

**THE FRAUGHT PATH FORWARD:
VENEZUELA AND THE INTERNATIONAL CONTACT GROUP***

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On February 7 the multilateral International Contact Group (ICG) held its first meeting to address the Venezuela crisis. Originating with the European Union (represented by France, Germany, Italy, the Netherlands, Portugal, Spain, Sweden and the United Kingdom) but also including several Latin American countries (Costa Rica, Ecuador and Uruguay), it resolved to work with international partners to “establish necessary guarantees for a credible electoral process, within the earliest timeframe possible,” and to enable the delivery of humanitarian assistance.¹

Two weeks later it sent a technical mission to Venezuela to speak with

the government of Nicolás Maduro and the opposition about the organization of new elections. On that visit they found that the two sides were not ready to negotiate which effectively stalled the initiative. On February 24, the EU’s High Representative again called for² credible presidential elections as a way out of Venezuela’s crisis. But instead of saying the EU was actively working for this, stated it “stands ready to support this process.”

In this article we suggest that the International Contact Group is the most promising alternative for facilitating a peaceful return to democracy in Venezuela. While the path is fraught by skepticism and intransigence, with patience and pragmatism it could produce results.

* A previous version of this essay appeared as Smilde, D. & Ramsey, G. (2019, February 12). “El Grupo de Contacto Internacional: la mejor oportunidad de Venezuela.” *The New York Times Español*.

¹ Ramsey, G., & Smilde, D. (2019, February 7). “How the International Contact Group on Venezuela Can Advance a Path Out of Crisis.” *WOLA: Venezuelan Politics and Human Rights*. Retrieved from <https://venezuelablog.org/international-contact-group-venezuela-can-advance-path-crisis/>

² Press Release. (2019, February, 24). “Declaration by the High Representative on behalf of the EU on the latest events in Venezuela.” Council of the European Union. Retrieved from <https://www.consilium.europa.eu/en/press/press-releases/2019/02/24/declaration-by-the-high-representative-on-behalf-of-the-eu-on-the-latest-events-in-venezuela/>

Beyond Dialogue

As the original meeting was taking place in Montevideo, US Envoy for Venezuela Elliot Abrams criticized the effort saying “Maduro has proven he will manipulate any calls for negotiations to his advantage and has often used so-called dialogues as a way to play for time.”³ In the wake of the most recent visit he repeated his criticisms, remarking: “ask Jorge Ramos of Univisión what dialogue with Maduro is like,”⁴ a reference to Maduro’s detention of the journalist on February 26.

There are good reasons to reject dialogue with the Maduro government. In 2014 four months of street mobilization against the Maduro government ended when opposition leaders went to dialogue with the government and achieved nothing other than demobilizing their protests.⁵

In 2016, dialogue with the government actually led to a plausible accord that would have led

to recognition of the National Assembly (*Asamblea Nacional* or AN). The AN agreed to disincorporate the three representatives of the Amazon state that the National Electoral Committee (CNE) said had been elected in flawed processes. And the Maduro government was to recognize the National Assembly and release political prisoners. But the Maduro government quickly reneged on its commitments, leading even the Vatican representative to refuse further involvement.⁶

From December 2017 to February 2018 another round of dialogue failed.⁷ This one followed something closer to a “group of friends” model and started with a draft agreement that guarantor countries put together based on conversations with both the government and the opposition. However, the government did not agree to the key aspects of it, such as postponing the elections until the last trimester of the year, and the dialogue eventually failed.

³ Press Briefing (2019, February 7). U.S. Department of State. Retrieved from <https://www.state.gov/r/pa/prs/dpb/2019/288893.htm>

⁴ Abrams, E. (2019, February 26). “Remarks at a UN Security Council Briefing on Venezuela.” United States Mission to the United Nations. Retrieved from: <https://usun.state.gov/remarks/8945>

⁵ Smilde, D., & Hernáiz, H.P. (2014, May 14). “Opposition Freezes Dialogue.” *WOLA: Venezuelan Politics and Human Rights*. Retrieved from <https://venezuelablog.org/opposition-freezes-dialogue/>

⁶ Smilde, D. (2017, February 6). “No Miracles in Venezuela Conflict I: Dialogue Setbacks Challenge Vatican.” *WOLA: Venezuelan Politics and Human Rights*. Retrieved from <https://venezuelablog.org/no-miracles-in-venezuela-conflict-i-dialogue/>

⁷ Ramsey, G. (2018, February 8). “No Deal: Venezuela Talks in ‘Indefinite Recess.’” *WOLA: Venezuelan Politics and Human Rights*. Retrieved from <https://venezuelablog.org/no-deal-venezuela-talks-indefinite-recess/>

The opposition was certainly not blameless in these processes. In 2014 it was they who pulled out of the dialogue, in large part because of their own divisions.⁸ Insiders suggest that, in 2018, the fact that the opposition divisions over who would be the presidential candidate were part of their decision to pull out, especially when compounded by the government's unwillingness to provide clear guarantees for free elections. Furthermore, strategic errors, such as canceling street mobilizations during the 2016 dialogue reduced their effectiveness and generated rancor among their base that has turned into a strong antipathy towards anything that sounds like dialogue.⁹

In each case, sitting down for talks with the Maduro government gave the latter some breathing room and demobilized the opposition. Since 2014 Maduro has continually called for dialogue. However, he only seeks it as long as it occurs in a non-institutionalized space he can control

and that produces non-binding results. If he really valued dialogue that sometimes leads to uncomfortable but binding obligations to change, he could simply recognize the National Assembly. A democratic state is, after all, little more than an institutionalized dialogue. However, he will not do that because Chavismo is a minority in the legislature and cannot control it. In the AN, the debate would be carried out by democratically chosen representatives, in proportion to their support by the public (at least in December 2015). With the two-thirds majority they obtained, the opposition would have far reaching powers.

The ICG's Terms of Reference¹⁰ have been well-formulated to not fall into the dialogue trap. It has an explicit mandate "not to be a mediator" nor to promote dialogue, but to push for the conditions needed for credible elections to occur so that Venezuelans themselves can elect their leaders. Of course actually carrying out this initiative will mean some sort of "dialogue" in the sense of communicating with and understanding others. However, the communication is not between the government and the opposition. This

⁸ Smilde, D., & Hernáiz, H.P. (2014, May 14). "Opposition Freezes Dialogue." *WOLA: Venezuelan Politics and Human Rights*. Retrieved from <https://venezuelablog.org/opposition-freezes-dialogue/>

⁹ Smilde, D. (2019, January 8). "Venezuelans reject Maduro presidency – but most would oppose foreign military operation to oust him." *The Conversation*. Retrieved from <https://theconversation.com/venezuelans-reject-maduro-presidency-but-most-would-oppose-foreign-military-operation-to-oust-him-109135>

¹⁰ (2019, January 31). "The Terms of Reference of an International Contact Group on Venezuela." Council of the European Union. Retrieved from <https://www.consilium.europa.eu/media/38043/st05958-en19-icg-terms-of-reference.pdf>

communication takes place between the ICG representatives and Venezuela's political actors, through a sort of shuttle diplomacy. An encounter between the two sides would only happen if and when an agreement is brokered.

Proceeding in this way will reduce the opposition's political costs vis-à-vis their base and radical wing who are loath to sit down with Chavismo and could prevent any kind of agreement being met. There is also no reason that such a negotiation would undermine opposition street mobilizations, given that there is no media spectacle or alternative forum drawing the attention away. Proceeding in this way will also make it more difficult for Maduro to use the dialogue to distract from his authoritarian government, and there will need to be clear mechanisms for fulfilling whatever agreements are reached.

The ICG will indeed have to deflect what will be constant pressure to sponsor hollow dialogue. On the eve of the ICG meeting, Mexico, Uruguay, and Caribbean nations issued a statement in favor of a separate "Montevideo Mechanism," which would promote a dialogue without conditions. Unsurprisingly, Nicolás Maduro immediately backed the idea. However, this initiative was stillborn as the Venezuelan opposition has made clear it would not participate in such an effort.

Fortunately, Uruguay seems to be playing on two fields at the same time and hosted the ICG meeting the next day in which the group restated its commitment to new elections.

Increasingly, Uruguay has made clear that it is more in line with the EU thinking on the issue. While at first the administration of Tabaré Vázquez was more interested in the proposal to organize dialogue with no preconditions, it has become clear that Uruguay has abandoned this idea. Vázquez implicitly demonstrated this commitment by participating in the technical visit to Caracas and made it explicit in a February 14 joint statement¹¹ with Argentine President Mauricio Macri. Some of this initial hesitation was due to divisions within the governing Frente Amplio coalition, but these have been smoothed out. On February 27, José "Pepe" Mujica explicitly called¹² for new presidential elections in Venezuela, which is deeply significant as he is

¹¹ (2019, February 14). "Macri y Vázquez piden elecciones en Venezuela." *El País*. Retrieved from <https://www.elpais.com.uy/informacion/politica/macri-vazquez-piden-elecciones-venezuela.html>

¹² Ramsey, G. [@GRamsey_LaTam]. (2019, February 27). This is an important move. Mujica's MPP party is the largest #Uruguay's governing Frente Amplio coalition. By making this statement he is firmly siding with the EU/Contact Group proposal, and against some kind of empty dialogue with no preconditions [Tweet]. Retrieved from https://twitter.com/GRamsey_LatAm/status/1100900516874334213

viewed as an immense moral authority among leftist sectors in Uruguay that were still somewhat supportive of Maduro and were critical of Vázquez's policy.

The United States

This ICG initiative has to deal with skepticism from the United States. The U.S., of course, has responded to Venezuela's crisis not only by vociferously supporting National Assembly President Juan Guaidó's claim to the interim presidency, but by leveling comprehensive sanctions against Venezuela's state oil company and time and again mentioning that "all options are on the table." The goal is to encourage the military to turn on Maduro and instead recognize Guaidó.

The recent speech by Donald Trump in Miami made clear that it is unlikely he will put the issue on the back burner. While in Afghanistan and Syria Trump's "America first" vision is holding sway, in Latin America policy it is his neoconservative advisors that are in charge. He represented the push for a transition in Venezuela as just the first step in an effort to free Cuba and Nicaragua as well. When that happens, he said, "this will become the first free hemisphere in all of human history." He also mentioned socialism from beginning to end in the speech, repeatedly tying the situation in Venezuela to those who want to install socialism in the

United States, implicitly referring to some left Democrats who have increasingly adopted the term for their politics. Thus, this is clearly one of the main foreign policy planks in Trump's 2020 reelection campaign and failing would be politically costly.

The most recent strategy for driving a wedge between Maduro and his armed forces was to send humanitarian aid to Venezuela's border, making military officials decide between their loyalty to the Maduro government or their loyalty to their hungry fellow citizens. This effort was unsuccessful. Not only did they fail to get aid into the country, they were not able to flip a significant number of members of the armed forces to any significant degree. In the process, the initiative drew the criticism of aid organizations such as the International Red Cross¹³ as well as regional human rights groups,¹⁴ for not fulfilling the basic principles of humanitarian aid, including: neutrality, impartiality,

¹³ Lugo, L. (2019, February 1). "Red Cross Talks to US about risks of sending Venezuela aid." Associated Press. Retrieved from <https://apnews.com/55b00d320d744b49856614c432c0d686>

¹⁴ (2019, February 21). "Joint Statement: Meeting the Needs of Suffering Venezuelans Will Require Expertise and Commitment to Humanitarian Principles." Retrieved from <https://www.wola.org/2019/02/humanitarian-aid-venezuela-civil-society-statement/>

independence, humanity, and doing no harm.

Plan B was apparently to use the Maduro government's rejection of humanitarian aid to call for international military intervention. However, this strategy seemingly backfired as, over the course of the next two days, there were resounding rejections of the use of force by the international community. In the February 25 meeting of the Lima Group, member countries explicitly rejected the use of force.¹⁵ It is especially important that the Colombian and Panamanian governments joined in this statement, because they previously declined to sign a Lima Group statement rejecting the use of force on September 15.¹⁶ Costa Rica did not sign the document. The sticking point for them appears to have been the statement's insistence that Maduro must leave for new elections to occur, which fits with some of the ambiguity in the ICG's own statements

¹⁵ Smilde, D. (2019, February 26) "Venezuela Weekly: Opposition Stalls as Push for Military Action Rebuffed." Retrieved from <https://venezuelablog.org/venezuela-weekly-opposition-stalls-push-military-action-rebuffed/>

¹⁶ (2018, September 15). "Declaración del Grupo de Lima." Gobierno de Perú, Ministerio de Relaciones Exteriores. Retrieved from <https://www.gob.pe/institucion/rree/noticias/19021-declaracion-del-grupo-de-lima>

The U.S.'s flirtation with military action could actually generate more interest in the ICG among not only the Venezuela government but other international actors as well. It is important to remember the example of the Contadora process in Central America during the 1980s.¹⁷ The U.S. was a belligerent actor in the region and actively opposed this initiative. Rejection of the U.S. role was one main cause of international support of the initiative. Confronting the U.S. on Venezuela policy could actually facilitate the EU's unity on its own Venezuela policy since its main challenge comes from countries with left governments that hesitate to appear interventionist. And finally, U.S. rejection of the ICG initiative could make any agreement more palatable to Chavismo and its allies.

Nevertheless, there is reason to think that the United States may share more aims with the ICG than it publicly lets on. On February 15, Secretary of State Mike Pompeo and EU High Representative of Foreign Affairs and Security Policy Federica Mogherini met in Brussels and an EU source told the press that the two agreed that "new elections" offered the best path out of the crisis.¹⁸ As

¹⁷ Purcell, Susan K. (1985). "Demystifying Contadora." *Foreign Affairs*. Retrieved from <https://www.foreignaffairs.com/articles/central-america-caribbean/1985-09-01/demystifying-contadora>

¹⁸ (2019, February 15). "Mogherini, Pompeo agree elections are best way to restore order in Venezuela." *Agencia EFE*. Retrieved

well, National Security Council advisor Mauricio Claver Carone recently signaled that the U.S. might get behind an offer of new elections by Maduro as long as it were accepted by National Assembly President Juan Guaidó.¹⁹

The Opposition

Developing a solid relationship with the opposition and buy-in from them is probably the best way to prevent the U.S. from scuttling the initiative. The opposition understandably sees the U.S. as their main ally and is loath to take any independent stance. There can be little doubt that without U.S. threats of “the most serious consequences,” the Maduro government would have arrested Guaidó in the days after he assumed the interim presidency. But the opposition needs to realize that time is not on their side. Within a month or two, U.S. oil sanctions could significantly alter the playing field. Sanctions such as these generally impact average people more than government officials. The net effect will be to weaken the population’s

ability to organize against the government and allow Maduro to ratchet down his authoritarian project, just as Fidel Castro did in 1960s Cuba.

The opposition needs to be encouraged to reach out to elements of Chavismo in a more concerted and convincing way. The fact that we haven’t seen major defections from the military or from Maduro’s civilian coalition suggests that those around him do not see their interests reflected in the transitional government that Guaidó is offering. A potential amnesty offer has not proved to be attractive enough, meaning the opposition may have to consider offering something more robust, perhaps including some sort of power-sharing with Chavismo. A recent piece from the Finnish Institute of International Affairs suggests the best path forward would be a transition government including both pro- and anti-Maduro forces that could then negotiate elections.²⁰

There have actually been some signs of openness to this within the opposition. Carlos Vecchio, appointed Venezuela Ambassador to the U.S. by Guaidó, pointed out that Chavismo controls 53 seats in the National Assembly and could work

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<https://www.efe.com/efe/english/portada/mogherini-pompeo-agree-elections-are-best-way-to-restore-order-in-venezuela/50000260-3898843>

¹⁹ Gómez Maseri, S. (2019, February 10). “Ayuda ingresará a Venezuela, es solo cuestión de tiempo”: EE. UU.” *El Tiempo*. Retrieved from <https://www.eltiempo.com/mundo/eeuu-y-canada/entrevista-con-mauricio-claver-carone-estratega-de-trump-contra-el-regimen-de-maduro-324820>

²⁰ Wigell, M. & Mikko, P. (2019, February 8). “Negotiating Venezuela’s future: First agreement, then elections.” *Finnish Institute of International Affairs*. Retrieved from <https://www.fiia.fi/en/publication/negotiating-venezuelas-future>

for the transition from there.²¹ Vice-President of the AN Stalin González said more broadly: “we need to give space to sectors of Chavismo that are not Maduro because we need political stability.”²² On February 23, Guaidó himself issued a message to Chavismo, saying: “I doubt that Hugo Chávez would accept what Maduro has brought to the armed forces and to Venezuela: hunger, violence, repression, and fear.”²³ Such assertions receive howls from opposition radicals and in the Venezuelan Twittersphere, but they are promising signs nonetheless.

²¹ Leon, I. (2019, February 14). “Carlos Vecchio: El chavismo está invitado a construir la transición desde la AN.” *Efecto Cocuyo*. Retrieved from <http://efectococuyo.com/politica/carlos-vecchio-el-chavismo-esta-invitado-a-construir-la-transicion-desde-la-an/>

²² Pons C., Cohen, L., & Spetalnick, M. (2019, February 14). “Venezuela’s Maduro ramps up legal fight against Guaido’s challenge.” *Reuters*. Retrieved from <https://www.reuters.com/article/us-venezuela-politics-aid/venezuelan-opposition-urges-international-community-to-help-aid-get-in-idUSKCN1Q325K>

²³ Guaidó, J. [@jguaido]. (2019, February 23). 1/3 Estoy saliendo de hablar con los militares que hoy se incorporaron a la ruta constitucional. Nos reiteran que lo que hoy hay en la FAN es miedo, necesidad e irrespeto. Son soldados que en algún momento tuvieron ilusión por la carrera militar y hoy son prisioneros del terror [Tweet]. Retrieved from https://twitter.com/jguaido/status/1099511989536284673?ref_src=twsrc%5Etfw%7Ctwamp%5Etweetembed%7Ctwterm%5E1099511994263261184%7Ctwgr%5E363937393b636f6e74726f6c&ref_url=https%3A%2F%2Ffelcooperante.com%2Ffla-pregunta-de-juan-guaido-que-maria-gabriela-chavez-no-podra-responder%2F

The opposition will have to relinquish aspirations of significant structural reform before elections happen. You cannot ask people to make the painful sacrifices that significant reform inevitably entails without democratic legitimacy. This may seem obvious, but there is a long and troubling history of liberalism without democracy in Latin America that pushes for “progress” without seeing the need for developing consensus among those most affected.²⁴ Indeed, the riots of February 1989 known as *El Caracazo*, which marked the beginning of the end for Venezuela’s democracy were caused by a new president pushing forward a radical structural adjustment package after campaigning as a free-spending populist. The idea of a long transitional government that reorders Venezuelan society before elections will undoubtedly be pushed by some opposition sectors.

However, the Venezuelan opposition is as complex as any coalition. Guaidó’s party, Voluntad Popular, itself has democratic resources. While its role in demanding Nicolás Maduro’s resignation in February 2014 –less than one year after Maduro was elected president and less than two months after his

²⁴ Mahoney, J. 2002. *The legacies of liberalism: path dependence and political regimes in Central America* (Baltimore: The Johns Hopkins University Press).

coalition received strong support in regional elections— does not speak well of its democratic commitment, they have consistently supported primaries in the opposition while other parties have preferred closed-door mechanisms. They also opened the door to a transgender legislative candidate and have done considerable grassroots organization with students. Putting forward a young politician like Juan Guaidó was a long overdue movement in the Venezuelan opposition; it shows that Voluntad Popular has a level of democratic vision not as developed in the other opposition parties.

The Maduro Government

Of course, getting the buy-in of the Maduro government is perhaps the most difficult of all. After putting down the opposition's effort to bring in humanitarian aid, they feel strengthened. They are convinced they will be able to weather the current storm, reinforce social and political control, restore the economy given Venezuela's ample resources, and eventually normalize relations with the world. However, they need to realize that the most likely scenario for the future would be that Venezuela could just as well fall into a state of perpetual anarchy, just organized enough to maintain the governing networks of corruption and power.

The ICG has communicated that Maduro will have to engage in

serious confidence-building measures before credible elections can be held. These include releasing political prisoners, naming new members of the National Electoral Council, and ending bans on all political parties and politicians in the electoral process. It is also clear that Maduro will have to cede control over the electoral process to neutral forces. After the electoral abuses of the past three years, it is indeed difficult to imagine a legitimate election with Maduro overseeing it.

Of course, carrying out these measures would virtually ensure that Maduro will be voted out of power, and he and his coalition know that. But they must see that this may be their last chance to relinquish power in a dignified, non-violent way that could not only ensure their physical survival but the political representation of the significant swath of the population that still supports the government. Going out with some modicum of grace could salvage the memory of Chavismo from the ignominious depths it has sunk to.

Given the difficulty of the task of reconstructing Venezuela and the sacrifices it will entail, political representation of all sectors of society will be necessary and Chavismo could be in a position to participate. There would be ample possibilities for Chavismo to come back in electoral form. Maduro

maintains impressive popularity in the current context –around 20% in a region in which presidents routinely poll in the single digits. In addition, polls show that close to half of the population still have a positive view of Hugo Chávez. This shows the potential Chavismo would have as an electoral force. While there are certainly doubts that Chavismo is even viable as just another electoral party –given its illiberal and often messianic ideology–, from the beginning it has exhibited a complex intertwining of elements of liberalism and Marxism which could clearly provide the basis for a more moderate party.

Moving Forward

The International Contact Group is not currently the leading form of international engagement in the Venezuela crisis. Given the apparent lack of political will on each side, it has not yet been able to proceed with negotiations. Given the protagonist role the Trump administration has assumed, all other stakeholders, including the Lima Group, have been forced to the sidelines. Countries allied with Venezuela, the international left, and even progressive Democrats in the U.S. Congress –for the most part new to the Venezuela crisis and unaware of the recent history of dialogue– are more likely to mention the “Montevideo Mechanism” of dialogue without preconditions.

However, given the likely failure of the Venezuelan opposition’s current strategy, the lack of international support for military action, and the fact that dialogue without preconditions is simply a non-starter for the opposition, it seems likely that the ICG could become an attractive option for Venezuela’s political actors and international stakeholders. Furthermore, the Maduro government’s current level of comfort will likely not last long as the ever-increasing economic and political pressure they are under will generate concern among officials of the sustainability of their path.

The ICG would do well to seek the involvement of other international actors with a history of successful peace negotiations such as Norway and the Vatican, as well as other countries from the Lima Group beyond just Costa Rica. While countries with strong animosity towards the Maduro Government, such as Colombia and Brazil, would not be helpful, others such as Canada or Panama could be. The United Nations would be best left to monitor fulfillment of any eventual agreement and monitor elections.

The scholarly literature makes clear that most transitions to democracy are neither linear nor predictable. Fits and starts, setbacks and advances are typical as contending political actors navigate a complex and changing field. Historically, the combination

of external and internal pressure and engagement is the most likely means of generating a non-violent transition to democracy.²⁵ The goal is a sustainable agreement that can change the relationship between the contenders, from enemies that cannot coexist to political competitors that can.²⁶

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²⁵ Bitar, S. & Lowenthal, A. (2015). *Democratic Transitions: Conversations with World Leaders* (Baltimore: The Johns Hopkins University Press).

²⁶ Wallensteen, P. Wiewiorka, M. Abraham, I. Aggestam, K. Bellamy, A. Cederman, L. Ferret, J. Jeangène Vilmer, J.B. Heitmeyer, W. Muvumba-Sellström, A. Nathan, L. Shinoda, H. Stepanova, E. (July 2018), "Violence, wars, peace, security," in *Rethinking Society for the 21st Century, Vol. 2: Political Regulation, Governance and Societal Transformations* (Cambridge: Cambridge University Press), pp. 411–456.