

SUPREME COURT OF VENEZUELA REJECTS FINAL APPEAL OF OPPOSITION LEADER LEOPOLDO LÓPEZ

Brazen act of retaliation comes day after López's wife Lilian Tintori meets with President Donald Trump

CARACAS – Today, the Supreme Tribunal of Justice of Venezuela declined to hear Venezuelan opposition leader Leopoldo López's appeal of the decision of the 28th Trial Court of the Metropolitan Area of Caracas. On September 10, 2015, the 28th Trial Court convicted López, and sentenced him to 13 years and 9 months in prison, on the charges of conspiracy, incitement to commit crimes, arson, and damage to public property. The Government's claim was that his speeches about non-violence incited people to violence through "subliminal messages." This appeal was the last domestic legal remedy available to overturn his unjust conviction. While López has already spent three years in prison, this final conviction bars him from elected office for the duration of his sentence.

In light of the Court's rejection of the appeal, López's international counsel, Jared Genser, said, "The Maduro regime has utterly dropped any pretense of abiding by rule of law or human rights standards. The rejection of Leopoldo's appeal is in spite of overwhelming evidence of his innocence – including the lead prosecutor's admission that his trial was rigged. The international community must condemn this injustice in the strongest possible terms."

The Supreme Court's rejection of López's appeal comes the day after López's wife, Lilian Tintori, met with US President Donald Trump to press for the release of all political prisoners in Venezuela. Such timing is not surprising, as the Maduro regime regularly punishes citizens and media for speaking out. This week, the Government shut down CNN in the country for reporting on allegations of Vice President El Aissami's involvement in a fake passport scheme. And Tintori, upon her return to Caracas, was followed and verbally accosted by members of the state-run media in the airport. The timing of the Supreme Court decision only reaffirms the total lack of independence of the Venezuelan judiciary.

López was imprisoned on the basis of four speeches, where he advocated changing the Government of Venezuela through democratic, constitutional, and non-violent means. The speeches themselves were not accepted by the Court as evidence and were never actually analyzed in court. In fact, the expert witness, whose analysis of the "subliminal messages" in Leopoldo's speeches was used in the original indictment, recanted her testimony during the trial. And the main prosecutor abandoned his post, traveled to the US, and admitted that he was pressured by the Venezuelan government to rely on bogus evidence to wrongly prosecute López. Beyond the fabricated grounds of his arrest, López's year-long trial was riddled with a number of due process violations. His targeting by the Government stems from his popularity. A recent poll shows that in a hypothetical presidential matchup, López outpolls President Maduro by 30 percentage points.

Taking into account the political nature of the charges and egregious due process abuses, the UN Working Group on Arbitrary Detention found López's detention arbitrary in October 2014 and demanded his immediate release. The Group's call for his release has been joined by the UN High Commissioner for Human Rights, the UN Committee Against Torture, the Secretary General of the Organization of American States Luis Almagro, US President Donald Trump, Argentine President Mauricio Macri, Colombian President Juan Manuel Santos, Peruvian President Pedro Pablo Kuczynski, Paraguayan President Horacio Cartes, Costa Rican President Luis Guillermo Solís, Spanish Prime Minister Mariano Rajoy, the European Parliament, Human Rights Watch, Amnesty International, and the New York Times and Washington Post Editorial Boards.

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