a left-leaning, Harvard-educated moderate who has proven over a decade that he is committed to peaceful and democratic change.” – *Washington Post* Editorial Board³⁹

“[Maduro] must drop the trumped-up charges that have turned Mr. López into South America’s most prominent political prisoner.” – *Miami Herald* Editorial Board⁴⁰

³⁹ The Editorial Board, *Venezuela’s Neighbors Have to Work to Stem the Chaos*, THE WASHINGTON POST, Feb. 18, 2014, available at http://www.washingtonpost.com/opinions/venezuelas-neighbors-have-to-work-to-stem-the-chaos/2014/02/18/f0fedae0-98cc-11e3-b931-0204122c514b_story.html.

⁴⁰ The Editorial Board, *Bad to Worse in Caracas*, MIAMI HERALD, Jan. 22, 2015, available at <http://www.miamiherald.com/opinion/editorials/article7951875.html>