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Venezuela's pathway to peace

The indispensable role for
the European Union



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Introduction

Venezuela has been under the spell of a grave national crisis for over a decade. What started in 2010 as an “economic war”¹ under the former president Hugo Chávez has grown into a political, socio-economic and humanitarian crisis of unprecedented proportions under the presidency of Nicolás Maduro. Hyperinflation, starvation, shortages of basic supplies, massive emigration, and

high crime and mortality rates are part of daily life in the once prosperous Latin American country. After almost twelve years of crisis, a solution that can help Venezuela to climb out of the depths of its own despair has not yet been found and the prospects for the near future are relatively gloomy.

What is of the utmost importance in trying to embark on a sustainable peace process, is that political normalisation will be achieved through a return to the negotiation table, albeit under the right conditions.

1 [“Chavez Declares ‘Economic War’ Against Bourgeoisie,”](#) *Bloomberg*, 2 June 2010.

In this regard, a unified opposition that can offer a credible alternative to Maduro's influence is essential. The question, however, remains what can be done to realise this and thereby create new impetus for the Venezuelan peace process.

It is well known that the international community is actively engaged and has a stake in achieving a peaceful and prosperous Venezuela. One of these actors is the European Union (EU), which closely monitors the dire situation and tries to do its bit in fostering peace and democracy in Venezuela. A few EU member states, including Spain and the Netherlands, have a particular interest in the Venezuelan crisis. For Spain, this boils down to Venezuelan migrants residing in the country. For the Netherlands, the Venezuelan crisis has affected its overseas islands, especially Aruba, Bonaire and Curaçao. Given the active engagement of the EU, this policy brief will put emphasis on the potential role of the EU in the Venezuelan peace process. In doing so, it will provide suggestions as to how the EU can contribute to Venezuela's pathway to peace.

Overview of recent events

2021 can be marked as a small turning point in the Venezuelan stalemate. From August until October, the Maduro regime and the opposition, once again, gathered at the negotiation table, this time in Mexico.² In a series of talks – facilitated by Mexico and Norway and supported by the Netherlands and the Russian Federation – the parties attempted to resolve the Venezuelan crisis. Nevertheless, the Maduro regime suspended the peace talks in October after one of Maduro's close allies, Alex Saab, was extradited to the US.³

In November 2021, regional and local elections were held. Monitored by an EU election observation mission, the Venezuelan opposition participated for the first time in four years in elections. Even though the outcome of the elections was a victory for Maduro's governing *Partido Socialista Unido de Venezuela* (PSUV) – it won 19 out of 23 governorships – opposition parties were still able to win three governorships. The opposition's loss during the November elections is partly the result of extreme division among the opposition. An all-time low was reached when the Minister of Foreign Affairs, Julio Borges, of the interim government led by Juan Guaidó, resigned in December. He argued that Guaidó's interim government was not serving its purpose. This internal division means that the opposition cannot form a united front against the Maduro regime.

The start of 2022 brought a small glimmer of hope for political normalisation. In January 2022, the opposition was able to secure the disputed governorship of Barinas, which is regarded as the cradle of Chavez' Bolivarian revolution. This has left the opposition with a small, but not ignorable, powerbase in the run-up to the presidential elections of 2024. Moreover, Maduro announced his intention to return to the stalled Mexico negotiations⁴, which was backed up by the mid-May announcement that negotiations would be resumed.⁵ This time, the regime is willing to include a wider range of opposition parties at the table.⁶ In addition, the restart of a dialogue between Washington and Caracas has sparked hopes of a possible removal or relaxation of the sanctions imposed by

2 For an overview of the previous negotiation efforts see: Moises Rendon & Claudia Fernandez, "[Lessons for Negotiations in Venezuela. A Roadmap](#)," (Center for Strategic & International Studies, May 2021), p. 11-15.

3 "[Venezuela's Maduro: Conditions to restart talks with opposition not there yet](#)," *Reuters*, 22 November 2021.

4 Andreina Itriago Acosta, "[Venezuela Open to New Talks Amid Move to Improve U.S. Relations](#)," *Bloomberg*, 10 March 2022.

5 "[Venezuela government and opposition to renew talks amid humanitarian crisis](#)," *BBC*, 18 May 2022.

6 Andreina Itriago Acosta, "[Venezuela Open to New Talks Amid Move to Improve U.S. Relations](#)," *Bloomberg*, 10 March 2022.

the US⁷ on Venezuela's state-owned oil company.⁸

Europe's Venezuela policy

The EU does not recognise the Maduro regime as legitimate and has repeatedly called on the regime to restore democratic processes and to organise new presidential elections. To demonstrate Venezuela's commitment to democracy, the Venezuelan National Electoral Council requested the EU to send an Election Observation Mission (EOM) to observe the November 2021 regional and municipal elections, despite criticism from both the Venezuelan and European side.⁹ The EOM found some improvements as compared to previous elections, such as a more balanced election administration. Ultimately, the EOM concluded that major structural problems like the arbitrary disqualification of opposition candidates, unequal access to the media between candidates, and the use of state resources in election campaigns, prevailed.¹⁰

Besides efforts to restore democratic processes, the EU has had targeted sanctions in place since November 2017, following the deterioration of the state of democracy, the rule of law and human rights at the hands of the Maduro regime. Following the latest round of sanctions, this number now totals 55 instances of sanctions against Venezuelan officials.¹¹ The restrictive

measures include, amongst others, an arms embargo, a travel ban, and a European-based asset freeze. The EU has emphasised that these measures are not designed to harm the Venezuelan population.¹² Furthermore, the EU has stressed the conditional and flexible nature of the sanctions, tied to the restoration of democracy, the rule of law and respect for human rights.¹³ Following a review of the sanctions in November 2021, the EU Council decided to renew restrictive measures until 14 November 2022.¹⁴

So far, this approach has achieved limited results. The sanctions regime of the EU, in combination with a more comprehensive sanctions regime established by the US administration, have not weakened Maduro's hold on power. On the contrary, they have driven the regime towards other sources of international support. China, the Russian Federation, Turkey, Iran and Cuba have established themselves as important supporters of the Venezuelan regime, providing varying degrees of financial, diplomatic and security support, thereby serving as an important lifeline for the Maduro regime.¹⁵ Moreover, the human rights situation has not improved, which moved the International Criminal Court (ICC) to launch an investigation into alleged crimes against humanity committed in Venezuela since at least April 2017.¹⁶

7 Lara Jakes & Anatoly Kurmanaev, "[U.S. to Offer Minor Sanctions Relief to Entice Venezuela to Talks](#)," *New York Times*, 17 May 2022.

8 "[Maduro aseguró que está listo para venderle petróleo y gas a Estados Unidos](#)," *El Nacional*, 4 March 2022.

9 Mayela Armas, "[Venezuela President Maduro brands EU electoral observers 'spies'](#)," *Reuters*, 29 November 2021; and Martin Banks, "[Josep Borrell criticised by MEPs over 'clandestine' diplomatic mission to Venezuela](#)," *The Parliament Magazine*, 7 October 2021.

10 European Union Election Observation Mission to Venezuela, [VENEZUELA 2021 Final Report: Regional and municipal elections 21 November 2021](#).

11 Hans von der Burchard, "[EU slaps sanctions on 19 top Venezuelan officials over election fraud](#)," *Politico*, 22 February 2021.

12 Disagreement exists as to whether sanctions have led to a further deterioration of the standard of living in Venezuela. See for example: Mark Weisbrodt & Jeffrey Sachs, "[Economic Sanctions as Collective Punishment: The Case of Venezuela](#)," (Centre for Economic and Policy Research (CEPR), April 2019).

13 Council of the European Union, "[Venezuela: EU adopts conclusions and targeted sanctions](#)," 13 November 2017.

14 Council of the European Union, "[COUNCIL IMPLEMENTING REGULATION \(EU\) 2021/1959 of 11 November 2021 implementing Regulation \(EU\) 2017/2063 concerning restrictive measures in view of the situation in Venezuela](#)," 11 November 2021.

15 Moises Rendon & Claudia Fernandez, "[The Fabulous Five: How Foreign Actors Prop up the Maduro Regime in Venezuela](#)," (CSIS Briefs, October 2020).

16 International Criminal Court (ICC), [Venezuela I: Situation in the Bolivarian Republic of Venezuela](#), ICC-02/18.

Despite these mixed results, the EU remains committed to a democratic solution.¹⁷ Two of the most vocal EU member states in this regard are Spain and the Netherlands. Spain's motives largely derive from its position as the primary European destination for Venezuelan migrants.¹⁸ For the Kingdom of the Netherlands, the Venezuelan crisis forms an immediate security problem, due to the proximity of the Venezuelan shoreline to the Dutch Caribbean islands of Aruba, Bonaire and Curaçao.¹⁹ The islands have witnessed an influx of Venezuelan migrants, with estimates of this group now amounting to 15 percent of the population.²⁰ Moreover, the small islands are an important transit point for cocaine and illegally mined minerals trafficked out of Venezuela,²¹ the trade in which serves as an important source of revenue for the Maduro government. Hence, the Netherlands has pushed the EU to take an active role,²² and to consider the Union's contribution to a democratic and peaceful solution to the Venezuelan crisis together with the international community.

The way forward: how the EU can support Venezuela's pathway to peace

Finding a solution to a multidimensional crisis that has already lasted for over a decade and that has severely affected the Venezuelan people is in no way an easy task. The diverging dimensions of the crisis make it a difficult one to resolve. In addition, the influence and interests of various states, such as the Russian Federation, Cuba, China and the US, makes it even more complex. Nevertheless, there is agreement that the current situation is not sustainable. Neither Maduro, nor the opposition, have been able to move any closer to achieving their goals: the regime continues to suffer from an economy in shambles, and the opposition has been unable to unite and apply sufficient pressure for Maduro to step down.

A solution to the crisis can only be found around the negotiation table, as a political agreement seems to be the only way to build the required institutional base to tackle the crisis. The key in this regard is the inclusion of all relevant Venezuelan stakeholders, including the Maduro regime, the various opposition parties and civil society. Even though this is primarily a domestic process, the international community, including the EU, can also contribute when it comes to providing new impetus for the peace process. The EU can seize the opportunity following the announcement that negotiations will resume, and pressure the Maduro regime to promote negotiated progress. In that context, the EU's approach should revolve around facilitating the grounds for meaningful negotiation as a first step in Venezuela's pathway to peace.

Supporting a unified opposition at the middle of the road

There appears to be some prospect, albeit small, of democratic progress. In this regard, it is crucial that the internal division among the opposition parties will be addressed, as a divided opposition is a weak opposition. Therefore, rebuilding and reunifying all relevant opposition parties

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- 17 Josep Borrell Fontelles (@JosepBorrellF), "[The EU, US and Canada remain committed to a democratic, Venezuelan-led solution to the crisis in Venezuela. We will continue to work together to support negotiations and credible electoral processes. My joint statement with @SecBlinken and @MarcGarneau.](#)" *Twitter*, 25 June 2021.
 - 18 As of 2021, a total of 413,662 Venezuelan nationals resided in Spain. See: "[Principales series de población desde 1998.](#)" *Instituto Nacional de Estadística (INE)*, 2021.
 - 19 The three Leeward Islands of the Kingdom of the Netherlands, Aruba, Bonaire and Curaçao, find themselves in relatively close proximity to Venezuela. The distance from Aruba to the most northern point of Venezuela is approximately 30 kilometers. Curaçao lies at ca. 60 kilometers and Bonaire at ca. 50 kilometers.
 - 20 Adviesraad Internationale Vraagstukken, "[Veiligheid en rechtsorde in het Caribisch gebied. Noodzakelijke stappen voor een toekomstbestendig Koninkrijkverband.](#)" AIV Advies 116, 10 October 2020.
 - 21 Moisés Naím & Francisco Toro, "[Venezuela's Endless Crisis: A Mafia State Slides Toward Anarchy.](#)" *Foreign Affairs*, 28 September 2021.
 - 22 Raad Algemene Zaken en Raad Buitenlandse Zaken, "[Brief van de Minister van Buitenlandse Zaken I 1501-02 nr. 2111.](#)" 23 January 2020.

will be key in order to present a credible institutional challenge to Chavismo²³ and the Maduro regime.

The victory in Barinas shows that more centrist opposition parties can unify voters,²⁴ even in historically Chavismo strongholds. Hence, it is clear that these parties, which are typically not considered as part of the ‘mainstream’ opposition, are an emerging force in the Venezuelan political landscape. Therefore, it is crucial that these parties will indeed be included in the process of forming a unified opposition bloc. Eventually, such a unified movement needs to be centred around more realistic demands, which could serve to overcome the current deadlock between the Maduro regime and the opposition, and be a push in the right direction.

Evidently, the emergence of such a movement needs to come from within and must not be forced by external actors. Nevertheless, international actors, including the EU, still have a role to play. While the EU no longer officially recognises Juan Guaidó as the legitimate interim president, EU support has mainly centred on the opposition forces led by Guaidó, united in the “Unitary Platform”. However, it is clear that these ‘mainstream’ opposition forces have so far failed to achieve their goal of ousting Maduro while they, at the same time, have further polarised the already fragmented opposition. Therefore, the EU should adapt its approach to match the realities of the current political landscape. It should express support for a unified opposition bloc, consisting both of parties that have long enjoyed support and

emerging centrist opposition forces. Once this has materialised the EU can rally behind a unified opposition, and the inclusion of this force at the Mexico negotiations as to facilitate more constructive negotiations.

Simultaneously, the EU should continue to support negotiation efforts. As a prerequisite, all relevant parties should be convinced that the conditions for renewing negotiations are indeed present. Another precondition is that the negotiation process should be inclusive, including representatives from parties that were previously side-lined, i.e. the more centrist opposition parties. If these conditions are met, countries like, examples given, Norway and the Netherlands can build on their experience as bridge builders in previous negotiation rounds and could thereby continue to fulfil a facilitating role through establishing a constructive political dialogue at the negotiation table.

What’s more, the announcement that the Venezuelan government and opposition will return to the negotiation table can serve as a basis for the presidential elections of 2024. The EU should come to terms with the fact that these might not be the wholly ‘democratic’ elections that the Union has been aiming for. Rather, these elections could mark the start of the process towards political normalisation in Venezuela.

Keeping Maduro at the table and securing meaningful commitments

In search of reconciliation, the EU needs to move beyond the question of democratic legitimacy and has to accept the political reality for what it is, not what it wants it to be.²⁵ In seeking a negotiated solution, dealing with Maduro will be crucial. This does not mean that to EU should be lenient towards the Maduro regime. Neither does it signal the acknowledgement of Maduro as the legitimate leader of Venezuela. Nevertheless, the EU should be willing to offer some carrots, not just sticks. Although Maduro would desire the immediate loosening of

23 While there is no clear-cut definition, Chavismo is generally considered to be a left-wing ideology based on the ideas and policies of the former Venezuelan President Hugo Chávez (1999-2013), incorporating elements of Latin American anti-imperialism and integration, participative democracy, and 21st century socialism. The main Venezuelan Chavista party is the *United Socialist Party of Venezuela* (PSUV), of which Nicolás Maduro is president.

24 Francisco Rodríguez, “[What Venezuela’s Opposition Can Learn from the Barinas Victory](#),” *The Global Americans*, 11 January 2021.

25 Jonas Wolff, “[A New Framework for Dealing with Venezuela: From Democracy to Conflict Resolution](#),” *Carnegie Europe*, 5 March 2021.

sanctions, their lifting should not be done instantaneously. Releasing the pressure on the regime should be made conditional on two elements: the regime's willingness to halt the undermining of democratic progress, the rule of law and human rights; and its preparedness to return to the negotiation table and offer up meaningful commitments. If these conditions are not met, restrictive measures should remain in place.

What could be helpful in this regard is the design of a realistic roadmap towards their lifting. The first step of this roadmap must be tied to the swift resumption of negotiations and the regime's credible commitment as to their proceeding, including a timeline, an agenda and inclusive representation of parties present.

Subsequently, the roadmap must build forth on the findings and recommendations of the EOM report.²⁶ In such a roadmap, the EU should identify concrete areas where improvements will be necessary in order for sanctions to be relieved. These areas should include: the release of political detainees, to allow the participation of opposition candidates in politics and government, to allow independent media coverage and freedom of expression, the increase of transparency on the side of the Maduro regime, the guarantee of judicial independence. Improvements within these areas must be translated into credible agreements at the negotiation table, and build forth on the previous rounds of negotiations.²⁷ Progress should be measured according to actual progress on the ground, as to discourage the sole offering of half-promises or the premature abandonment of negotiations. The lifting of sanctions is then made conditional to actual headway.

Conclusion

In sum, the EU's Venezuela policy, including its sanctions regime and the push towards democratisation, has so far only achieved limited results. Finding a democratic solution remains, nevertheless, essential for the EU. However, over a decade into the Venezuelan crisis, this goal still seems to be far-off. This implies that the restoration of democracy in Venezuela might be better considered to be a matter for the more distant future. Political normalisation should come first. In the short term, the various opposition parties from across the spectrum should come together and form a unified bloc that can serve as a credible alternative to Maduro's governing party, the PSUV. This process cannot be enforced from the outside. However, the EU can play a vital role and push for a credible commitment to an inclusive negotiation process. On the one hand, it will be important to express support for the creation of a unified opposition bloc, including all relevant opposition parties. On the other hand, the EU should offer incentives to the Maduro regime in an attempt to draw out concrete commitments at a new round of negotiations. This can be done through the design of a realistic roadmap for the lifting of EU sanctions. In this way the EU can eventually nudge Venezuela towards embarking on a pathway to peace.






26 For a full overview of the recommendations see: European Union Election Observation Mission to Venezuela, [VENEZUELA 2021 Final Report: Regional and municipal elections 21 November 2021](#), p. 41-42.

27 For an overview of terms and shared commitments laid out in the first round of negotiations, see: Kristen Martinez-Gugerli, ["What to Know About the Venezuela Negotiations in Mexico City,"](#) *Venezuela Blog*, 11 March 2022.

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www.clingendael.org
info@clingendael.org
+31 70 324 53 84

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About the authors

Adája Stoetman is Research Fellow at the Security Unit of the Clingendael Institute. Her work revolves mainly around European defence and international security, with a specific interest in Latin America and the Dutch Caribbean.

Laura Oostdam is Research Intern at the Security Unit of the Clingendael Institute. Her internship is focused on research related to Strategic Foresight.