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Restraint Solutions for a Failing Venezuela

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EXECUTIVE SUMMARY

The United States must support its ally Colombia in aiding Venezuela to protect human life and bring stability to the region. The goal is to assist in the resurrection of the Venezuelan rule of law and civil society. The first steps will include reducing economic sanctions that strangle average citizens, supplying aid to refugees who have fled to Colombia, granting temporary protected status for Venezuelans seeking safety in the United States, and non-military assistance to opposition forces. Suppose this fails, or the situation in Venezuela rapidly deteriorates. In that case, the United States will lobby the United Nations to enact Responsibility to Protect that includes a clear strategy for rebuilding the country after violence has ceased. This policy is an incremental process that will require tenacity and restraint.

Crisis in Venezuela

The United States is under pressure to make progress in confronting the dire human-made catastrophe in Venezuela. In 2019, the Secretary-General of the Organization of American States (OAS), Luis Almagro, stated that the Venezuelan case fit the criteria of the Responsibility to Protect doctrine under the pillar of crimes against humanity.¹ The application of R2P for Venezuela has been discussed. Yet, there is a widespread controversy that has prevented it from being implemented so far. Many countries have resorted to sanctions and the dissolution of specific diplomatic ties to confront the Maduro regime. The traditional economic sanctions, political isolation, and Responsibility to Protect (R2P) employed by the international system to deal with humanitarian crises have consistently fallen short.

While the United States cannot resolve every foreign conflict, the Venezuela case requires action because of its impact on American interests such as regional stability, national security, and lucrative trade. Venezuela is only 1,300 miles from Florida, making it a close neighbor. The United States' strongest ally in South America is Colombia, which borders Venezuela. Both Colombia and the United States have been affected by refugees flowing from the flailing country, which only further destabilizes the region. Furthermore, at least fourteen Venezuelan government officials are actively partnered with international crime organizations and use state resources

to assist in drug-trafficking and money laundering.² Some officials have even given such groups the use of military assets, all of which is a considerable threat to the United States' national security.³ Finally, Venezuela has historically been a reliable exporter of oil to the United States. American oil dependency has decreased with a ramp-up of domestic production and actively seeking alternative resources, but oil is still essential. Unfettered access to Venezuelan oil, which makes up 18.2% of global oil reserves, is vital to keep the US economy running smoothly.⁴ The United States has been the primary destination for Venezuelan crude oil, about 41% of total exports.⁵ In 2018, Venezuela exported about 500,000 barrels of crude a day to the US.⁶

America must assess Venezuela's alternative paths, such as *ending sanctions, aid for refugees, temporary protected status and other immigration assistance, and coalition building for the new government*. The United States must swiftly implement a new plan to alleviate the chaos in the region. The case of Venezuela under President Maduro illustrates how restraint informed humanitarian intervention could foster more positive outcomes than traditional uses of economic, political, and military force.

Proactive Opportunities and History

The decline of Venezuela begins with the rise of Hugo Chavez and his ideology colloquially known as *chavismo*. To put it briefly, Chavez's misman-

agement of his nation's oil wealth and constitutional changes that pushed the government away from democracy left the country ripe for even more intense corruption when Maduro took over after Chavez's death in 2013. Many Venezuelans cite the special election to replace Chavez, which Maduro won by a razor-thin margin, as the moment where a different outcome could have wholly altered their nation's path.

While we cannot assume counterfactuals, the United States could have leaned on diplomatic relationships to play a consulting role. This engagement would be starkly different from the United States' tumultuous interventions in Latin America in the 20th century. Rather than backing a coup or rebel group, United States foreign service officers could have been used as the alternative 'boots on the ground' to give diplomatic tools and resources to opposition leaders. However, this relationship would have opened the possibility that the Maduro administration could label the opposition as puppets of foreign agents aiming to discredit their movement. China and Russia have accused the United States of starting color revolutions elsewhere even without substantial evidence; it is logical to presume Venezuela would have a similar reaction. To prevent greater enmity, the US could strategically place CIA operatives (mostly outside Venezuela's borders) to advise the opposition on combatting Maduro's attempts to manipulate public opinion. This strategy would be high-risk but getting a messaging apparatus off the ground was (and still

is) essential for the opposition. Maduro's regime controlled the country's newspapers and silenced any dissenting opinions. The opposition would have to employ non-traditional media such as social networking sites and pamphlets to disseminate Maduro's dangerous propaganda.

Instead, the US imposed strict economic sanctions, which choked the Venezuelan economy. Some restrictions like the Venezuela Defense of Human Rights and Civil Society Act of 2014 (PL 113-278; 50 USC 1701 note) were explicitly directed at parties responsible for violence and human rights abuses.⁷ Many others were broadly aimed at terrorism or drug trafficking and sectoral sanctions against oil.⁸ Ninety-five percent of the country's export revenue is from the state-owned oil company.⁹ Once the sanctions cut off the Maduro government from most foreign currency access, it didn't have the hard currency to pay for essential goods like food and medicine. The economic downturn drove many Venezuelans into poverty, forcing some to flee to neighboring Colombia and those who remained going on the 'Maduro diet.' Malnutrition and disdain for Maduro are high, but people still attend his rallies or even vote for him, hoping to be rewarded with food.¹⁰ The economy is in shambles, with inflation peaking at 1.8 million percent in 2018, with many Venezuelans struggling to survive.¹¹ Extensive research has demonstrated that sanctions are effective in coercing a change in behavior only 10 percent of the time.¹² Some policymakers argue

that multilateral sanctions could be more effective and that the United States should have pressed its allies harder to sanction Venezuela. However, while multilateral trade sanctions have the potential for immense economic destruction, they are less effective in producing the desired political result.¹³ Multilateral sanctions can undermine the country's opposition groups and even strengthen support for the ruling regime.¹⁴ A separate study, a series of statistical tests, demonstrated either no link or a negative correlation between multilateral sanctions and successful outcomes.¹⁵ Iraq under Saddam Hussein demonstrated the failure of sanctions. The sanctions were a reaction to Iraq's 1990 occupation of Kuwait but did not lead to a peaceful withdrawal of troops or regime change.¹⁶ Half a million children died, and Hussein remained in power.¹⁷ It should not be surprising that the imposition of sanctions backfired in Venezuela and only created more significant humanitarian turmoil.

Now the United States is faced with deciding on how to engage with Venezuela to help the Venezuelan people and avoid further atrocities.

Reactive Measures

Reduce Sanctions

The international community has frozen out Maduro and his prominent cronies from accessing economic and political institutions, but this has not diminished the regime's power. President Trump and some Republican politicians are pushing for more

sanctions, hoping to break Maduro's grip on the country eventually. Conventional knowledge reflects that sanctions are meant to coerce a behavior change, constrain certain economic activities, and signal targets about international norms violations. In practice, sanctions are potent in damaging an economy and making a country a global pariah, but they have little efficacy for changing behaviors. Furthermore, they can cause humanitarian harm, making it a challenging tool when R2P is the goal. For example:

Cuba

The United States first placed an embargo on Cuba in 1960. Sixty years later, we still do not have normal relations with the island nation, and Castro's successors still hold power.¹⁸

North Korea

Since 2006, many nations have sanctioned North Korea in an attempt to pressure the country to denuclearize and stop human rights violations.¹⁹ Today North Korea has 22 nuclear facilities and continues to make technological advances in weaponry.²⁰

Belarus

In November of 2004, the United States imposed sanctions on Belarus to respond to President Lukashenko's gross human rights abuses. Fast forward to August 2020, and Lukashenko wins 80% of the vote in a likely rigged election. Sanctions and limited international isolation did not remove him from power.²¹

These simplified examples demonstrate that if the goal is to improve the Venezuelan people's lives, the answer is not sanctioning. The question then becomes how to approach Venezuela without imposing sanctions. There are three main avenues the United States should pursue to help the Venezuelan people: aid to refugees, temporary protected status for Venezuelans coming to the US, and coalition building for interim President Guaido.

Aid to Colombia for Fleeing Venezuelans

The United States should increase aid and assistance to Colombia, which has become home to over 2 million refugees.²² It is nearly impossible to get aid into Venezuela because Maduro has ordered the military to prevent any medical and food supplies from crossing the border. The only way to get assistance to the interior would be if it were smuggled in, but this leaves it open to being seized by the Venezuelan military or not being adequately distributed to the citizens in need. A remedy for this would be to have the aid escorted by US military personnel. The US military crossing into Venezuela could be viewed as a hostile act and incite retaliation from their army and likely the Venezuelan public, which would only escalate the conflict. Committing troops for aid delivery would probably be highly unpopular within the United States and consequentially unlikely to win congressional support.

Colombia is overwhelmed with refugees, and the COVID-19 pandemic has only further depleted the necessary resources to care for both Colombian citizens and Venezuelan refugees. It would be essential that the aid was labeled as coming from the United States and Colombia so that the refugees know who is helping them and so that Venezuelan military outfits cannot steal the aid to pass off as their own. Assisting Colombia would allow the United States to utilize Colombian expertise fully. Colombia physically has nearly 2 million refugees within its borders and has the best understanding of what they need to help the Venezuelan people.²³

A joint task force should be formed with USAID personnel and the Colombian Ministry of Foreign Affairs to coordinate the type of aid needed and methods and locations of delivery. Colombia has requested \$412,900,000 in aid for the fiscal year 2021, which is predominately allocated to peace and security causes separate from the Venezuelan crisis.²⁴ Additional funding needs to be delivered to maintain progress on its domestic issues while successfully confronting the influx of Venezuelan refugees. Aid is indispensable because the international system often overlooks Venezuelan refugees. According to the Brookings Institution, Venezuelan refugees received less than a twelfth of the funding given to Syrians escaping their conflict over the same four-year period.²⁵

Temporary Protected Status (TPS)

According to the United States Citizen and Immigration Services (USCIS), temporary protected status applies to people from Syria, Sudan, South Sudan, Somalia, Nicaragua, Nepal, Honduras, Haiti, El Salvador, and Yemen. The Secretary of Homeland Security can make a country eligible for TPS if there is ongoing armed conflict, environmental disaster, or other extraordinary and temporary conditions.²⁶ Venezuela would be eligible under this third condition. One-third of its population is severely malnourished, with most people losing an average of 24 pounds in 2018.²⁷ Furthermore, 11 million Venezuelans have been forcibly displaced, with more than 5 million of them fleeing the country.²⁸

Depending on congressional constraints, TPS could be taken a step further and actively invite a limited number of Venezuelans to seek refuge in the United States. TPS would alleviate some pressures faced by Colombia and other states in the region. Immigrants are essential contributors to the United States' economy by working at high rates, responding to labor shortages with geographic mobility, and supporting the aging native-born population by boosting Social Security and Medicare trust funds.²⁹

Coalition Building

On January 23, 2019, Juan Gaidó declared himself acting president of Venezuela.³⁰ Gaidó claimed the presidency as a response to rigged elections that gave Maduro his second presidential term.

As head of the National Assembly, Guaidó was in line for the office. Guaidó's initial support within Venezuela was very high, but his approval has waned as time has passed. However, it is difficult to get accurate readings of public opinion from within the country due to Maduro's control of the media. Some local outlets have marked Guaidó's approval anywhere



Secretary of State Michael Pompeo met with Venezuelan Interim President Juan Guaidó and participated in a joint press availability in Bogotá, Colombia, on January 20, 2020. No changes were made to this photo.

from 10% to 45%, compared to Maduro consistently in single digits.³¹ While internal support is essential, the United States can wield its power to influence external supporters worldwide. After Guaidó's declaration, nations around the world quickly chose sides. Currently, Maduro retains support from China, Russia, Cuba, and Iran. Gaidó has support from the United States, EU, and most of Latin America.

Russia provides Maduro with military and economic support to send private contractors to guard Maduro and billions of dollars in loans. Rosneft, Russia's state-owned oil company, lost \$700 million since 2010 in a joint venture with Venezuela's PDVSA.³² China surpasses Russia in economic influence by taking the spot as Venezuela's largest foreign

creditor. They have invested over 62 billion dollars in loans since 2007, with around 20 billion dollars still outstanding.³³ Russia and China will lose billions if the Maduro regime collapses. However, the United States does not need to be concerned with these investments. Russia and China can pour as much money as they'd like into Venezuela; it will most likely result in massive losses. Stopping their investments would not change their relationship with Maduro, and it is almost better that they dump their funds into failed enterprises than in other places where their FDI could have a more significant effect.

The other prominent supporters are Cuba and Iran. Cuba is a natural supporter of Maduro because of the countries' similar socialist ideologies and the personal relationship between Castro and Maduro. Iran clearly stated its position when foreign ministry spokesman Bahram Ghasemi noted in February 2019, "The Islamic Republic of Iran supports Venezuela's government and people against any foreign intervention and any illegitimate and illegal action such as an attempt to make a coup d'état."

The list of Maduro's international supporters is unsurprising. These nations flipping sides from Maduro to Gaudó is highly unlikely. The United States should focus its energy on bolstering the international coalition for Gaudó and helping the interim president gain Venezuelan military support. The main barrier to military personnel switching sides is a fear of prosecution for their crimes and loss of status and

financial security.³⁴ One possible option is to offer amnesty to members of the military who rescind their allegiance to Maduro. The Gaudó government should be advised to publicly put forth an amnesty plan for military defectors that not only encourages defection but calls upon citizens to embrace the defectors.

Studies show that "non-violent campaigns that generate military defection are 46 times more likely to succeed than those that do not".³⁵ Gaudó's government would have a significantly greater chance of controlling the country if they can persuade the military away from Maduro's grasp. Without the army's backing, Maduro's administration would be vulnerable and more readily coerced into a transition of power. Security force defection as a determinant of regime change has played out several times in recent history. Security defection is not indicative of long-term government outcomes, but to catalyze initial regime change. The following are a few notable cases.

Iranian Revolution

The monarchy of Mohammed Reza Shah Pahlavi was overthrown, and Ayatollah Ruhollah Khomeini returned from exile to lead the country. Protestors gave soldiers flowers and chanted, 'the army is part of the nation' and 'brother soldier, why do you kill your brothers.' This strategy was successful. By January of 1979, thousands of soldiers were defecting each day, and eventually the armed forces officially declared neutrality. Almost immediately, all remains of the Shah's government imploded.³⁶

Egypt 2011

President Mubarak had a too-tight grip on the military, in part because he was formerly a commander in the air force. However, by the end of January, the military announced it wouldn't fire upon protesters.³⁷ After 18 days of protests, Mubarak was ousted.³⁸

Jasmine Revolution in Tunisia

The popular uprising in 2010 forced President Zine al-Abidine Ben Ali to step down. Initially, protestors were killed in clashes with the police, sparking heavy international criticism. Ben Ali eventually ordered his troops and police to only use live fire in self-defense.³⁹ (Ben Ali then went into exile.)

This plight is understood best by officials in Colombia who have dealt with a similar peace-building process after the FARC and ELN's widespread dissolution. Colombia is still facing obstacles of generational trauma and animosity between former guerillas and pro-government citizens. The United States could be a third-party mediator to help Colombia share diplomatic expertise with the interim Venezuelan government. The United States would contribute, pressure parties to stay at the negotiating table, and lead support for constructive outcomes.

Relying on the commitment of Colombia as part of this approach is somewhat precarious. However, Colombian government officials face domestic pressure to resolve the refugee crisis and re-stabilize Venezuela. It would be essential to continuously connect this foreign policy with Venezuela to a posi-

tive domestic response in Colombia to maintain their cooperation and support.

If these reactive measures do not procure the desired results or the situation in Venezuela deteriorates to the point where more aggressive actions need to be taken, the United States must still show restraint. The following section considers the worst-case scenario and how to pursue positive outcomes.

Last Resort: Modified Traditional Response

One of the prominent counterarguments to a restraint approach is that it only serves as an option, and when it fails, more drastic measures will inevitably be implemented. However, even last-resort standards can (and should) be applied within the restraint framework. This approach takes the traditional response (R2P and military force) and develops an exit strategy with clear goals and key performance indicators to evaluate.

The Responsibility to Protect has a controversial history, partially because actors have different definitions of success. The Libyan case of R2P reveals common pitfalls of the doctrine and sheds light on avoiding these mistakes if R2P was invoked for Venezuela.

Libya

On February 6, 2011, the UN Security Council unanimously adopted Resolution 1970. The resolution authorized non-military measures against Gaddafi such as an arms embargo, a travel ban on

the Gaddafi family and key members of government, freezing regime assets, and referring the case to the International Criminal Court for an investigation into reports of the Gaddafi regime committing crimes against humanity.⁴⁰ These measures did not stop Gaddafi from continuing mass violence against protestors, which led the Council to adopt Resolution 1973 in March of 2011. Resolution 1973 instituted a no-fly zone and called upon UN member states to protect Libyan civilians. NATO troops were committed to the conflict and received backlash for bombardment that resulted in civilian casualties. The critical element of this case that correlates to Venezuela's situation lies in how NATO troops became involved.

Troops went beyond the original mandate to protect Libyan civilians and helped the rebels take down Gaddafi. The opposition's solution for Venezuela, like Libya, is regime change. However, effecting regime change is an infringement upon sovereignty not included in the scope of the R2P doctrine. If R2P were employed in Venezuela, the United States should not commit troops to seek regime change, but should potentially support the use of UN peacekeepers to deliver aid and protect civilians.

No United States military boots should be put on the ground in Venezuela. Such military intervention could backfire and unite the people behind Maduro and damage our relationship with other nations in Latin America. A UN option is a last resort and should not be undertaken lightly. If the success

of R2P in Libya is measured by regime change, it can be considered successful. However, if it is calculated based on the long-term aftermath, the results are less favorable. In August of 2012, the transitional government handed the government's reins over to Libya's new General National Congress. By 2014 the country was back in the throes of civil war as protests against the General National Congress' refusal to disband after their mandate expired.⁴¹

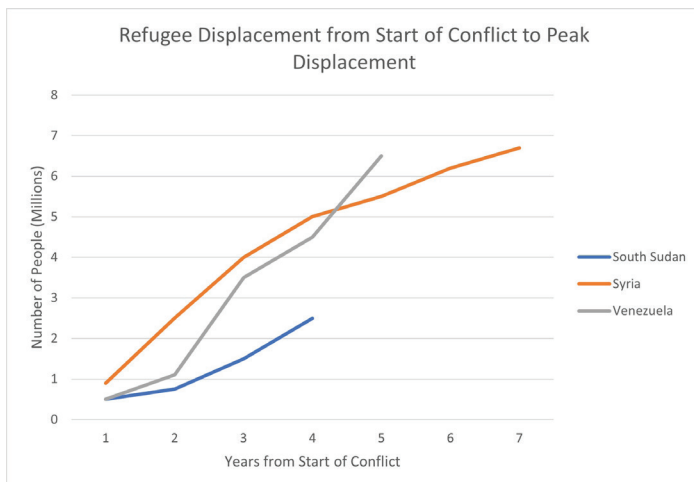
Libya is still experiencing civil war today, which has only been further complicated by foreign interveners. Libya's future is almost inextricably tied to Russia and Turkey. This type of backsliding needs to be prevented in Venezuela. NATO pulled out of Libya in October of 2011 while the country was still reeling, and there was no plan to assist the nation with the establishment of the rule of law and good governance.⁴² R2P for Venezuela must include a long-term government stability plan to not fall to the same fate as Libya.

Ideally, the UN Security Council would pass resolutions addressing Venezuela. However, China's and Russia's backing of the Maduro regime would likely lead them to veto an intervention. Thus, the United States would be forced to move forward unilaterally. A plan should be devised to support regional allies like Colombia and, if necessary, intensify CIA covert action through increased funding and personnel. This covert effort would focus on undermining the Maduro regime domestically, relying on informa-

tion tactics. All of this must be paired with a comprehensive exit strategy.

Modified Traditional Response in Action

1. 12-18 months after Reactive Measures have been put in place, intervene based on these criteria:
 - a. If the 2020 statistic of 70% of Venezuelan households reporting moderate to grave food insecurity hasn't been cut in half.⁴³
 - b. Extrajudicial killings by the Venezuelan military hit 1,000 people in one month. In 2018, Venezuelan special forces killed 5,287, and killed 1,569 more between January and May of 2019.⁴⁴
 - c. Election fraud in the 2024 Venezuelan Presidential Election or other election interference to consolidate Maduro's power.



Goals for Venezuela

1. Venezuelan military declares political neutrality and stops carrying out inhumane orders of Maduro's regime.
2. Ensure aid delivery to the most vulnerable within Venezuela's borders, which will likely require a Venezuelan military escort.

Key Performance Indicators

1. Refugee outflows slow, indicating a recovery, ideally peaking at the UN 2020 forecast.
2. Government officials seek asylum abroad.
3. Malnutrition and hunger begin a consistent downward trend. A UN Report in early 2020 stated 1 in 3 Venezuelans was suffering from hunger. The pandemic has likely exacerbated this number. However, trending below this 33% level would indicate progress.

What Happens if the KPI's Are Not Met?

The worst-case scenario is if all options have been employed, and the situation in Venezuela continues to deteriorate. First, the rate of failure must be assessed. If it's the first 6-8 months of the modified traditional response, it's too soon to see significant statistics change.

If the exact KPI metrics aren't met at the one-year mark, but the data is trending in that direction, resources will continue to be allocated until the goals are achieved. However, if the metrics are stagnant or

trending worse, the United States needs to re-evaluate its policy.

Disengagement Strategy: Leaving Venezuela

Once the engagement achieves the KPIs, the United States needs to disengage from Venezuela. Prolonged engagement past achieving goals risks backsliding and entanglement. Power should be vested in the Venezuelan people. With the military declaring neutrality and government officials' departure, combined with Guaido's international support, the country should create an interim government until proper elections can be held. The policy of the United States, in this case, is not state building. It is to protect human rights and allow Venezuelan citizens to take back their democracy. The United States will slowly reduce covert political support and humanitarian aid to the interim government over 12 to 18 months. This gradual withdrawal will help keep Venezuela stable as the economy and government restarts.

Conclusion

The United States can steer the Venezuelan crisis towards recovery while avoiding pitfalls that US involvement has historically encountered in the region. Maintaining clear goals and an action plan that emphasizes restraint is the way forward. It is in the United States' national interest to assist the people of Venezuela. A failing Venezuela is more susceptible

to debt-traps and intrusive influence from China and Russia. Furthermore, Venezuela issues will spill over and create more challenges regionally, as seen by the influx of refugees to Colombia. As we have seen with increased immigration at our southern border, turmoil in Latin America accelerates migration to levels our current immigration system cannot handle. A strong Venezuela can bring greater stability and prosperity to Latin America and be a significant trading partner with the United States for fuel and minerals.

Further delay in implementing a restraint-informed plan in Venezuela leaves the country open to more humanitarian abuses and the United States vulnerable to becoming entangled in a crisis without clear direction. The opportunity to act is waning, and the United States cannot afford to have another humanitarian catastrophe in its backyard. Ultimately, we hope that the reactive measures outlined in this piece bring success. However, this plan also prepares policymakers for the worst-case scenario. The key is to remain within the restraint-informed goals and exit cautiously once we reach those goals.

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