THE LONG ROAD
Supporting Venezuelans through an Uncertain Future

A Report of the Inter-American Dialogue's Venezuela Working Group

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Acknowledgements and Methodology

The Inter-American Dialogue’s Venezuela Working Group (VWG) is a task force of prominent hemispheric leaders and experts committed to formulating and actively promoting policy responses to the crisis in Venezuela. The VWG’s prior reports, *No Strangers at the Gate* and *Transition Interrupted?*, focused on the Venezuelan migration crisis and scenarios for political transition, respectively. While this is the third and final scheduled report published under the Working Group’s guidance, the Dialogue’s ongoing engagement on the crisis in Venezuela will be shaped by the VWG’s analysis and we will continue to benefit from the Working Group members’ insight and expertise.

Created in September 2018, the Venezuela Working Group is chaired by former President Laura Chinchilla (Costa Rica) and former Ambassador Donna Hrinak (United States). VWG members include: Andrés Serbin (Argentina), Carlos Heredia (Mexico), Diego García-Sayán (Peru), Feliciano Reyna (Venezuela), Francisco José Virtuoso S.J. (Venezuela), Jeff Davidow (United States), Juan Carlos Pinzón (Colombia), Juan Gabriel Valdés (Chile), Roberta Jacobson (United States), Rosario Córdoba (Colombia), Sergio Etchegoyen (Brazil), Serena Joseph-Harris (Trinidad and Tobago), Vanessa Rubio (Mexico), and Verónica Zubillaga (Venezuela).

This report is based on deliberations of the Venezuela Working Group, as well as documentary research and discussions with officials from governments, multilateral organizations, academia, and civil society organizations. Many of these meetings took place during the VWG’s plenary meeting in Washington in December 2019. The report was written by Michael Camilleri, Director of the Dialogue’s Peter D. Bell Rule of Law Program and coordinator of the VWG. Its conclusions reflect the broad consensus of the Venezuela Working Group, but not necessarily the precise individual views of every member of the VWG.

The Dialogue is profoundly grateful for the excellent contributions of the Venezuela Working Group, led by co-chairs President Chinchilla and Ambassador Hrinak and under the direction of Michael Camilleri. Special thanks to Catharine Christie, Tamar Ziff, Carole Botello, and William Skewes-Cox for their valuable assistance in the preparation of this report. The Dialogue also thanks the Open Society Foundations and the Ford Foundation for their support of the Venezuela Working Group.

MICHAEL SHIFTER

*President, Inter-American Dialogue*
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Introduction

For long-suffering Venezuelans beleaguered by political repression and economic deprivation, the dawn of 2019 brought a ray of hope. Juan Guaidó’s election as leader of the National Assembly and his recognition by almost 60 nations as Venezuela’s legitimate interim president offered the country a viable opposition figure, an alternative vision, and a potential pathway out of its democratic and humanitarian crises.

One year later, the view from Caracas and beyond looks starkly different. Buttressed by a successful recent tour of Europe and North America, Guaidó retains his claim of formal authority and continues to enjoy significant support at home and abroad. Venezuela’s economy remains the worst performing in the world and its citizens continue to flee the country in record numbers. Nonetheless, the regime of Nicolás Maduro has held on. It weathered Guaidó’s rise, quashed an effort to splinter the military, and absorbed the impact of oil sanctions with the support of friendly governments such as Russia. It used violence and scarcity as tools of control, employed subterfuge and bad faith to divide its opposition, and elevated market tactics (however inconsistent) over revolutionary rhetoric in an effort to arrest the economy’s decline.

Feeling increasingly unencumbered, in January 2020 the Maduro regime deployed National Guard troops and violent “colectivos” to physically block Guaidó and his allied majority legislators from entering the National Assembly, attempting—together with a small group of opposition deputies who had reportedly been bribed—to install an alternative leader instead. The move was plainly illegitimate and a crass exercise of brute force, so obviously antidemocratic that it was condemned even by governments such as Mexico and Argentina that continue to recognize Maduro as president. Nonetheless, it was a reflection of the current, sobering reality and balance of power in Venezuela.

Indeed, if 2019 began with renewed optimism, 2020 obliges a return to realism. The immediate path forward for Venezuela is fraught with challenges, including National Assembly elections that Maduro will try to manipulate in an effort to consolidate his control over the lone remaining democratic institution in the country. The international community, increasingly gripped (by necessity) with the Venezuelan migration and refugee crisis, may at the same time grow more divided about how to address its root causes.

Nevertheless, realism should not give way to fatalism. The past 12 months provided ample reminder that things in Venezuela can change very quickly. Even as Maduro maintains a base of support, some two out of three Venezuelans reject his leadership. And for all Maduro and his allies have done to foment polarization and erode the nation’s democratic culture and institutions, the country remains home to political and social leaders prepared to continue paying the high cost of fighting for democracy and investing in a negotiated transition. The international community has a duty to support them and their aspirations.

At the same time, realism requires accepting that the timing of a return to democracy in Venezuela is uncertain. Meanwhile, Venezuelans inside and outside the country continue to suffer the consequences of an unprecedented economic collapse. They too deserve the support of the international community. If anything, the political impasse in Caracas is an argument for placing the Venezuelan people at the center of the conversation, and for elevating the focus on their human rights and humanitarian needs—even, if trade-offs are necessary, at the expense of short-term political objectives. Over time, cooperation...
on specific humanitarian issues could create space for bridge building among adversarial actors, both within and beyond Venezuela. In the meantime, it will ensure that the obstacles to achieving a transition in Venezuela do not impede efforts to mitigate the human suffering and regional spillover effects of Maduro’s misrule. Of course, the causes of the humanitarian crisis will persist as long as Maduro’s arbitrary regime remains in power.

Finally, realism obliges an admission that magical solutions are just that. Rhetoric aside, time has shown that all options are not in fact on the table. Venezuela can continue down the path of authoritarian consolidation, institutional breakdown, and social and economic chaos, or it can stumble its way to an inevitably messy accommodation among its political actors that could nonetheless pave the way for credible elections and the reconstruction of democratic institutions and economy. The latter option is infinitely better.

This third report of the Inter-American Dialogue’s Venezuela Working Group is based on 18 months of internal deliberations and consultations with key stakeholders, and it builds on prior in-depth reports on the Venezuelan migration crisis and scenarios for political transition. The analysis that follows offers a concise assessment of the state of play in Venezuela and a framework for future action.
Venezuela Today and Tomorrow

The existing state of play in Venezuela is shaped, fundamentally, by four major political developments of the past year. These developments, in turn, influence our understanding of the current balance of political power, near-term trajectory and scenarios, and opportunities for constructive engagement. We revisit them briefly here.

The first development was the emergence of Juan Guaidó, a federal deputy elected as National Assembly President on January 5, 2019, who subsequently invoked Maduro’s illegitimate 2018 reelection to assume the title of interim president under the Constitution. Guaidó achieved what had largely eluded his predecessors: he united the majority coalition in the National Assembly, rallied Venezuelans to the streets, and achieved unprecedented degrees of domestic and international support—with over 60 percent of Venezuelans initially supporting him and almost 60 nations recognizing his interim presidency along with international organizations such as the Organization of American States and the Inter-American Development Bank. The government of the United States, in particular, sought to buttress Guaidó by applying maximum pressure on the Maduro regime, including by introducing sanctions on state oil company PDVSA in late January. In the heady days of early 2019, the prospect of Guaidó sweeping to power seemed very real.

When that prospect proved overly optimistic, a second key development occurred on April 30, 2019. Having promised imminent change but fallen short of dislodging Maduro through a combination of domestic mobilization and international isolation, Guaidó opted for a high-stakes gambit. He and his supporters sought with some allies of the Maduro regime to orchestrate a decision from the Supreme Court that, together with high profile military defections, would force Maduro from power. However, neither Chief Justice Mikel Moreno nor the Minister of Defense Vladimir Padrino López ultimately joined the plot, and it quickly unraveled as key military leaders failed to defect. The effort smacked of desperation and exposed, not for the first time, a lack of contacts within—and comprehension of—the complex motivations, alliances, and corporativist ethos of the Venezuelan military, a decisive actor. It also exposed the limits of even the United States’ capacity to shape events in Venezuela. Indeed, despite repeated admonitions by President Trump and his administration that all options, including a military one, were “on the table” in Venezuela, subsequent reporting indicated that the administration is not actively considering military options. The failure of the April 30 uprising appeared to leave Guaidó and his allies without a Plan B, and in subsequent months their capacity to mobilize Venezuelans waned significantly. However, at the initiative of the Government of Norway, representatives of Guaidó were secretly negotiating with representatives of Maduro, and by mid-April had agreed on a six-point agenda for talks: restoration of constitutional checks and balances, conditions for holding elections, the terms of a transition away from Maduro, peace and reconciliation, post-electoral guarantees for both sides, and the lifting of U.S. sanctions. For Guaidó, this was a risky move given Maduro’s history of using negotiations to buy time and divide the opposition, and when the negotiations became public in May 2019, he had to contend with criticism from some within his own coalition. Nonetheless, formal negotiations facilitated by the Norwegian government proceeded over seven rounds in Oslo and Barbados, and both sides reportedly accepted over 70 percent of the action points based on the agreed agenda.
Negotiations eventually broke down in mid-September. Maduro pulled his negotiation team, using as a pretext the Trump Administration’s announcement of fresh sectoral sanctions on August 5 and then-U.S. National Security Advisor John Bolton’s fiery speech at a meeting in Lima. In truth, however, Maduro’s representatives were never prepared to discuss the decisive issue of his departure and the process for convening presidential elections. To many observers, Maduro and at least some of his regime allies had once again employed negotiations as an effective stalling tactic.

Indeed, even as Maduro was negotiating with his opposition, he was orchestrating a plan to undermine Juan Guaidó. This effort—which is ongoing—constitutes a fourth key development. Shortly after the Barbados talks ended, the Maduro regime signed an agreement with a group of minority opposition parties that had been in the works for months. The regime presented the agreement—which promised to free some political prisoners, reform the National Electoral Council, and resume the participation of pro-government legislators in the National Assembly—as evidence that it was prepared to negotiate and that there was an opposition willing to deal with it.

The effort to sideline Guaidó did not stop there. In anticipation of the one-year anniversary of Guaidó’s election as leader of the National Assembly on January 5, 2020, the regime orchestrated a campaign of bribery of some opposition representatives and intimidation of several others to prevent Guaidó’s reelection to this position. This reportedly included offering opposition National Assembly members bribes of up to $500,000 to vote against Guaidó, detaining at least two legislators in late December 2019, and approving the trial of four more. The regime has also stripped the immunity of 29 opposition legislators, including Guaidó, and forced 27 into exile. When these efforts failed to tip the balance against Guaidó, the regime dispatched the National Guard to physically prevent the National Assembly president and his allies from entering the legislature on January 5. Inside, Maduro allies purported to elect a National Assembly leader of their own, though they lacked the quorum to do so. Guaidó was later ratified as president of the legislature by a majority of lawmakers.

Maduro’s actions leave the country with parallel National Assemblies—one legitimate, controlled by the opposition majority under Guaidó’s leadership; the other illegitimate, comprised of a minority of pro-Maduro legislators and led by Luis Parra, who has taken control of the parliament’s headquarters, offices, and personnel. This is in addition to the illegitimate National Constituent Assembly installed by Maduro on July 31, 2017.

The months-long effort by the Maduro regime to sideline its most formidable opponent is certain to continue. National Assembly elections are constitutionally required in 2020, and Maduro will no doubt see them as an opportunity to take control of the legislature—and with it, the last bastion of legitimate democratic governance and formal opposition to his rule. A level playing field is highly unlikely, as it would require—at minimum—a new, impartial, and constitutionally elected National Electoral Council (CNE), a new constitutionally elected supreme court (TSJ), the removal of restrictions on political parties and candidates, the registration of new voters, a free and fair media environment, and independent national and international electoral observation.

In 2015, the opposition won a supermajority in the National Assembly despite a playing field tilted against it, but conditions are likely to be extremely restrictive in 2020. As a result, major opposition parties face a difficult decision over whether to participate in the elections. This is not a coincidence: Maduro hopes to compete against a weakened and divided opposition—as he did in the 2018 presidential election—and he has proven adept at generating such divisions. And while Maduro may have overreached on January 5, his actions reflect a conviction that his political position has improved to the point that even a transparently undemocratic and violent power play would not incur significant consequences. We can expect more of the same.

This deteriorating political stalemate exists against the backdrop of a Venezuelan populace victimized by Maduro’s dictatorship. A July 2019 report by UN High Commissioner for Human Rights Michele Bachelet detailed grave violations.
of human rights in the country, both civil and political as well as economic and social. The report found a “shockingly high” rate of extrajudicial killings by Venezuelan security forces and concluded that the regime had implemented a strategy “aimed at neutralizing, repressing and criminalizing political opponents.” According to one Venezuelan NGO cited in the report, at least 15,045 Venezuelans were arrested by security forces between January 2014 and May 2019 for political motives. The Venezuelan Observatory of Violence notes that in 2019 alone, security forces killed 5,286 people for “resistance to authority,” a categorization the group considers extrajudicial killings. Amid a breakdown in law and order, Venezuela has the highest murder rate in the region, though this has decreased since 2018. Bachelet’s report also found that the health situation in Venezuela is “dire” and that large sections of the population do not have access to food, in some cases as punishment for their failure to support the Maduro regime. From 2015 to 2017, the UN estimated that 3.7 million Venezuelans were malnourished. Additionally, 1,557 Venezuelans died between just November 2018 and February 2019 due to a lack of medical supplies in hospitals.

The UN’s 2019 Humanitarian Response Plan found that 7 million Venezuelans inside the country—more than one fifth of the population—require humanitarian assistance. This estimate likely understates the gravity of the complex humanitarian emergency. Unsurprisingly, Venezuelans continue to flee en masse, some 5,000 daily, with 4.6 million having left the country as of November 2019. The Venezuelan economy contracted 23.7 percent in the first quarter of 2019, and hyperinflation continued. The IMF expects a further 10 percent contraction in 2020, making Venezuela’s the worst performing economy in the world.

After years of arbitrary, heterodox, and self-defeating economic policymaking, the Maduro regime began in late 2019 to allow some isolated market forces to assert themselves and the U.S. dollar to become the de facto currency. Ironically, U.S. sectoral sanctions may have accelerated these trends. The result is an emerging dual economy: reduced scarcity for the part of the population with access to dollars, still greater impoverishment and dependency for those without such access. The “21st century socialism” promised by former President Hugo Chávez has been replaced by a savage capitalism in which a select few profit wildly while others confront life without even the most basic of state services—including police and electricity—particularly in rural areas.

By the end of 2020, the Venezuelan exodus is expected to exceed 6.5 million, making it the world’s worst displacement crisis alongside Syria’s. The impact of this enormous Venezuelan diaspora will be felt across South America and beyond, in the Caribbean, Europe, and the United States. It will also be felt in Venezuela itself, where remittances estimated to reach $4 billion in 2020 will represent a lifeline for many people and a potential source of stability for the regime. In time, and especially in the context of any transition, the human and financial capital of the Venezuelan diaspora could be transformative. Of course, Venezuelans abroad will also seek to shape the country’s politics, in ways that could both help and hinder the search for a political solution.
A Path Forward

Recent developments in Venezuela appear to leave little room for optimism in the short term. Visible signs point to authoritarian consolidation more than democratic transition. At the least, it is clear the Maduro regime is more resilient than many assumed and has no intention of willingly giving up power. While the regime is not without vulnerabilities—including public antipathy, international opprobrium and sanctions, dependence on security forces, and an economy in tatters—it has succeeded repeatedly in overcoming these vulnerabilities. Its most recent actions suggest an eagerness to eliminate meaningful opposition rather than accommodate it.

In this context, it may seem naïve to suggest the Venezuelan crisis requires a negotiated solution. Certainly, those who advocate such a solution must start from a position of humility, recognizing it is neither easy nor immediately foreseeable, and that all previous attempts to achieve it have failed. Indeed, even a vaunted negotiated agreement would only mark the start of a transition, not its culmination, given the need to reform laws, government bodies, voter rolls, court judgments, and much more before Venezuela could hold credible elections. The alternatives to such an agreement, however, require either resignation or wishful thinking. Quick solutions—whether a popular uprising, regime fracture, or foreign intervention—are hard to envision, while the status quo is impossible to accept. The challenge, then, is to operate with realism but not defeatism, and to understand that a negotiated pathway out of the crisis will be elusive and difficult, but the conviction that it is the most viable solution to the travesty of present-day Venezuela.

With this objective in mind, we offer the following framework for action. Aware of the challenges discussed and the often rapidly shifting landscape, it is not a specific roadmap but an effort to identify the broad contours of an approach that could, over time, create a more hospitable environment for a political solution in Venezuela.

Sticks and Carrots

In the Norway-sponsored negotiations between representatives of Nicolás Maduro and Juan Guaidó, the Maduro delegation proposed just one of the six points on the agenda: relief from U.S. sanctions, both targeted (individual) and sectoral (economic). While the potential for sanctions relief was not enough to produce a positive outcome in the negotiations, it was arguably sufficient to tempt Maduro to the table.

There are two clear implications for future efforts to produce a negotiated political solution in Venezuela. First, the Maduro regime will only come to the table under duress. This is consistent with conflict resolution theory and practice, which holds that a hurting stalemate rendering negotiations ripe is achieved only when both sides perceive that the costs of continuing the struggle exceed the benefits of negotiating. In the Venezuela context, this will require smart, sustained pressure on the regime, as well as credible guarantees and incentives—both personal and institutional—for those in the regime and the upper ranks of the military.

A negotiated pathway out of the crisis will be elusive and difficult but it remains the most viable solution to the travesty of present-day Venezuela.

The second implication is that in the absence of widespread popular mobilization, the Guaidó-led opposition’s leverage against Maduro currently consists largely of pressure from abroad. For the international community, this means that a policy of targeted sanctions against regime figures responsible for human rights violations, corruption, or antidemocratic behavior should be continued and expanded. While sanctions are not themselves a strategy, they do constitute an essential instrument of a strategy oriented toward a negotiated solution, and should be optimized accordingly. Simply put, given everything we know about the Maduro regime, there can be no effective negotiations without effective sanctions.

Priority should be placed on efforts to multilateralize targeted sanctions—such as the adoption of visa bans and asset freezes by the European Union and a group of Latin
American countries—as sanctions have proven to be more effective when their geographical reach is broad. EU countries in particular could do more, especially those where Maduro regime officials and their relatives have taken up residence or deposited their assets. Cooperation among financial intelligence units to identify and freeze these assets is crucial. Venezuela's military leadership maintains the ultimate balance of power in Venezuela, and a multilateral policy of gradually expanding travel bans and asset freezes targeting the military brass and their families could help inculcate the idea that a political solution which protects the military’s interests is preferable to the status quo.

Sustained, targeted sanctions pressure is therefore imperative, but its implementation is subject to three important caveats. First, sanctions regimes should be smart enough to combine sticks and carrots. Incentives for positive behavior should accompany penalties for negative behavior. To some extent U.S. sanctions—both individual and sectoral—have done this, but clearer signals are needed.

Second, sanctions regimes should be attentive to overcompliance risks. U.S. financial sanctions, for example, have often had the unintended consequence of restricting access to banking and other services for human rights and humanitarian groups in Venezuela, despite explicit carveouts for these activities. In the case of Iran, the U.S. Departments of Treasury and State created a mechanism to provide written confirmation that proposed humanitarian exports comply with sanctions. A similar mechanism for Venezuela, if sufficiently agile, might provide a vehicle for offering needed assurances to U.S. entities worried about sanctions compliance.

Finally, sanctions policy should be mindful of unintended consequences. Sectoral sanctions in particular should weigh very carefully any negative impact on the humanitarian situation of the people in Venezuela, even if the effect of doing so is to blunt somewhat the impact of the sanctions. In the case of U.S. sanctions on PDVSA, for example, there is growing concern that the resulting lack of transparency around oil exports and reduction in Venezuela's oil revenue are exacerbating the existing humanitarian emergency that was caused principally and primarily by the corruption and mismanagement of the Maduro regime. A proposed humanitarian oil program—modeled on the UN’s flawed oil-for-food program in Iraq but modified to prevent the corruption that plagued that program—could provide a vehicle for lifting U.S. sanctions on Venezuelan oil while channeling the revenues to humanitarian purposes. The EU's High Representative for Foreign Affairs commented positively on this proposal before assuming his current post.

Sanctions can have other unintended consequences. They have pushed Maduro, for example, to accelerate the dollarization of the economy and lean more heavily on Russia for support. Russian state oil company Rosneft has become the major purchaser of Venezuelan oil, taking around two-thirds of Venezuela's crude and diverting it to Asia, often obscuring the cargo's source and destination. In this way, Rosneft has become essential to Venezuela's evasion of U.S. oil sanctions. Underlining Moscow’s growing stake in Venezuela, Russian foreign minister Sergey Lavrov visited Caracas in early February, where he reiterated his country's support for Maduro, condemned U.S. sanctions, and promised additional arms sales. Nonetheless, Lavrov’s call for a “political and diplomatic solution” may reveal a desire to avoid escalation and limit Russia’s exposure in Venezuela amid reports the White House is considering sanctions on Rosneft.
While international efforts to support democracy in Venezuela have at times fragmented over tactical questions, efforts should be made to expand the spectrum of countries advocating for key objectives.

New Voices and Broader Conversations

As polarized and unyielding as formal politics are in Venezuela today, the Venezuela Working Group was encouraged by evidence that leaders from different walks of life are prepared to pay the political price of advocating a negotiated solution to the country’s crisis, with its inevitable tradeoffs and compromises. This is the case of Juan Guaidó and his closest allies in the political opposition, though not necessarily the opposition in its entirety. It is true also for an increasingly diverse spectrum of civil society leaders and organizations, including some current and former Chávez and Maduro loyalists. Less publicly, it may also be the case for certain regime insiders and military leaders, who surely realize that clinging to power in an impoverished pariah state may be possible but hardly optimal.

This suggests a need to deepen the structured conversation about Venezuela’s future and, above all, expand it to include alternative spaces and incorporate voices from beyond the realm of formal politics, which is largely ossified. Convincing regime confidants and members of the military to participate in structured discussions on the country’s future has proven very challenging, but creative efforts to do so must continue. The international community should help by supporting processes and legitimizing voices—from civil society, business, religion, universities, and beyond—that could, over time, serve as a channel for widespread social discontent and popular demands for compromise to penetrate the political arena.

The need to inject energy into the political conversation is also an argument for doing everything possible to preserve whatever formal democratic space still exists in Venezuela. Most clearly, this refers to the National Assembly. The 2020 election will not meet the aforementioned conditions necessary for a free and fair vote. The question the opposition must answer is whether it is free and fair enough to justify its participation. In 2015, the opposition coalition was able to overcome an uneven playing field to win a supermajority in the National Assembly. In contrast, the opposition’s decision to boycott the 2005 election turned the legislature into a rubber stamp for then-President Chávez and helped to cement his rule.

Already, discussions and divisions are emerging on the question of participation in legislative elections. Boycotting the election would hand control to Maduro. However, competing with insufficient guarantees against fraud and manipulation could also hand Maduro victory if voters are scared away from the polls by the unfair conditions (as happened in 2018 state and municipal elections), risking a victory for Maduro’s forces under circumstances that he can more easily claim as legitimate. This dilemma is for the Venezuelan opposition itself to resolve. The international community should in the meantime encourage its various parties to unify around a single position, and mobilize as broad a multilateral front as possible to demand steps to level the playing field. Notably, governments such as Mexico and Argentina, which continue to recognize Maduro, were quick to condemn his regime’s violent obstruction of Guaidó’s reelection on January 5.

This suggests that international pressure for credible legislative elections could come from a broad set of countries, including some that Maduro views as important. While international efforts to support democracy in Venezuela have at times fragmented over tactical questions, efforts should be made where possible to expand the spectrum of countries advocating for key objectives.
Indeed, even as the international community remains deeply divided over issues such as the recognition of Guaidó, the search for common ground in specific areas should continue. For example, the application of targeted sanctions to regime members, a policy initiated by the United States in 2015, is now a policy common to the U.S., Canada, the European Union, and 15 countries in Latin America and the Caribbean.

Still broader coalitions are possible in other areas, such as support for free and fair elections under a negotiated solution. Maduro allies Russia, China, and Bolivia (under former president Evo Morales) endorsed the Norway talks, for example, and the Swedish government successfully convened a broad international conference parallel to the Norway talks in an effort to buttress the negotiations.\textsuperscript{LXIII}

A second area is human rights. The UN Human Rights Council voted in September 2019 to establish an independent fact-finding mission for Venezuela.\textsuperscript{LXIV} Even a softer resolution sponsored by Venezuela allies such as Iran and Nicaragua, which also passed, provided for continued UN monitoring of the human rights situation and called for the Maduro regime to cooperate with UN human rights mechanisms and dialogue with the opposition.\textsuperscript{LXV} Clearly, Venezuela is no longer able to whitewash its human rights record, even if it managed to win a Human Rights Council seat in October 2019 and has attempted to exempt itself from the Inter-American Human Rights System.\textsuperscript{LXV}\textsuperscript{I} A final area of potential consensus is the humanitarian situation, which should be depoliticized to allow for the greatest possible international cooperation even before the regime changes.

One or more of these areas of potential consensus, particularly the humanitarian situation, could in time form the basis of a UN Security Council resolution acceptable to Russia and China. Any such effort, which would provide the Council a vehicle to remain apprised of the situation in Venezuela and for the Secretary General to employ his good offices, should ideally originate from a diverse group of Latin American countries. Mexico under President Andrés Manuel López Obrador has been reticent to involve itself in Venezuela or world affairs more broadly, but it will likely take up a Security Council seat in 2020. If it could be convinced to shepherd a Security Council resolution, it would be perhaps best placed to do so. Of course, realism is in order here as well. Relations among the Security Council’s permanent members are tense, including over Venezuela, meaning corridor diplomacy may ultimately prove more viable than a formal resolution.\textsuperscript{LXVII}

\textbf{Oslo Reconsidered}

The Norway-sponsored negotiations between representatives of Maduro and Guaidó were ultimately doomed by Maduro’s conviction that he was better off trying to impose his will than cut a deal that might lead to him ceding power. In this respect, the talks recalled prior, failed negotiations between Maduro and the opposition.\textsuperscript{LXVIII} In other ways, however, the talks differed, including the progress made and the participation of the Norwegian government as a disciplined and experienced mediator able to win the confidence of both parties.

A swift return to the table is currently improbable, and indeed would likely prove counterproductive. However, a negotiated pathway to free, fair, transparent, and competitive elections—to include minimum conditions for the transition such as guarantees for the eventual political minority—remains the most convenient and viable solution to the Venezuelan crisis. In this sense, it is notable that the agenda, methodology, points of consensus, and choice of mediator established in the Norway talks remain a basis from which to operate, if and when negotiations can be revived. At the same time, future efforts must account for the shortcomings and ultimate failure of the Norway process.
What would it take for credible negotiations to resume? Most fundamentally, ripeness. A genuine negotiated solution requires both good faith from the parties and guarantors able to ensure agreements are not just achieved but implemented. As discussed, the Maduro regime has at no point demonstrated that it believes its position would improve through a negotiated agreement. Changing this strategic calculus is the central objective that has eluded Maduro’s political opposition and its supporters in the international community. Sustained pressure, domestic and international (including targeted sanctions), will be indispensable, as will more explicit incentives for constructive behavior and assurances about the future.

Beyond this, there are steps that could help preserve the option of a political solution or enhance the possibilities of success if negotiations eventually resume. To begin, it is crucial to sustain and build the international consensus around a genuine negotiated solution. The U.S. Secretary of State’s endorsement of negotiations in January 2020, following months of mixed signals from the Trump Administration, could be an important development in this regard. Initiatives such as last year’s international conference hosted by the Swedish government help demonstrate the international consensus in favor of negotiations and provide a forum to explore how the red lines of key external actors might be accommodated. In addition, confidence building measures such as sectoral agreements, especially in the humanitarian space, could generate lines of communication and cooperation between the parties, even while a broader political agreement remains out of reach.

Finally, further after-action analysis is needed on the 2019 Norwegian talks. This would inform how a rekindled negotiation process should be structured in light of the progress made, while taking into account the ultimate failure of those talks. For example, both delegations to the Norway process were likely too narrow. Most significantly, the military was not represented; its interests would need to be accounted for if any agreement is to be sustainable. While military officers most responsible for grave human rights violations and gross acts of corruption will need to be held accountable in any transition, the military’s institutional future and its role as a potential guarantor of the implementation of a negotiated settlement will almost certainly need to be on the table.

Given the powerful international interests at play, it will also be necessary to incorporate actors such as the United States, Russia, and Cuba more directly into the talks. All have relevant equities. The United States, for example, has insisted that Maduro would have to depart before sanctions relief could occur. Russia, meanwhile, has emerged as perhaps Maduro’s most important ally. Some observers have alleged that Russia helped orchestrate the events of January 5 in order to obtain stakes in Venezuelan oil fields that require legislative approval. Cuba has long benefitted from Venezuelan oil largesse and provided military and intelligence advisors to Chávez and now Maduro; efforts by the Canadian government to engage Cuba as a constructive broker have thus far shown little sign of progress, and Guaidó was criticized harshly by some in his camp for expressing openness to Canada’s efforts.

Bringing these adversarial foreign actors closer to any future negotiations would add complexity to the process. However, it would also allow them to ensure their interests are protected while investing them in the outcome and reducing the chances they would undercut the process from the outside. The participation of the U.S. and Cuba in the Colombian peace negotiations with the FARC could serve as a loose model for international accompaniment in the case of Venezuela.
**Venezuelans First**

The Venezuelan crisis persists despite the determined efforts of many well-intentioned individuals and entities inside and outside the country. In early 2019, an unprecedented combination of domestic and international pressure was brought to bear on the Maduro regime. This was followed by the most serious and structured effort to negotiate with the regime to date. Neither succeeded in producing the political transition the country needs.

This sobering reality should not dampen efforts, discussed above, to produce the democratic transition that is a prerequisite for reversing the country’s social, economic, and humanitarian breakdown. It should, however, imbue with greater urgency and focus the international community’s efforts to address Venezuela’s human rights violations, its complex humanitarian emergency, and their collective spillover effects, especially mass migration.

Thus far, the response of the international community has not matched the scale of the human needs, with one notable exception. South American countries, led by Colombia, have shouldered most of the burden of integrating almost five million Venezuelan migrants and refugees, with relatively little help from abroad. Until recently, the regional response to the Venezuelan migration crisis was characterized by impressive solidarity, open borders, and relatively effective (if ad hoc) systems for migrants to regularize their status, access the labor and education systems, and obtain social services.

Perhaps inevitably, this generosity of response has begun to fray. Chile, Ecuador, Peru, and the Dominican Republic followed Panama in tightening their borders in the second half of 2019, amid increasing reports of xenophobia. Just over half of the United Nations’ $738 million appeal for refugee and migration response was funded in 2019. As of November 2019, the UN’s modest Humanitarian Response Plan budget of $223 million for Venezuela was likewise underfunded. Four years into the crisis, the international community had spent $580 million on the Venezuelan displacement crisis. At the same point in the Syria crisis, cumulative spending on refugee response was $7.4 billion. The Quito process has fallen short of the expectation that it could prevent a race to the bottom by harmonizing national migration policies, though it remains a useful forum for addressing concrete challenges such as human trafficking, protection of children, and documentation and professional accreditation for migrants.

One obstacle to greater humanitarian assistance has been a tendency to mix humanitarian and political objectives. On February 23, 2019, Guaidó, with the support of allies in the international community, attempted to test the military’s loyalty to Maduro by forcing humanitarian aid across Venezuela’s borders with Colombia and Brazil. This miscalculation not only failed to achieve its immediate objectives, but made it more difficult for humanitarian organizations to gain permission to access Venezuelan territory from the Maduro regime, which has been shamefully slow to grant it in many cases.

By the same token, the UN has shown a propensity to underplay the gravity of the situation in order to placate Maduro, presumably calculating that this is necessary in order to preserve its access to Venezuela. In response to the publication of the UN’s Humanitarian Response Plan, more than 100 Venezuelan civil society organizations observed that the plan was dated and underestimated both the scale and cost of the country’s humanitarian needs based on inputs that lacked transparency. Similar concerns exist as to whether an expected World Food Program plan for Venezuela will be made public. Prioritizing the humanitarian needs of Venezuelans and galvanizing a commensurate international response requires, first and foremost, reckoning honestly with the scale of the problem. The humanitarian response should not be politicized.
whether by tying it to political objectives or soft-pedaling it due to political considerations.

Notwithstanding these developments, there are some emerging signs of a more robust international response to the plight of millions of Venezuelans. In September 2019, the UN Human Rights Council—galvanized by High Commissioner Bachelet’s landmark report on the “grave violations of economic, social, civil, political and cultural rights” in Venezuela—created a fact-finding mission to the country, though its work is only beginning and Bachelet’s small team in Caracas has been denied the broad access to detention centers that it was promised.

In October 2019, the EU held an international solidarity conference on the Venezuelan refugee and migration crisis, which is expected to be followed by a pledging conference. The UN launched a $1.35 billion appeal to meet the needs of refugees and migrants in 2020. The United States provided almost half a billion dollars in assistance through September 2019, and the recently passed VERDAD Act appropriates $400 million in additional assistance. The U.S. House of Representatives also passed bipartisan legislation to provide Temporary Protected Status to Venezuelans, a step that would shield Venezuelans from deportations and potentially strengthen the United States’ capacity to mobilize a more energetic and coordinated international response. Unfortunately, the Trump Administration opposed the legislation for reasons related to its broader immigration policy, and it was defeated in the U.S. Senate.

For countries in South America and the southern Caribbean, the prospect of a long-term breakdown in Venezuelan state and society has serious and potentially destabilizing implications. Colombia in particular is vulnerable to the externalities of the vast expansion of illicit economies in Venezuela and the ceding of territory to organized crime (including drug traffickers) and armed groups, which provides groups like the ELN with both safe harbor and revenue streams. For the broader region, the more immediate impact will be in the form of continued mass migration flows. Research by the IMF shows that Venezuelan migration is expected to increase GDP in recipient countries by 0.1 to 0.3 percent between 2017 and 2030 by expanding the labor force. In the short term, however, migration will put additional stress on labor markets and social services—potentially sparking popular resistance and exclusionary politics as witnessed in other parts of the world.

For the international community, significantly augmenting support for Venezuelans in need, inside and outside the country, is both a humanitarian and strategic imperative. This effort should incorporate traditional funding streams such as donor funds and conferences, and novel ones such as recovering and repurposing assets stolen by regime insiders and cronies. And importantly, it should include leading by example, as desperate Venezuelans look increasingly to the United States and Europe for refuge and a new life.
CONCLUSION

The Dialogue’s Venezuela Working Group was created out of the recognition that advancing a democratic, peaceful, and prosperous future for Venezuela would not be easy. Precisely for this reason, the Working Group did not focus on the “day after” for Venezuela, but rather applied its collective efforts to the difficult search for actionable solutions in the here and now. True to expectations, restoring democracy and the rule of law in Venezuela and reversing the country’s humanitarian crisis remain stubbornly elusive goals.

This is not to say nothing has changed in the relatively brief period of the Working Group’s existence. Juan Guaidó’s rapid emergence and galvanizing effect transformed Venezuela’s political landscape, at least for a time. International awareness and condemnation of the Maduro regime’s authoritarian behavior and human rights abuses grew, though he maintains powerful allies. Responses to Venezuela’s complex humanitarian emergency and forced displacement crisis expanded in scope and complexity, even if they remain severely under resourced and susceptible to backlash in countries receiving large influxes of migrants. At the same time, the regime has adapted to new challenges, both at home and abroad, by wielding loyalty, brutality, and criminality to overcome its fundamental fragility.

While the future course of events in Venezuela is highly uncertain, we remain convinced of two things. First, the crisis in Venezuela is the defining hemispheric issue of our time, and it merits the continued, principled engagement of governments in the Americas and the broader international community—to defend democracy and human rights, protect the vulnerable, and pursue diplomacy. Second, Venezuela’s best scenario for a political transition—and beyond that, for the long and essential task of rebuilding its institutions and social fabric—lies in a genuine negotiated process with all requisite guarantees that is informed but not paralyzed by past failures, and opens the way for the Venezuelan people to freely determine their country’s future. We hope the foregoing analysis helps advance this objective.
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Established in 2015 with support from the Ford Foundation and named in honor of a founding Dialogue co-chair, the Peter D. Bell Rule of Law Program aims to elevate policy discussions around corruption and transparency, democracy and human rights, and citizens security in the Americas.