July 25, 2014 FOR IMMEDIATE RELEASE

LÓPEZ DEFENSE TEAM SLAMS VENEZUELAN PRESIDENT FOR "OUTRAGEOUS" COMMENTS ON FIRST DAY OF TRIAL

FILES COMPLAINT TO SUPREME COURT ALLEGING VIOLATION OF PRESUMPTION OF INNOCENCE

Caracas – Today, Juan Carlos Gutierrez, lawyer for imprisoned opposition leader Leopoldo López, filed a complaint against President Maduro before the Venezuela Supreme Court. In making the filing today, Mr. Gutierrez commented: "President Maduro's public comments about Leopoldo's case violated the sacred rights of a criminal defendant enshrined in our Constitution." Jared Genser, international counsel to Mr. López further remarked: "President Maduro's comments are an egregious and outrageous violation of Leopoldo's internationally-protected rights to the presumption of innocence and independence of the judiciary."

As Leopoldo's trial commenced earlier this week, Maduro held an extraordinary press conference in which he asserted Lopez's guilt and vowed to punish him. 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]

The comments were just the latest in a number of explicit statements by Maduro and other government leaders promising to use the judiciary to punish him. The verbal attacks reveal Maduro's intention to provide clear instructions to the judge in the case. Previously, in October 2013, Maduro stated "Former Chacao Mayor Leopoldo López has already polished . . . [his] cell. It is just a matter of time. That fascist has done a lot of damage to this country. Justice will come sooner or later."
[https://www.youtube.com/watch?v=_bK2S5YkWR4]

Under Article 49(2) of the Constitution of Venezuela, it says "[a]ny person shall be presumed innocent until proven otherwise." Similarly, under Article 14(2) of the International Covenant on Civil and Political Rights, a treaty to which Venezuela is a party, states "[e]veryone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law." The Human Rights Committee, which definitively interprets the treaty for state parties has further noted "the presumption of innocence implies a right to be treated in accordance with this principle. It is, therefore, the duty for all public authorities to refrain from prejudging the outcome of a trial." Furthermore, these clear instructions to the judge in the case, who is a provisional appointee and must rely on Maduro for a permanent appointment, make clear the required outcome. This violates the requirements that there be an independent and impartial judge in the case.

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