

Executive Summary
White Paper on the Case of

Leopoldo López Mendoza
Citizen of the Bolivarian Republic of Venezuela



v.

Government of the Bolivarian Republic of Venezuela

Authored By:

Jared Genser¹
Perseus Strategies

José Antonio Maes

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¹ Jared Genser serves as international counsel to Leopoldo López. Jose Antonio Maes previously served as López's domestic counsel. For further information in English, contact jgenser@perseus-strategies.com or +1 202 320 4135. For information in Spanish, contact Juan Carlos Gutierrez, López's domestic counsel, at delgado Gutierrez@hotmail.com or +58 412 33 217 44. Perseus Strategies would like to thank Chris Fletcher, Sara Birkenthal, and Michael Cullen for their support.

Executive Summary

During the past few decades, democracy and respect for human rights has expanded throughout Latin America. After the 1958 coup that displaced Marcos Perez Jimenez, 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 January 2014. These initially non-violent demonstrations led to violence 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 Leopoldo López Mendoza, a 43-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 is married to Lilian Tintori, a recognized athlete and former TV host, and they have two children.

Mr. López 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. 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 new 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.

In 2002, Mr. López participated with other civil society leaders in protests. Mr. López was not a supporter of the coup and he did not sign the Act Constituting the Government of Democratic Transition and National Unity (“Carmona Decree”), the document that attempted to oust Chávez and dissolve the National Assembly and Supreme Court.

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 Innovate 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.

His arrest is simply the latest event in a very long history of political persecution directed against Mr. López by the Government of Venezuela. Notably, the Government has carried out a series of pretextual court cases against him and initiated violent attacks against his person, both demonstrating the Government views him as a serious political threat. It is, therefore, seeking to silence him and disqualify him again from running for public office through a new series of false charges that have been lodged against him. López’s ongoing detention is punishment for exercising his fundamental rights to freedoms of opinion and expression, 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, and the right to have confidential attorney-client communications. Accordingly, his detention is arbitrary as established by international law and he should be immediately released from prison.

López’s trial resumes in Caracas on July 23, 2014.