

# Recent Trump Administration Venezuela Initiatives—and Next Steps

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## KEY TAKEAWAYS

Resolving Venezuela's political and humanitarian crisis matters greatly for the U.S., its interests, and the stability of South America.

The Trump Administration should be commended for its commitment to Venezuela's democratic aspirations, but there is more the Administration can do.

The U.S. should seek solutions with significant leverage over Maduro and his cronies, maintain sanctions, and offer humanitarian aid through credible venues.

The past few weeks have seen a dramatic uptick in U.S. policy initiatives towards the illegitimate regime of Nicolás Maduro. Within a short period of time, the Trump Administration indicted Maduro and 14 regime officials on narco-terrorism, proposed a dramatic power-sharing and transition agreement, and bolstered U.S. counter-narcotics assets in Latin America. This is all occurring to the backdrop of the Maduro regime ignoring Venezuela's growing COVID-19 outbreak.

Resolving Venezuela's political and humanitarian crisis matters greatly to the U.S. and the stability of South America. The U.S. should seek a negotiated solution to the crisis with significant leverage over Maduro and his inner circle, providing humanitarian assistance to credible civil society groups—but not resorting to a military solution unless vital national security interests are threatened.

This paper, in its entirety, can be found at <http://report.heritage.org/ib5060>

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## Venezuela's Democratic Transition Plan: Merits and Weaknesses

During the past year, the situation in Venezuela reached a stalemate. Absent the U.S.'s maximum pressure campaign, there were pitiful regional and international responses beyond diplomatic condemnations and minor targeted sanctions. The Norway-mediated dialogue between Venezuelan interim President Juan Guaido and the regime ended prematurely due to the Maduro regime's unwillingness—as Heritage analysts predicted.<sup>1</sup>

On March 26, the Department of Justice indicted Nicolás Maduro and 14 current and former Venezuelan officials on charges of narco-terrorism. The charges stem from their collaboration with the Colombian-based terrorist group the Revolutionary Armed Forces of Colombia (FARC), which “intended to flood the United States with cocaine in order to undermine the health and wellbeing of our nation.”<sup>2</sup>

**Merits.** Within this context, a few days later the Trump Administration proposed a Democratic Transition Framework for Venezuela. Although light on details for implementation and oversight, on balance the proposal is a needed step forward to resolve the political stalemate. The timing after Maduro's indictment can be used as an additional point of leverage as well. There are areas in which the agreement can serve to incentivize a dissent within the unlawful regime and begin the democratization process.

It dissolves the illegitimate Constituent Assembly created by Maduro and leaves the democratically elected National Assembly (NA) as the only rightful legislative body. The NA is charged with replacing the National Electoral Council (CNE) and Supreme Court (TSJ), two highly politicized entities wielded as tools of state repression. This agreement does not solely favor anti-Maduro political parties. The CNE and TSJ authorities will be selected by parties and coalitions with at least 25 percent representation in the National Assembly, meaning the ruling socialist party members will have a seat at the table.

The plan proposes the creation of a “Council of State,” requiring both interim President Guaido and Maduro to step down. Both opposing political movements in the country, the anti-Maduro political coalition and the ruling socialist party, would each elect two members to the council, and then the council members would elect a secretary-general to serve as the interim president. Additional criteria would also be applied to ensure representation of the levers of power within the country.<sup>3</sup> This part of the plan creates an incentive for a transition, as the council's establishment and departure of foreign security services will lead the suspension of U.S. sanctions on the government of Venezuela, the national oil company, and the oil sector.

**Weaknesses.** Because the agreement is a work in progress, U.S. officials should seek to compensate for its shortcomings by transitioning negotiations to begin in earnest. The agreement requires three-quarters of the NA's vote to maintain foreign security services—presumably China, Cuba, and Russia, who continue providing Maduro with varied levels of financial, intelligence, military, and security assistance. In exchange, the U.S. will lift sanctions on the government and oil sector. Expelling security forces will not be enough. The new Venezuelan government will have to reorient its foreign policy with countries like Cuba, China, and Russia, all of whom are vested in the status quo.

There must also be a clearer articulation of programs put in place to prevent graft and politicization. Fundraising and planning for Venezuela's reconstruction is happening now, and stakeholders want to know aid and development will reach their intended targets.

## COVID-19 in Venezuela

The first confirmed case of COVID-19 was discovered on March 13, and since then, the country has confirmed nearly 200 cases of the virus.<sup>4</sup> The pandemic is sadly only Venezuela's latest health crisis. Maduro's corruption and mismanagement destroyed Venezuela's health care system. There is a chronic shortage of medication and medical supplies and a resurgence of communicable diseases. Venezuela's COVID-19 testing capacity is extremely limited, its hospitals lack sufficient equipment, and hygiene products for the broad public are largely unavailable. A widespread outbreak would be disastrous.

Yet the U.S. should be leery of policies that would enable a power grab by Maduro.

Some Members of Congress are pressuring the White House to temporarily suspend some sanctions on Venezuela.<sup>5</sup> Suspending sanctions at this moment would be a flawed approach. There is no indication whatsoever that Maduro would use humanitarian funds for their intended purpose. Humanitarian assistance is prioritized for regime officials and international allies. Venezuela is still providing Cuba with oil shipments—despite its own domestic shortages.<sup>6</sup>

Humanitarian organizations are not hampered by U.S. sanctions but rather by the on-the-ground limitations imposed on them by the unlawful regime.<sup>7</sup> Journalists who report on the coronavirus have been imprisoned, and an anti-Maduro legislator was also arrested for a social media post about a local hospital lacking running water.<sup>8</sup> They also detained a young medical

researcher for sounding the alarm on coronavirus cases and accused her of treason.<sup>9</sup> Licenses for humanitarian organizations have also been scaled back, limiting their humanitarian efforts.

## Counter-Narcotics Operation Necessary, But Timing Imperfect

Shortly after the transition proposal was announced, the U.S. also stated it would enhance its counter-narcotics assets in the Caribbean and East-Pacific.<sup>10</sup> While the Administration was seeking a negotiated solution to the Venezuela crisis, it was also sending the largest number of assets to the region in the modern era. These resources notwithstanding, SOUTHCOM has been in dire need of additional capabilities to curtail illicit trafficking.

At a recent congressional hearing, SOUTHCOM commander Admiral Craig Faller stated the U.S. is only able to interdict “nine percent of known drug movements.”<sup>11</sup> This low percentage is directly tied to the lack of assets in theater. Venezuela’s neighbor, Colombia, is the world’s largest producer of cocaine, and Venezuela has emerged as a major drug transit zone.<sup>12</sup>

Yet according to a recent report from the Congressional Research Service, “There are no exact data on the total quantity of foreign-produced illicit drugs flowing into the United States.”<sup>13</sup> U.S. authorities are only able to quantify the amount of drugs detected and seized at points of entry—but they do not know how much they are not stopping, meaning better interdiction tools from the points of origin are needed.

It makes sense to address SOUTHCOM’s assets shortfall while simultaneously addressing ramping-up efforts to address historic cocaine production in Colombia and opioid production in Mexico, both of which are ongoing initiatives. It is also a positive step that the Colombian government is taking a leading role in this effort alongside over 20 other countries.<sup>14</sup> U.S.–Colombian cooperation on counter-narcotics is extensive and decades long. Its navy is a powerhouse, with South America’s longest Pacific and Atlantic coastlines.

## What the U.S. Should Do

Looking at these recent policy developments, there is potential for real forward momentum on Venezuela—if the risks are safely mitigated. To do so, the U.S. should:

- **Use the “Democratic Transition Framework for Venezuela” as the guide for transition government negotiations.**

- **Provide COVID-19 aid through credible nongovernment organizations, faith-based organizations, civil society groups, and the interim government.** These organizations can provide lifesaving assistance to vulnerable Venezuelans.
- **Maintain sanctions that exclude humanitarian and medicinal items.**
- **Urge regional partners to not deliver aid directly to Maduro's unlawful regime.** Our international partners cannot allow Maduro to weaponize aid against the Venezuelan people and politicize medicine to advance his political objectives.
- **Mitigate Venezuela's COVID-19 crisis on regional partners.** Despite stay-in-place orders in regional countries, humans are still moving around. The U.S. should work with regional partners like Colombia, which is hosting nearly 2 million Venezuelan refugees and migrants to prevent a widespread outbreak of the pandemic.
- **Prepare a concerted international response if Guaido is hurt or arrested.** With many of the countries that recognize Guaido under siege by COVID-19, Maduro could move against Guaido. The U.S. and international partners should be prepared for this scenario.
- **Encourage multilaterals and financial institutions with U.S. government participation assistance via non-regime-affiliated entities to provide COVID-19 assistance.** These should include institutions like the Pan American Health Organization and the Inter-American Development Bank. Recipient criteria should mirror those of the U.S. government.
- **Withhold a military response unless vital national security interests are directly threatened.** While there is a growing sense of frustration at the slow progress of a transition, current conditions in Venezuela do not rise to the level of a U.S. military intervention to remove Maduro.
- **Support a transition in Venezuela that acknowledges the governments in Beijing, Havana, and Moscow as adversarial to their democratic aspirations.** It would be difficult for Venezuela to

decouple from any or all three countries, but the U.S. should insist on working with the current interim government to develop a framework for managing relationships with these countries.

## Conclusion

The Trump Administration should be commended for its commitment to Venezuela's democratic aspirations. No other country has dedicated as many resources to this effort. It would be naïve to assume Nicolás Maduro would wittingly play a productive role absent external influence. Washington is wise to wield leverage to incentivize change. It would also be prudent for U.S. and regional partners to apply those same principles with COVID-19 assistance. Maduro cannot be allowed to politicize foreign assistance for his criminal benefit.

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## Endnote

1. Previous attempts at negotiations with Maduro have demonstrated that the regime will use negotiations to buy time, imprison political opponents, and shore up international diplomatic and financial support. This issue has been particularly acute when there is no mechanism to ensure the regime's good faith participation. The Norwegians disregarded the past failures of *nine* dialogues attempted with the socialist regime. See Ana Quintana, "Steps the U.S. Must Take to Secure Peace in Colombia," Heritage Foundation *Backgrounders* No. 3469, March 2, 2020, <https://www.heritage.org/americas/report/ten-steps-us-policy-venezuela>.
2. News release, "Nicolás Maduro Moros and 14 Current and Former Venezuelan Officials Charged With Narco-Terrorism, Corruption, Drug Trafficking and Other Criminal Offenses," U.S. Department of Justice, March 26, 2020, <https://www.justice.gov/opa/pr/nicol-s-maduro-moros-and-14-current-and-former-venezuelan-officials-charged-narco-terrorism> (accessed April 15, 2020). The U.S. is now offering a \$15 million reward for Maduro's arrest, the highest the U.S. has offered for any non-terrorist, and similar bounties for members of his inner circle.
3. Council members must give up their seats in the National Assembly or Supreme Court and, by law, the group will have an advisor from Venezuela's armed forces. During the transition, the Council, National Assembly, new electoral authorities, and Supreme Court will commit to holding elections within six months to one year. Anyone is allowed to run for president, except for the sitting interim president, to prevent a politicization of state resources for an election.
4. Johns Hopkins University, "COVID-19 Dashboard," Center for Systems Science and Engineering, <https://gisanddata.maps.arcgis.com/apps/opsdashboard/index.html#/bda7594740fd40299423467b48e9ecf6> (accessed April 15, 2020).
5. News release, "Murphy Organizes Senate Effort to Call For Ease of U.S. Sanctions Hindering Response to COVID-19," Office of Chris Murphy, March 26, 2020, <https://www.murphy.senate.gov/newsroom/press-releases/-murphy-organizes-senate-effort-to-call-for-ease-of-us-sanctions-hindering-response-to-covid-19> (accessed April 6, 2020).
6. Marianna Parraga and Nelson Acosta, "Exclusive: Venezuela's PDVSA Steps Up Fuel Shipments to Cuba as Shortages Bite," Reuters, February 14, 2020, <https://www.reuters.com/article/us-cuba-venezuela-oil-exclusive/exclusive-venezuelas-pdvsa-steps-up-fuel-shipments-to-cuba-as-shortages-bite-idUSKBN20824M> (accessed April 7, 2020).
7. Even the U.N.'s message on Venezuela appears skeptical of directly providing Maduro assistance. While the U.N. Secretary-General is urging the U.S. to consider lifting sanctions, a recent U.N. report states that humanitarian efforts in Venezuela are "limited capacity due to lack of registration of international NGOs and the ability of World Food Programme to enter the country and to operate under humanitarian principles." David Wainer and Patricia Laya, "Trump Tightens Pressure on Maduro as Virus Threatens Disaster," April 4, 2020, <https://news.yahoo.com/trump-tightens-pressure-maduro-virus-100000831.html> (accessed April 15, 2020).
8. Angus Berwick, Sarah Kinoshian, and Maria Ramirez, "As Coronavirus Hits Venezuela, Maduro Further Quashes Dissent," Reuters, March 25, 2020, <https://www.reuters.com/article/us-health-coronavirus-venezuela-insight/as-coronavirus-hits-venezuela-maduro-further-quashes-dissent-idUSKBN21C1TA> (accessed April 7, 2020).
9. Maria Danieri, "Bioanalyst Detained in Trujillo for Publishing Coronavirus Testing Orders," *El Pitazo*, April 5, 2020, <https://elpitazo.net/los-andes/detienen-a-bioanalista-acusada-de-traicion-a-la-patria-en-trujillo/> (accessed April 7, 2020).
10. Kristin Finklea, "Illicit Drug Flows and Seizures in the United States: What Do We (Not) Know?" Congressional Research Service *Report for Congress*, July 3, 2019, <https://fas.org/sgp/crs/misc/R45812.pdf> (accessed April 7, 2020).
11. Craig S. Faller, "Posture Statement of Admiral Craig S. Faller, Commander United Southern Command," testimony before the Armed Services Committee, U.S. Senate, January 30, 2020, [https://www.southcom.mil/Portals/7/Documents/Posture%20Statements/SASC%20SOUTHCOM%20Posture%20Statement\\_FINAL.pdf?ver=2020-01-30-081357-560](https://www.southcom.mil/Portals/7/Documents/Posture%20Statements/SASC%20SOUTHCOM%20Posture%20Statement_FINAL.pdf?ver=2020-01-30-081357-560) (accessed April 7, 2020).
12. The last published assessment by the U.S. Drug Enforcement Agency estimates that 93 percent of cocaine seized in the U.S. was produced in Colombia.
13. Finklea, "Illicit Drug Flows and Seizures in the United States."
14. News release, "Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing," The White House, April 1, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-vice-president-pence-members-coronavirus-task-force-press-briefing-16/> (accessed April 7, 2020).