

If Venezuelan Embassy Protectors Are Retried, Jury Should Hear About US Crimes

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On February 28, federal prosecutors will announce whether they plan to retry four people who spent 37 days in the Venezuelan embassy in Washington, D.C., [in the spring of 2019 to protect it](#) from an illegal invasion by the U.S. government. The first trial of Adrienne Pine, Margaret Flowers, Kevin Zeese and David Paul, who were charged with “interfering with the protective functions” of the State Department, ended in a hung jury on February 14.

The Trump administration has been trying to [engineer a coup d'état](#) against the lawfully elected Venezuelan government of Nicolás Maduro and install the U.S. puppet Juan Guaidó. To that end, Washington continues to impose [unlawful, punishing sanctions](#) against Venezuela that have contributed to “[the largest economic collapse](#) in a country outside of war since at least the 1970s,” according to *The New York Times*. The sanctions have led to the deaths of [at least 40,000 Venezuelans](#). On February 13, [Venezuela filed a complaint](#) against the United States in the International Criminal Court, claiming that the sanctions constitute crimes against humanity.

Pine, Flowers, Zeese and Paul, who are members of the Embassy Protection Collective, stayed in the embassy with permission of the Venezuelan government until [U.S. law enforcement illegally evicted](#) them on May 16, 2019. They were part of a group of 70 people. The rest had left after the U.S. government cut off water and electricity and refused to allow food into the embassy.

The embassy raid violated the [Vienna Convention on Diplomatic Relations](#), which forbids U.S. agents from entering the Venezuelan embassy without the consent of the Maduro government. The raid also violated the [Vienna Convention on Consular Relations](#) (VCCR), which requires that the U.S. government “respect and protect the consular premises,” including the property therein. The VCCR provides that if diplomatic relations between Venezuela and the United States are broken, they could agree to entrust the custody of the embassy to a third country. Although such a protecting power agreement was [being negotiated by the United States](#), Venezuela, Switzerland and Turkey, the U.S. government opted instead to storm the embassy and arrest the protectors.

At trial, Chief Judge Beryl Howell refused to admit significant relevant evidence. She limited what the jury heard to events that took place between May 13, when a trespass notice was served on the protectors in the embassy, through their May 16 arrest. Flowers spoke to two jurors after the trial — the foreperson who voted to convict and a lawyer who voted to acquit. “They were very curious about the facts of the case. They were totally confused,” Flowers told *Truthout*. “When I explained that Maduro is the president, not Guaidó, and that

this is a failed U.S. coup and the U.S. violated international law by raiding the embassy, the foreperson said she would have voted to acquit us in two minutes if she had known the full story.” The judge excluded that evidence because she thought “it would confuse the jury,” Flowers said. “In the end, it was the absence of those facts that created confusion. The jury said that the case didn’t make sense to them.”

The judge advised the jury that Guaidó was president of Venezuela because of a law that says the U.S. president decides whom to recognize as the leader of a foreign government. For more than a year, Trump has been trying to carry out [illegal regime change in Venezuela](#). In a moment of rare (but shameful) bipartisanship, Trump was given a standing ovation by Democratic as well as Republican members of Congress during his 2020 State of the Union address when he introduced Guaidó as the president of Venezuela.

Trump’s federal prosecutors will in all likelihood retry the four embassy protectors. “[A second trial raises the stakes for the Trump administration](#),” Ajamu Baraka, co-chair of the Venezuelan [Embassy Protectors Defense Committee](#), said in a statement. “The world is seeing the charade of a trial based on the false claim that Guaidó is president when he has not been president for one nanosecond and is no longer even the president of the National Assembly. A second prosecution will look vindictive and a second mistrial or an acquittal will be a blow to the failed coup which is already on its last legs.”

Meanwhile, the U.S. government continues to mount a campaign of aggression against Venezuela. Frustrated with its inability to execute regime change, the Trump administration is [reportedly considering a naval blockade](#) to overthrow the Maduro government. A military blockade would violate the United Nations Charter, which forbids the use or threat of force against the territorial integrity or political independence of another country. And the Charter of the Organization of American States prohibits a nation from intervening in the internal or external affairs of another country.

Whether the four protectors are ultimately retried, the Embassy Protection Collective has focused international attention on the Trump administration’s illegal attempts to change Venezuela’s government and punishment of its people with unlawful sanctions. The Embassy Protectors Defense Committee is calling for all charges to be dropped against the four protectors and is [seeking support for their legal defense](#). Both the White House and members of Congress should be confronted over the illegal and immoral aggression that the U.S. is perpetrating against the people of Venezuela.

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