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VIA EMAIL URGENT-ACTION@OHCHR.ORG, SR-TORTURE@OHCHR.ORG

March 23, 2016

Mr. Juan E. Méndez
Special Rapporteur on Torture
c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH-1211 Geneva 10
Switzerland

RE: Torture and Cruel, Inhuman, and Degrading Treatment of Leopoldo López Mendoza,
Lilian Tintori, and Antonieta Mendoza de López

Dear Mr. Méndez,

I am writing on behalf of my client, Leopoldo López Mendoza, to update you on his current situation in prison and follow up on our appeal asking for urgent assistance from July 29, 2014. Additionally, I am asking that you assist in helping to protect his family members, who have also been subject to cruel and degrading treatment by state officials. Attached to this letter is the official complaint to your office filed by myself and Mr. López's domestic counsel, Juan Carlos Gutierrez. Mr. López voluntarily turned himself in to the Venezuelan Government on February 18, 2014, at the *Plaza Brión de Chacaito* in Caracas, Venezuela, in front of hundreds of thousands of people who responded to his request to come witness his arrest. Last month marked his completion of two full years of imprisonment as a civilian in a military prison. Despite the fact that the United Nations Working Group ruled that Mr. López's detention was arbitrary and in violation of his right to a fair trial, the Government of Venezuela has not authorized the judiciary to release him. From the moment he was imprisoned in February 2014, Mr. López has been subject to torture and other forms of degrading treatment. His domestic counsel, Juan Carlos Gutierrez, has brought multiple complaints of Mr. López's treatment to the Venezuelan judiciary, who has dismissed most complaints and for those considered, carried out secretive, poorly-run investigations that did not involve any testimony from witnesses or Mr. López. All investigations have resulted in the dismissal of the complaints.

Since his sentencing and continued imprisonment on September 10, 2015, Mr. López has suffered a range of new abuses at the hands of the Venezuelan government. Mr. López is kept separate from other prisoners, forced to spend most of his day in an isolated prison building of four floors and 13 cells, where he is the only tenant. Mr. López is allowed four times per week to play organized sports with either other prisoners or prison guards, but he is not allowed to

converse or speak with those he plays with. Anyone who speaks with Mr. López is punished. He is allowed to work daily in a vegetable garden or orchard, but is always alone during this activity. Occasionally Mr. López is allowed to attend mass at the prison, but guards accompany him and prevent him from having any meaningful social contact with the priest or talking with other prisoners, such that he has no real respite from enforced years solitary confinement, which in this case amounts to psychological torture. He has also been subject to arbitrary searches on several occasions post-trial, resulting in the confiscation of previously approved items such as his personal writings, drawings of his family, legal documents for his defense, and his music player. He is only allowed a copy of the Bible and is allowed restricted access to other reading materials, that must be deemed apolitical, and to writing materials. No other prisoners have been subject to the same restrictions. Recently, the guards have increased their degrading and threatening treatment of Leopoldo in order to try and provoke a response from him, which would then result in further punishment. Furthermore, Mr. López has never been provided confidential attorney-client communication and his visits and calls with his family are subject to constant surveillance. National news channels have published on television private photos and audio recordings of interactions between Mr. López and his family. Friends, colleagues, journalists, humanitarian non-governmental organizations, political leaders, and former presidents have all tried to visit Leopoldo and have been denied. It is estimated that out of a 168-hour week, Leopoldo spends at least 142 hours alone with no interpersonal contact other than the prison guards.

This and other mistreatment constitute cruel, inhuman, and degrading treatment as prohibited under Article 1 of the Convention Against Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment (“Torture Convention”). As you are aware, Venezuela signed the Torture Convention on February 15, 1985, and ratified it on July 29, 1991.

Previously, in speaking about solitary confinement, you stated the following:

Whatever the name, solitary confinement should be banned by States as a punishment or extortion technique . . . Solitary confinement is a harsh measure which is contrary to rehabilitation, the aim of the penitentiary system . . . Social isolation is one of the harmful elements of solitary confinement and its main objective. It reduces meaningful social contact to an absolute minimum . . . A significant number of individuals will experience serious health problems regardless of the specific conditions of time, place, and pre-existing personal factors . . . Considering the severe mental pain or suffering solitary confinement may cause, it can amount to torture or cruel, inhuman or degrading treatment or punishment when used as a punishment, during pretrial detention, [or] indefinitely. . . .¹

In this case, solitary confinement is being used against Mr. López as punishment for his political activism and has been arbitrarily employed in this manner, with no sign this will ever end. No government official has been willing to name for Mr. López or his counsel who ordered that he be held in solitary confinement or for what reason. In light of this psychological torture and ongoing cruel, inhuman, and degrading treatment at the hands of Venezuelan officials, your urgent intervention with the Government of Venezuela would be greatly appreciated.

¹ UN Special Rapporteur on Torture Calls for Prohibition of Solitary Confinement, United Nations, Oct. 18, 2011, available at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11506&>.

Ongoing Conditions

As noted previously, Mr. López was originally detained on February 18, 2014. Despite neither having been in the military nor having been charged with committing violations of military law, he has been continuously held in *Ramo Verde*, also known as the National Center of Accused Soldiers (CENAPROMIL), in Los Teques, Miranda, Venezuela. During the two years that Leopoldo López has been unjustly detained in the *Ramo Verde* military prison, he has suffered repeated violations of his fundamental human rights. Since his sentencing on September 10, 2015, Mr. López has been kept in the punishment wing of the prison, separate from all of the other prisoners and with very limited mobility.

Mr. López's contact with other prisoners is prohibited and with his family is extremely limited. While Mr. López is allowed short excursions to use the exercise room, play organized sports, garden or, occasionally, to attend mass, Mr. López is not allowed to interact with other prisoners. Any prisoner who talks to Mr. López is punished. While Mr. López is allowed a very short, three-minute phone call at the end of the day, these calls are often cut even shorter by guards who monitor the conversations and drop the line if they do not like what they hear. When family members visit Mr. López, their interactions are recorded and the Venezuelan government has, at times, used these recordings exploitatively, including publishing intimate photos or conversations on national television.

Mr. López has also been subject to arbitrary searches and seizures of his personal effects, and previously-approved materials such as books, private letters, drawings of his family, documents for his legal case, and a radio have been confiscated. His incoming and outgoing mail is monitored closely, and correspondence between Mr. López and his lawyers are frequently confiscated in blatant violation of his right to confidential attorney-client communications. Furthermore, Mr. López cannot receive any books whose content is deemed "political" by the prison officials and he is only allowed to have only three books at a time. Books that are permitted can be held for extended periods of time without being given to Mr. López with no reason provided. Mr. López has been uniquely targeted in these regards.

Persecution of Family

This discriminatory and degrading treatment has also extended to Mr. López's family members on several occasions. On January 17, 2016, Mr. López's wife, Lilian Tintori, and his mother, Antonieta Mendoza de López, attempted to visit Mr. López in prison and were subjected to exceptionally violating and degrading searches. They were forced to remove all of their clothing while the prison officials mocked them with lewd remarks and targeted personal insults. It is particularly appalling that Mr. López's young children were in the room while their grandmother, Mr. López's mother, was undergoing this abuse.

Background on the Case

During the past few decades, democracy and respect for human rights has expanded throughout Latin America. After the 1958 coup that displaced Marcos Pérez Jiménez, Venezuela became an example of a Latin American democracy. However, in the past fifteen years this has not held true, as successive rulers have eroded respect for human rights and the rule of law in

Venezuela. The presidencies of Hugo Chávez (1999-2013) and Nicolás Maduro (2013-present) have been marked by violence, inflation, scarcity of goods, a lack of judicial independence and impartiality, and increasing persecution of journalists and political opponents. During his time in office, Chávez enacted a series of social and economic measures, including nationalization, social welfare programs, and opposition to neoliberal economics, aimed at improving quality of life for Venezuelans. Despite Chávez's bold vision for the country, his presidency saw a dramatic concentration of power and disregard for human-rights protections, and his economic model proved unsustainable. Starting particularly in 2009, the Chávez government targeted a number of opposition leaders for criminal prosecution.

In 2013, Nicolás Maduro was elected President of Venezuela, as President Hugo Chávez's successor. The Maduro government has increased its intimidation, censorship, and prosecution of its critics. Notably, in September 2013, Maduro withdrew from the American Convention on Human Rights, leaving Venezuelans without access to the Inter-American Court of Human Rights. Many of the challenges faced by Chávez, including violence, inflation, and shortages of goods, have intensified under Maduro. It was in this context that mass protests began in January 2014. These initially non-violent demonstrations became violent due to involvement by armed pro-government gangs and *colectivos* that are loyal to Maduro. Since the outbreak of protests, some 3,180 Venezuelans have been detained.

Among those still imprisoned is my client Leopoldo López, a 44-year-old Venezuelan opposition leader who is being held in *Centro Nacional de Procesados Militares*, also known as *Ramo Verde* military prison. Mr. López is the founder and National Coordinator of the political party *Voluntad Popular*. He received his Bachelor of Arts degree from Kenyon College, where he graduated *cum laude* in 1993. He continued his education at Harvard University's John F. Kennedy School of Government, where he received a Master in Public Policy degree in 1996. He is married to Lilian Tintori, a recognized athlete and former TV host. Previously, she received her Bachelor of Arts degree from Universidad Católica Andrés Bello and taught preschool for seven years. They have two children.

In 1992, Mr. López co-founded the non-profit civil association *Primero Justicia*. From 1996 to 1999, he worked in Venezuela as an economic analyst for the *Coordinación de Planificación de Petróleos de Venezuela S.A.* (Department of Planning of Petroleum of Venezuela) ("PDVSA").

Mr. López first entered politics in 2000 when he and other prominent young leaders co-founded the political party *Primero Justicia*. Later that year, Mr. López was elected mayor of the Chacao Municipality of Caracas. He quickly became popular for reforming the public health system and building new public places. He was also known for his transparent policies, reduction of crime, and eradication of poverty. When he left office in 2008, he held a 92 percent approval rating and was ranked as the world's third best mayor by the World Mayor Project.

Mr. López served as Mayor of Chacao until 2008, when a disqualification from his running for office imposed by the Government went into effect. His ban ends on December 12, 2014. If not for the ban, Mr. López had planned to challenge the United Socialist Party to become Mayor of Caracas in November 2008. Polls at that time showed that he stood to receive between 65 and 70 percent of the vote had he been allowed to run.

After leaving office in 2008, Mr. López was named a “Most Innovative People” honoree by Future Capitals. In that same year he founded *Voluntad Popular*, a democratic movement dedicated to social, economic, political, and human-rights progress for all Venezuelans. Mr. López was *Voluntad Popular*’s presidential candidate in 2012 before he backed Mr. Capriles after the Venezuelan Supreme Court refused to overturn Mr. López’s political ban. Currently, Mr. López acts as the National Coordinator of *Voluntad Popular*, and is now widely seen as a major leader of the opposition movement. At a series of peaceful protests this year, Mr. López gave speeches calling for non-violent, democratic change in Venezuela, in accordance with its Constitution. Despite his repeated emphasis on urging a transition through non-violence and adherence to the Constitution, on February 12, 2014, the Government issued a warrant for his arrest claiming that his goal was to overthrow the Government through violent means.

The charges against Mr. López were for conspiracy, incitement to commit crimes, public intimidation, setting fire to a public building, damage to public property, causing serious injury, premeditated aggravated homicide, attempted premeditated aggravated homicide, and terrorism. Given the serious charges against him and current political climate, Mr. López went into temporary hiding. Later, on February 18, Mr. López peacefully submitted himself for arrest to Venezuelan military authorities and the charges for murder and terrorism were eventually dropped. The trial that ensued was grossly imbalanced, as Judge Susana Barreiros rejected every piece of evidence proposed by the defense, including more than 60 witnesses, a dozen expert witnesses, and 13 videos. After more than a year and a half in jail, on September 10, 2015, Mr. López was convicted of all charges and sentenced to 13 years and 9 months in prison. A month after his conviction, the main prosecutor of Mr. López’s trial defected to the United States and admitted that he was pressured by the Venezuelan government to use false evidence against Mr. López.

Mr. López’s ongoing detention is punishment for exercising his fundamental rights to freedoms of opinion and expression, to peaceful assembly, and to be elected and take part in political affairs. In addition, his detention has also failed to meet international standards for due process of law, including the right to be tried before an independent and impartial judiciary, the right to be presumed innocent until proven guilty, the right to have confidential attorney-client communications, and the right to present evidence in one’s own defense. During his two-year detention, Mr. López has, cumulatively, spent more than nine months in complete isolation with no access to his family.

Conclusion

The arbitrary and punitive use of solitary confinement against Mr. López constitutes psychological torture. In addition, this mistreatment and significant other actions directed against him and his family also constitute cruel, inhuman, and degrading treatment.

Based upon the credible information provided in the model questionnaire that Mr. López, as well as his wife and mother, have suffered torture and other cruel, inhuman, or degrading treatment, I respectfully request that in accordance with your working methods you investigate the situation and immediately reach out to the Government of Venezuela, urging it to uphold the physical and mental integrity of Mr. López and his visiting family members during his detention.

Sincerely,

[SIGNATURE ON FILE]

Jared Genser
International Counsel to Leopoldo López Mendoza

MODEL QUESTIONNAIRE

a. Full name of the victim

Leopoldo López Mendoza

b. Date on which the incident(s) of torture occurred (at least as to the month and year)

February 18, 2014, to present

c. Place where the person was seized (city, province, etc.) and location at which the torture was carried out (if known)

Mr. Leopoldo López voluntarily turned himself in to the Venezuelan Government on February 18, 2014, on the *Plaza Brión de Chacaito* in Caracas, Venezuela. He presented himself to Venezuelan military officials and was later transferred to the military jail of *Ramo Verde*, also known as the National Center of Accused Soldiers (CENAPROMIL), in Los Teques, Miranda.

d. Indication of the forces carrying out the torture

Bolivarian National Guard, Military Police of the National Armed Forces, and the Military Counterintelligence Department (DGCIM).

e. Description of the form of torture used and any injury suffered as a result

- Since his sentencing on September 10, 2015, Mr. López has been kept in the punishment wing of the prison, separate from all of the other prisoners and with very limited mobility. Mr. López's contact with other prisoners and with his family is extremely limited. Mr. López is permitted a brief, daily period of exercise in the athletics area and is occasionally allowed to attend mass at the prison, but guards accompany him and prevent him from having any meaningful social contact with the priest or talking with other prisoners at mass.
- The night of his sentencing, Mr. López was moved to a cell that had no electric light at night and that lacked a chair and table for writing. Colonel Vilorio, the director of *Ramo Verde*, told Mr. López at that time, "Anyone can come, they can ask whatever they want – they are buffoons that make no difference, all that matters is what I say."²
- Mr. López is allowed no private communication with his family or counsel. Monday through Thursday, Mr. López is allowed a short, three-minute phone call at the end of the day. These calls are listened in on by a guard standing 15 feet away: if the guard hears anything that he doesn't like, or anything related to politics, he can push a button and the line is dropped. Other inmates in *Ramo Verde* are not subject to this same surveillance and can access a phone whenever they want, as long as other prisoners aren't occupying all of the phones. Furthermore, when Mr. López first arrived at *Ramo Verde*, all prisoners were allowed to have

² Statement in Spanish: "Puede venir quien sea, puede solicitar lo que quiera, esos son como los payasitos ni fu ni fa, no vale nada, sólo lo que yo diga"

cell phones, but the prison officials have since established a rule against cell phones – a rule which is only, discriminatorily, applied against Mr. López.

- Mr. López has been allowed no private moment with his family, as all of their limited interactions are monitored and recorded by prison officials. On October 28, 2015, then-President of the National Assembly Diosdado Cabello used his national television program to reveal images of Mr. López’s family visiting him in prison, as captured on the so-called security cameras. In doing so, Mr. Cabello exposed Mr. López’s young children – Manuela, who was then five years old, and Leopoldo Santiago, who was then three years old – in clear violation of Article 65, Paragraph 1, of Venezuela’s Organic Law on the Protection of Children and Adolescents. This was clearly intended as an act of degradation, as Colonel Viloría had threatened to share such images on several occasions. When Mr. López’s lawyers Gustavo Velásquez and Roberto Marrero asked to know who had shared the military prison’s “security camera” footage with Mr. Cabello, a civilian, the officials responded that they had been acting in compliance with a direct order from the President of the National Assembly.
- Mr. López’s right to send and receive mail has consistently been denied, as attempts at written correspondence with family, lawyers, and the Venezuelan Prosecutor General were regularly intercepted and destroyed by the prison officials. On November 9, 2015, Mr. López gave his lawyers a handwritten complaint to be delivered to the Prosecutor General, Ms. Luisa Ortega Díaz. However, Colonel Viloría personally confiscated the complaint, publicly and flagrantly violating Mr. López’s right to utilize a written petition to report the recurring violations of his fundamental rights. On December 28, 2015, Colonel Viloría forbade Mr. López’s mother from taking a letter from Mr. López to his father, telling Mr. López that the content was not appropriate and even going so far as to tell Mr. López what he should write. Colonel Viloría then suggested that if Mr. López wrote in a different tone and without reference to politics, he might approve the letter, but Mr. López refused to censor his writing in this way. Colonel Viloría has maintained a strict and discriminatory prohibition on Mr. López’s right to send and receive mail – even blocking letters from Mr. López’s young nieces and nephews, who are less than ten years old.
- All books and reading materials brought to Mr. López are intensely reviewed, and many are confiscated. Sometimes the visitor must remove the books or documents, or else be seized by the guards. On December 25, 2015 – Christmas day – Mr. López’s sister brought him a copy of Alberto Barrera Tyszka’s prize-winning novel *Patria o Muerte* (“Homeland or Death”) as a Christmas gift. When the prison officials alleged that the content of the book was political, Mr. López’s sister explained that it was a work of fiction, but they still would not allow Mr. López to receive the gift. She also brought him a new AM/FM radio, but the officials would not permit it. They told her not to bring anything with political content and informed Mr. López that he was personally prohibited from reading political books, saying, “don’t have them bring you a book titled ‘Democracy in Venezuela,’ because they will not be allowed through.”³ On January 13, 2016, Mr. López’s lawyer attempted to deliver a copy of the new bylaws of *Voluntad Popular*, a political party for which Mr. López is the National

³ Statement in Spanish: “que no te traigan un libro que se titule ‘La Democracia en Venezuela,’ porque no te lo van a dejar pasar”

Coordinator, in order to receive his revisions and opinions, along with several articles on the current condition of the Venezuelan oil industry. None of the documents were permitted to pass on to Mr. López.

- Mr. López’s property within the prison has similarly been subject to arbitrary and unlawful confiscation on several occasions. On December 1, 2015, the prison officials conducted a search of Mr. López’s possessions, which resulted in the removal of Mr. López’s personal notebooks without his consent. A week later, on December 8, 2015, another of Mr. López’s notebooks was confiscated, after being taken from one of Mr. López’s lawyers in a flagrant breach of his rights to defense and to confidential attorney-client communication. On December 19, 2015, Mr. López was again subject to a search, during which Colonel Vilorio told him, “I’ll take out of here what I want and I’ll take away whatever I please.”⁴ As of this time, none of Mr. López’s personal notes or other confiscated possessions have been returned to him – rather, they are retained by the officials in an abusive and illegal manner. Mr. López has been uniquely targeted with these searches and confiscations. On December 21, 2015, the prison officials performed another search and confiscated Mr. López’s small AM/FM radio – his principal source of information and entertainment, which had previously been reviewed and permitted entry into the cell. Despite the fact that no other inmates in *Ramo Verde* were subject to this cruel restriction, the officials provided no explanation.

f. Identity of the person or organization submitting the report (name and address, which will be kept confidential)

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I. Identity of the Person(s) Subjected to Torture

The Petitioner, Leopoldo López Mendoza, is a 44-year-old citizen of Venezuela, who is Founder and Coordinator of the political party *Voluntad Popular*. Previously, he served eight

⁴ Statement in Spanish: “Me llevo de aquí lo que quiera y te quito lo que me dé la gana.”

years as Mayor of Chacao Municipality in Caracas (2000-2008), before being wrongly disqualified from serving in political office.

II. Circumstances Surrounding Torture

A. Date and place of arrest and subsequent torture

Mr. López was arrested on February 18, 2014, in the *Plaza Brión de Chacaito* in Caracas, where he voluntarily turned himself in to military forces. Hundreds of thousands of people showed up in support of Mr. López, after he announced his intention to turn himself in.

Since then, despite not being a soldier nor charged with any violations of military law, he has been held in the military prison of *Ramo Verde*, also known as the National Center of Accused Soldiers (CENAPROMIL), in Los Teques, Miranda, Venezuela.

B. Identity of force(s) carrying out the initial detention and/or torture (police, intelligence services, armed forces, paramilitary, prison officials, other)

Mr. López is being held in the *Ramo Verde* military prison, which is currently under the direction of Colonel José Salvador Viloría Sosa.

The Bolivarian National Guard, Military Police of the National Armed Forces, and Military Counterintelligence Department (DGCIM) have overseen his initial detention and ongoing imprisonment.

C. Were any person, such as a lawyer, relatives, or friends, permitted to see the victim during the detention? If so, how long after the arrest?

Apart from periods of solitary confinement, Mr. López has typically been able to receive close family and his counsel between Fridays and Sundays.

D. Describe the methods of torture used

The primary method of torture over the past five months has been extended physical and social isolation from other prisoners with arbitrary and sporadic periods of total solitary confinement. In addition, Mr. López has suffered several arbitrary searches and confiscation of previously approved items, including a radio, books, and private correspondence. He has never been provided confidential attorney-client communication or private telephone calls.

E. What injuries were sustained as a result of the torture?

The full extent of Mr. López's injuries are unknown. Poor lighting in the cell has damaged López's eyesight, but the family's request for visitation rights for López's ophthalmologist, Dr. Henrique Suárez, has been denied. While Mr. López remains strong, the effects of the psychological torture of physical and social isolation, as well as periods of arbitrary solitary confinement, are unknown.

F. What was believed to be the purpose of the torture?

It is believed the Mr. López is being punished for his political activities, and especially his exercise of his rights to freedom of opinion and expression and peaceful assembly under both the Constitution of Venezuela and International Covenant on Civil and Political Rights. Despite acknowledging that Mr. López had repeatedly advocated non-violence and that he urged a restoration of democracy in accordance with the Constitution, prosecutors claim that he used “subliminal messaging” to persuade his supporters to engage in acts of violence. On July 23, 2014, after being asked about Mr. López’s trial, President Nicolás Maduro stated:

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 a . . . quite a crazy messianic vision . . . that, let me tell you, alienates and poisons people making them crazy. He is responsible for crimes that he has to be accountable for and he will be before justice. He will be and will be, as simple as that . . . Justice be done! Only justice will punish the resurgence of the neo-Nazi and fascist sectors that want to impose scenarios like Ukraine, Palestine, Syria, or Libya. That will not happen; they will not come back. [<http://youtu.be/9jtwFkts3YQ>]

G. Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?

Yes, the victim was examined on October 31, 2015 at the Dr. Carlos Arvelo Military Hospital (also known as the Military Hospital of Caracas) by military doctors. However, in June 2015, Mr. López went on a 30-day hunger strike and during this period, he did not receive any medical treatment or a comprehensive medical examination. Requests to have Mr. López be seen by his personal doctor or the International Red Cross have been rejected.

H. Was appropriate treatment received for injuries sustained as a result of the torture?

No, the victim merely received a routine medical exam, where the results were only shared with the court and not with Mr. López, his family, or his doctors. And thus, it is not known how the 30-day hunger strike affected his health.

I. Was the medical examination performed in a manner which would enable the doctor to detect evidence of injuries sustained as a result of the torture? Were any medical reports or certificates issued? If so, what did the reports reveal?

N/A.

J. If the victim died in custody, was an autopsy or forensic examination performed and what were the results?

N/A.

III. Remedial Action

Were any domestic remedies pursued by the victim or his/her family or representatives (complaints with the forces responsible, the judiciary, political organs, etc.)? If so, what was the results?

Mr. López has repeatedly complained about periods of solitary confinement and a range of other deprivations. On November 9, 2015, Mr. López gave his lawyers a handwritten complaint detailing this mistreatment to be delivered to the Prosecutor General, Ms. Luisa Ortega Díaz. However, Colonel Viloría personally confiscated the complaint. Mr. López's representatives issued a new complaint to the Prosecutor General on his behalf in January 2016. There has been no response to his complaints.

IV. Information Concerning the Authors of the Present Report

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MODEL QUESTIONNAIRE

a. Full names of the victims

Lilian Tintori & Antonieta Mendoza de López

b. Date on which the incident(s) of torture occurred (at least as to the month and year)

January 17, 2016

c. Place where the person was seized (city, province, etc.) and location at which the torture was carried out (if known)

Ms. Tintori and Ms. Mendoza were at the military prison *Ramo Verde*, also known as the National Center of Accused Soldiers (CENAPROMIL), in Los Teques, Miranda State, attempting to visit prisoner Leopoldo López.

d. Indication of the forces carrying out the torture

Bolivarian National Guard, Military Police of the National Armed Forces, and the Military Counterintelligence Department (DGCIM).

e. Description of the form of torture used and any injury suffered as a result

On January 17, 2016, Mr. López's wife, Lilian Tintori, attempted to see him at *Ramo Verde* for a routine familial visit. After forcing Ms. Tintori to wait two hours while other visitors passed through without delay, Colonel Viloría, the director of *Ramo Verde*, began yelling loudly at Ms. Tintori and insulting her family relationship and her marriage. When Ms. Tintori asked Col. Viloría to lower his voice, he told her that if she continued to talk back to him, he would prevent her from visiting Mr. López for six months. He then continued to yell, hurling insults at Ms. Tintori in front of all of the soliders.

Ms. Tintori was then led to a very small room with two prison guards where she was ordered to remove all of her clothing and undergarments for a full body search. She was asked to repeatedly open and close her legs, while being subjected to verbal abuse from the prison guards, whose lewd and aggressive comments ranged from name calling to disparaging comments about her marriage. The soldiers even searched and then confiscated the sanitary pad that Ms. Tintori had been wearing.

Arriving several hours later, Mr. López's mother, Antonieta Mendoza de López, was also forced to undress completely and comply with a similarly violative and degrading search in front of her grandchildren, Manuela, age six, and Leopoldo Santiago, age three. She was made to open her legs repeatedly, with the guards yelling at her to "open them more." When the guards attempted to remove the children's clothes and search them as well, Ms. Mendoza refused to let them.

These incidents caused profound psychological torment for Ms. Tintori, Ms. Mendoza, and Ms. Tintori's young children.

f. Identity of the person or organization submitting the report (name and address, which will be kept confidential)

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I. Identity of the Person(s) Subjected to Torture

The Petitioner Lilian Tintori is a 37-year-old citizen of Venezuela, who is a human rights activist and the wife of wrongly imprisoned opposition leader Leopoldo López. The Petitioner Antonieta Mendoza de López is a 69-year-old citizen of Venezuela, who is a human rights activist and the mother of wrongly imprisoned opposition leader Leopoldo López.

II. Circumstances Surrounding Torture

A. Date and place of arrest and subsequent torture

The episode took place at the military prison of *Ramo Verde*, also known as the National Center of Accused Soldiers (CENAPROMIL), in Los Teques, Miranda State, Venezuela, on January 17, 2016.

B. Identity of force(s) carrying out the initial detention and/or torture (police, intelligence services, armed forces, paramilitary, prison officials, other)

The acts were carried out by Colonel José Salvador Vilorio Sosa and prison officials subordinate to Colonel Vilorio.

C. Were any person, such as a lawyer, relatives, or friends, permitted to see the victim during the detention? If so, how long after the arrest?

N/A

D. Describe the methods of torture used

Psychological torture was employed in the form of intrusive and degrading strip searches. This was compounded with simultaneous and degrading verbal attacks on the victims.

E. What injuries were sustained as a result of the torture?

The effects of the psychological torture of intrusive and degrading strip searches on Ms. Tintori and Ms. Mendoza are unknown, as are the psychological effects on Ms. Tintori's young children who witnessed the events.

F. What was believed to be the purpose of the torture?

It is believed that Ms. Tintori and Ms. Mendoza were being punished for their connection to political prisoner Leopoldo López, and their advocacy on his behalf. The political nature of the actions against Ms. Tintori and Ms. Mendoza is underscored by the prison officials' explanation that the order to conduct the violating strip searches came from high above. Mr. López is himself being punished for his political activities, especially regarding the free exercise of his rights to freedom of opinion and expression and peaceful assembly as established both by the Constitution of Venezuela and the International Covenant on Civil and Political Rights.

G. Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?

No.

H. Was appropriate treatment received for injuries sustained as a result of the torture?

No.

I. Was the medical examination performed in a manner which would enable the doctor to detect evidence of injuries sustained as a result of the torture? Were any medical reports or certificates issued? If so, what did the reports reveal?

N/A.

J. If the victim died in custody, was an autopsy or forensic examination performed and what were the results?

N/A.

III. Remedial Action

Were any domestic remedies pursued by the victim or his/her family or representatives (complaints with the forces responsible, the judiciary, political organs, etc.)? If so, what was the results?

The victims submitted a complaint before the Venezuelan Prosecutor General in which they detailed the abuses against them and called for measures that would prohibit Colonel Vilorio from approaching them or communicating with them in the future. The complaint is currently being investigated and Colonel Vilorio has not yet answered his summons.

IV. Information Concerning the Authors of the Present Report

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