

**IRREGULARITIES AND DUE PROCESS VIOLATIONS IN APPEAL HEARING OF
LEOPOLDO LÓPEZ**

Appeal hearing occurs behind closed doors, after multiple postponements and despite promises to be public for international observation and media

Caracas—After substantial delay, the Court of Appeals of Caracas heard an appeal in the case of Leopoldo López on July 22, 2016. The appeals process was introduced more than nine months ago in October 2015, but had been stalled until last Friday’s hearing. The hearing was originally scheduled for June 20, 2016, but was delayed twice.

In a written decision issued on June 16, 2016, the Court had affirmed its commitment to facilitating a public hearing in López’s appeal. In addition, the Court authorized López’s defense lawyers to invite up to 15 guests inside the courtroom on the condition that the lawyers presented the names of the attendees. Early in the morning on the day of López’s July 22 hearing, which had been scheduled with very little notice, López’s defense lawyers presented a list of the observers slated to attend the hearing later that day. The list included diplomatic representatives of various countries, national and international journalists, and two Spanish lawyers serving on Leopoldo López’s international defense team, including former Spanish Minister of Justice Alberto Ruiz-Gallardón.

The observers invited to attend the hearing presented themselves at the headquarters building of the Court early in the morning on July 22. However, they soon discovered that the entrance to the building was blocked, both by soldiers and by the Court’s own security officials. As was noted by Juan Carlos Gutiérrez, the head of López’s domestic counsel:

“This obstruction was committed in a way that was totally and absolutely controlled by military personnel. It was an obvious abuse of government power. Such actions significantly reduce the possibility that the decision in the López appeal will be emitted in a manner that conforms to due process.”

Without the previously ordered access of observers, including two of Mr. López’s international lawyers, Mr. López’s case was once more riddled with procedural flaws. The Court of Appeals of Caracas has ten business days to issue its sentence, which should arrive around August 5th. From a strictly legal point of view, Leopoldo López and the three students convicted alongside him should be released immediately.

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