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Open Letter to Leopoldo López

August 22, 2016

Leopoldo López
Ramo Verde Prison
Venezuela.-

My esteemed friend Leopoldo:

To be frank, at first, after your arrest, I did not know that you were a political prisoner. The Government had made a lie look like the truth for the whole Hemisphere; only when I read the judgment, word by word, did I realize the full extent of the political horror your country is undergoing.

In one way or another, both you and your country are imprisoned, victims of the worst form of human wretchedness, the deprivation of all rights, from the most elementary economic and social rights to fundamental freedoms.

Your fate is now so entwined with that of your people that no doubt you will only be free when your people are free, and if the Government wrongly thinks it can break you it is because it wrongly imagines that it can break the people of Venezuela.

Perhaps addressing you as my friend was presumptive on my part toward someone I have never met, but I must confess that recently I have felt immensely close to the injustice you are suffering, just as I have felt close to the suffering of the people of Venezuela.

And yet, in every message of peace and harmony you have sent -- despite the threats to your life and the ignominy with which your



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family has been treated by the Government's henchmen -- you show that there is a path of hope for your country. In that, and in many other ways as well, you embody the hope of the people, as a whole and in each person's heart.

The judgment reasserting your unjust conviction marks a terrible milestone: the lamentable end of democracy in Venezuela. Paragraph by paragraph it also signals the end of the Rule of Law. That judgment establishes without a shadow of a doubt that no fundamental freedom and no civil or political right remains in Venezuela today; they have been expressly banished from the conduct of government affairs.

Today, our conclusions are the same as those of the countries in MERCOSUR, which have refused to accept Venezuela as the pro tempore Chair of that Organization.

That represents a powerful, explicit, and abundantly clear international condemnation, as does, no doubt, the activation of the Inter-American Democratic Charter, the next phases of which should reaffirm the position reached in MERCOSUR.

No position that upholds the law and fundamental legal principles can ignore the fact that the Government of Venezuela holds and tortures political prisoners; refuses to acknowledge the separation of powers and, in particular, the Legislative Branch of government; that Venezuela is undergoing a profound humanitarian and moral crisis in which many of those hardest hit have been targeted politically; that the Government of Venezuela seeks to disregard the constitutional right of the people to recall their President, through a mechanism that has the same legal and political status as his election; and that the Government has shown no willingness to engage in dialogue.

I reaffirm what I have said before: that the existence of political prisoners is totally incompatible with a democratic system; that the existence of a single political prisoner means that all our political rights are imprisoned.

No regional or subregional forum can ignore the fact that today there is no democracy and there is no rule of law in Venezuela. MERCOSUR's position today is the best example to follow and it is becoming increasingly imperative to apply international clauses that



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condemn acts that disrupt the constitutional order and the democratic system.

The United Nations Secretary-General and the United Nations High Commissioner for Human Rights have likewise spoken out with the utmost clarity regarding the humanitarian crisis and have exhorted the Government of Venezuela to honor its obligations under international human rights treaties.

The European Parliament has fully exposed the abuses committed by the Government and the deprivation of Venezuelans' rights, just as it has called for your release and that of all the political prisoners.

The more I examine the matter, the more convinced I am that there are no more legal, political, moral, or ethical reasons not to come out and condemn a government (which now looks more like a regime) that has undermined its own legitimacy.

A threshold has been crossed, marking the end of democracy itself. The international community has been crystal clear in its pleas for “no more tyranny from heaven,” from a heaven that no longer exists.

The requirement that governments be accountable for meeting their international obligations includes, first and foremost, the commitment to respect democracy and human rights internally, as this builds trust among citizens.

The founder of Frente Amplio, the coalition of left-wing parties in the government in Uruguay, General **Líber Seregni**, used to cite one definition of trust:

“Trust is a dynamic variable that is enormously important when it comes to secularizing political parties. It is born initially at the most basic level of the political system, which is the citizen, and thickens as it spreads through higher levels until it becomes impersonal and a generic feature of the system. Its intensity varies, depending on such factors as the equitable distribution of positions and political rights, the certainty and routine nature of an evaluation and oversight system, the existence of public spaces or opportunities for communication and, importantly, the frequency and quality of exchanges among political leaders.”



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Violence and daily intimidation

The people of Venezuela are a victim of intimidation, which has become the government's most tangible hallmark. It is what comes with ineffective government, as it attempts to hold on to power while denying the people the possibility of deciding by voting, and at the same time resorting to violence against those who demonstrate, or think differently, or who vote for laws.

Those of us who have suffered dictatorships know that attempting to crush opposition or dissident views is a true sign of the tyrants' ignorance, because people will always yearn for freedom, rights will always form part of what societies care about most, ideas are not just going to disappear however much those who hold them are subjected to harsh punishments, spying, violence, and extortion.

Intimidation as a deliberate policy has been wielded against thousands of demonstrators, against you yourself, against the civil servants who may lose their jobs for having signed in favor of a recall, against dozens of political leaders, against Chuo Torrealba, against Borges, against Maria Corina, against Zeballos, against Ledezma, against your mother or your wife when they went to visit you, against all those in jail or who went through it, against Pancho and Gabo, against every one of those who were tortured to force them to give false testimony, against the entire people of Venezuela, who are ultimately the butt of all these abuses.

Nevertheless, Leopoldo, what Venezuelans feel is, as Henrique Capriles put it, that "Prison, locking us up, will never crush the hope of living in a country that is just for everyone."

Poverty, humanitarian crisis, and corruption

Lack of transparency, shady deals, dubious management of public funds, and impunity have led to Venezuela being ranked by Transparency International as the most corrupt country in the Hemisphere, as I pointed out in my report of May 30, 2016.



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Not only are people's rights curtailed, corruption is quite simply blatant.

Former high-ranking officials in the economic team during former President Hugo Chavez Frias' government, like Jorge Giordani and Hector Navarro, have denounced the disappearance of thousands of millions of dollars due to misappropriation. Who is investigating the whereabouts of that money that belongs to the people?

As if that were not enough, **Roberto Rincón**, the owner of Tradequip y Ovarb Industrial, suppliers to state-owned PDVSA, was convicted on two charges of conspiracy to violate the Law on Corrupt Practices abroad. He admitted taking part in corrupt practices to obtain PDVSA contracts.

Rincón was arrested on December 16 for having paid more than \$1,000 million in bribes to obtain contracts with PDVSA between 2008 and 2014. He was not the only one: he is the sixth person to plead guilty in recent investigations regarding corrupt ties with Venezuela (three of them former executives in PDVSA). *Where did that money go? In what account is it being held? Who were the beneficiaries?*

The case of **Efraín Campo Flores and Francisco Flores de Freitas**, being heard in New York courts, is worrying, to say the least. According to documents in the prosecutors' office, the accused had made arrangements to transport cocaine from Venezuela to Honduras for subsequent shipping to the United States.

In recorded conversations, the accused talked of being at war with the United States and of intending to earn several million dollars from the operation.

The prosecution is deemed to have established that the accused held meetings in Honduras (October 4, 2015), in Caracas (end October 2015), and Honduras (November 2015) at which they made arrangements for the drug smuggling operation.



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In the course of those meetings, Campo described his connections with the Government of Venezuela, stating: “We are at war with the United States. . . with Colombia. . . with the opposition,” while at the same time making it clear that the drug would be dispatched to New York. On November 10, 2015, the accused were arrested in Haiti, where they had gone to finalize details of the operation.

From the voluntary confession of Messrs. Campo and Flores (both of them in the possession of diplomatic passports), it transpires from documents in the Prosecutor’s Office in New York that: Two months prior to his arrest, Campo had met the people from whom he had agreed to receive the cocaine for shipping to the United States via Honduras. Those contacts obtained the cocaine from the FARC and it was agreed that for the first shipment approximately 800kg would be delivered on consignment. Campo recognized photographs of the meetings in preparation for the operation and admitted they had taken place. For his part, Flores remained in contact with those same sources with a view to completing the operation following the meetings of coordination. Of the 800 kg for the first shipment, 100kg belonged to Mr. Flores, 100 kg to Mr. Campo, and the rest to his two partners in the operation. Flores also admitted that they were hoping to receive about US\$5 million for this first shipment, his share of which would be US\$560,000,

Above all, these cases testify to the deterioration in the culture of honesty and transparency in the Republic of Venezuela and to the constant increase in corruption. Whoever supports this state of affairs or simply says nothing about it is an accomplice. The Venezuelan institutions that know all about it and fail to denounce it are accomplices.

Under a rule of law, Venezuelans could expect justice. However, today corruption is not prosecuted. They have tried you for your politics, but, with one or two exceptions, they have not prosecuted the



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assassins of the 43 victims of 2014, for whom justice has yet to be served.

The recall referendum

As Secretary General of the OAS, in invoking the Inter-American Democratic Charter in the case of Venezuela and in the lengthy report prepared on the subject, I maintained that *“every institutional crisis is resolved by means of the legitimacy granted by the people. Every polarization among political leaders that leads to a crisis requires consultation with the people.”*

For that reason, it is unacceptable in any sphere to take power away from the people, to whom it pertains, and to treat it like small change. Doing that deals the final blow to Chavez’s political legacy.

Under no circumstances may power be used for a purpose other than that strictly determined by popular mandate and the Constitution. Much less may it be used to impose solutions that violate the Constitution. Above all it may not be used to prevent a sovereign people from expressing its views.

The people’s mandate, expressed in a pluralist society, the very essence of the democratic system, is not just a moral requirement; it is a political and civic necessity for peace and for the development of our societies. As Seregni would say: “The goal is to transform that ethical principle into a life choice or way of life.”

Recognizing the dignity of persons by respecting the people’s mandates and human rights is the very essence of morality and the principle of justice. Believing in people, respecting and defending their dignity and rights, is the objective of democracy. Failing to do so is the result of moral degradation on the part of dictators, of the powers that sustain corruption and of the corruption that sustains those in power, thereby consolidating a vicious circle of wretchedness that Venezuelans have paid for with the lives of their children in hospitals, with thousands of violent deaths in the streets, and with rampant hunger.

The peace your country needs will only come through the restoration of political trust among citizens, the women and men of Venezuela.



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Today Venezuela is sorely in need of public decency, democracy and democratization, reconciliation and peace, on the scale that **Monsignor Oscar Arnulfo Romero** called for on August 6, 1978:

“Bear in mind the right to participation that all yearn for, because each individual can contribute something to the common good of the fatherland, and that today, more than ever before, strong authority is needed, but not to unify mechanically or tyrannically, but rather to achieve moral strength based on freedom and responsibility for all, so that all those forces may converge, despite a plurality of opinions and even opposition, for the benefit of the fatherland.”

And that priest, who was a martyr for peace in El Salvador, went on to say:

“Give the people an opportunity to organize itself, repeal unjust laws, grant amnesty to those who have broken laws that do not favor the common good, stop intimidating the people, especially in rural areas. Release or let the courts address the problem of those who have disappeared or are being unjustly detained. Give those expelled from the country or prevented from returning for political reasons a chance to return.”

With warmth and affection,

A handwritten signature in black ink, appearing to be "L. Almagro". The signature is written in a cursive style with some vertical lines extending downwards.

Luis Almagro.