

The Miami Herald

February 16, 2015

End impunity for Venezuela's human rights violators

By Irwin Cotler and Jared Genser

A little over a year ago, Venezuelans took to the streets when student leaders organized a massive protest with opposition politicians to respond to the rapidly deteriorating economic and security situation. The protestors called for the resignation of President Nicolás Maduro. On that day and over the subsequent months, the government responded with an iron fist, killing 43 people, arresting more than 3,000 and sending more than 70 to jail.

Reports from Venezuela today are sobering: Shortages of basic supplies have resulted in the rationing of staples, hours-long lines for groceries and the transformation of supermarkets into military zones. The economy is set to shrink another 7 percent in 2015, with inflation over 60 percent. A person is murdered approximately every 20 minutes. And with the decline in oil prices, the country is on the verge of default. Yet especially as the domestic situation deteriorates, the international community must demand Maduro respect the human rights of his people, including immediately releasing all political prisoners in the country.

The current situation of Venezuela's most prominent political prisoner, Leopoldo López, leader of the opposition party Voluntad Popular — and our client — exemplifies the injustice. Though López had issued a peaceful call to action, he was quickly branded public enemy No. 1 of Venezuela's authoritarian regime. Just after the major protest on Feb. 12, 2014, the government claimed he was trying to overthrow it through violent means.

Subsequently, López turned himself in to Venezuelan military authorities in front of a crowd of hundreds of thousands saying: “[I]f my imprisonment helps awaken our people, if it is good

enough to finally make Venezuela wake up so that the majority of those of us who want change are able to effect that change peacefully and democratically ... then it is worth it.”

López knew that his case was headed to a sham court, as an independent judiciary has become a distant memory in Venezuela after 15 years of United Social Party rule. A year into his detention and six months into his trial, perhaps the most surprising aspect of his case is that the government hasn't even tried to hide the fact that López is Maduro's political prisoner.

His trial has been a farce. Not only has the prosecution advanced the bizarre claim that López used “subliminal messages” to incite his followers to violence, but Maduro has relentlessly assailed him publicly, referring to him as a “murderer,” even though he hasn't even been charged with this crime. And the judge in his case admitted more than 100 witnesses for the prosecution and denied all but two witnesses for the defense.

Most recently, in retaliation for his wife, Lilian, meeting Vice President Joe Biden, a dozen men wearing all-black and ski masks and heavily armed destroyed everything in his cell and threw him into a small isolation cell, with no toilet or running water.

Yet despite these ongoing injustices, López has continued his calls for a nonviolent solution to Venezuela's pending implosion. His outspoken advocacy has come at great personal sacrifice: He has been held in solitary confinement in a military prison for a year, without access to his family or counsel for extended periods. And as López's human rights are infringed upon, the government has proceeded with violating the rights of all Venezuelans. Just last month, the Venezuelan Ministry of Defense authorized the use of lethal weapons by the national armed forces against protestors to “prevent disorder.” The situation in Venezuela is bleak.

The United States has taken action to advance human rights in Venezuela. In September 2014, President Obama called for Lopez's release, and in December, Obama signed legislation that imposes sanctions on Venezuelan government officials who have been complicit in human-rights violations, though the legislation has yet to be implemented.

These sanctions follow a round of travel-visa bans. But this isn't enough. With the thaw between the United States and Cuba, the United States now has increased political capital in the region. The U.S. government should join with like-minded countries to challenge Venezuela's neighbors in Latin America to press Maduro to end the impunity for human-rights violators. Obama must also push this agenda at the U.N. Human Rights Council in March and the Summit of the Americas in April.

Without the world's further engagement, however, the deteriorating human-rights situation in Venezuela will accelerate. Despite all his bluster, last week a beleaguered Maduro publicly acknowledged his desire to better relations with the United States. But the United States shouldn't be fooled — it must increase the pressure on Maduro to respect the fundamental human rights of all Venezuela's people.

Irwin Cotler is a member of the Canadian Parliament and former Minister of Justice and Attorney General of Canada. Jared Genser is an international human-rights lawyer. They serve as international counsel to Leopoldo López.