

Venezuela “Embassy Protectors” Will Not be Able to Tell Jury that Coup Leader Juan Guaido Is “Not President”, or Mention International Law

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*On February 4, **Chief Judge Beryl A. Howell** issued a ruling on what the jurors will be allowed to be told in the trial of the Embassy Protectors scheduled to begin on February 11. She granted most of the government’s requests to prevent the jury from hearing important facts about the case, leaving the protectors with little in the way of a defense.*

The courtroom will not be an oasis of truth in Washington, DC. The fact that **Nicolas Maduro** is the lawful president of Venezuela, not the coup leader **Juan Guaido**, cannot be uttered in that courtroom. Even though everyone, including the judge and prosecutors, knows that Guaido has not served one nanosecond as president since his self-declared presidency one year ago, the jurors will not be allowed to be told that critical fact. They will be led to believe that Guaido’s fake ambassador **Carlos Vecchio** is real.

Judge Howell argued that the court was bound by precedent that says courts must accept the decision of the president as to who is the leader of a foreign country. If the president says Mickey Mouse is president and Donald Duck and Goofy are his ambassadors of another sovereign country, then in the US courts that is the legal fiction they must abide by.

This is important in the Embassy Protectors’ case because the government’s excuse for entering the embassy to make false arrests was based on Carlos Vecchio, a fake ambassador of a fake president, giving them permission and ordering the eviction of the protectors. He was the Donald Duck to Guaido’s Mickey Mouse.

Other relevant topics that cannot be discussed are international law and events during the first 33 days in the embassy. The jury won’t be told that it is standard practice for governments to negotiate protecting power agreements, which was going on while the protectors were in the embassy. The jury will not know that the Protectors were prepared to leave the embassy voluntarily once a protecting power agreement was reached between the US and Venezuela.

The jury won’t know the Trump administration violated the Vienna Convention by raiding the embassy on May 16. The protectors cannot talk about the facts that the State Department failed to protect the embassy from break-ins by pro-coup advocates and that they allowed the breaking of windows and doors, defacing of the embassy and both threats and assaults of people inside and outside of the embassy.

The judge believes this information will confuse the jurors. Yes, the jurors would be confused if they knew the police allowed the Embassy to be damaged and stood by as people were assaulted, but it is members of the Embassy Protection Collective who were charged with interfering with their so-called “protection of the embassy.”

The judge also ruled the protectors could not argue that their First Amendment political rights were violated.

The protectors are not completely defenseless. Judge Howell ruled that the statute for interfering with protective function requires the government to prove beyond a reasonable doubt that the four protectors acted knowingly and willfully, meaning they had an intent to break the law. She is permitting the protectors to say they believe that Maduro is president, but they can't state the fact that he is the president.

The trial of the four Embassy Protection Collective members begins on February 11 and is expected to last about one week. The trial starts at 9:00 am at the Prettyman Courthouse, 333 Constitution Ave., NW, Washington, DC, room 22-A, Judge Beryl Howell.

We want a physical presence at the courthouse on the 11th. However, because individuals entering the courthouse may be potential jurors, we are calling on all supporters of embassy protectors not to approach any individuals with handouts who may be entering the courthouse. For information about what is deemed appropriate behavior on the day of the trial see [Call For Support at the Upcoming Hearing and Trial](#).

With all these restrictions imposed on the Protectors, the chances of their conviction have increased dramatically. It is clear that we now have a longer, more protracted legal battle on our hands. We therefore need to raise the level of our fundraising goal for their legal defense and ask our supporters to continue making donations. You can contribute to the legal defense fund of the Protectors at [DefendEmbassyProtectors.org](#).

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