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# Latin America and the Crisis in Venezuela: An Opportunity to Defend Democracy and Human Rights in the Hemisphere

*By Luis Almagro, Secretary General of the Organization of American States (OAS)*

The path toward building better democracies in Latin America is not paved with quick, acclaimed victories. The post-colonial national governments that were established were based – in several countries – on unstable centers of power, weak governance, and discriminatory ruling classes. The traditional political elites were reluctant to build strong institutions, fearing they could risk their future hold on power and privilege. They withheld fundamental rights from their people, believing that social mobility could threaten their individual interests.

The biggest fractures in the region – i.e. inequality, corruption, and impunity – are structural, endemic, and persistent. Governments have proven reluctant to make the meaningful changes the people demand. They have avoided – or rejected – building inclusive and redistributive systems, to construct stronger institutions, to fight impunity, and to guarantee human rights. Instead of serving and protecting their nations, leaders have given in to the temptation of perpetual authority. This power yields the ability to uphold the *status quo* under the pretense of stability and governance. In practice, this breed of authoritarianism has generated the exact opposite outcome.

After 200 years of independent history, the region still struggles to build better, more resilient democracies. Although some progress has been made, Latin American countries suffer from the same pervasive structural problems. Poverty, inequality, lack of rights, and lack of infrastructure continue to undermine development in the

region. Our societies must grapple with these challenges on a daily basis. Citizens are urging governments to meet their basic needs, protect their human and fundamental rights, and fulfill basic institutional requests. Despite the countless hours spent parsing out variables and evaluating potential policies, we have still failed to take the necessary actions to uproot the deep-seated sources of these problems.

In Latin America, there is one essential lesson. Without exception, the stronger democracies have all had better, more sustained economic development, with greater social protection and services. At a time when the world is experiencing democratic backsliding and fears a democratic recession, we must renew our commitment to inclusion and equality. This is why it is imperative for the region to work together in addressing the crisis in Venezuela; we cannot allow it to become a roadmap for the dismantling of democracy in the hemisphere. The Organization of American States (OAS) and its Member States must reaffirm their commitment to ensuring democracy for all the citizens of the Americas.

Through the treaties and agreements that OAS Member States have signed, the countries of the Western hemisphere have recognized that democracy is a fundamental condition for political stability, peace, economic development, and social justice. However, we have seen all too many leaders who consider themselves – and their causes – to be exceptions to this principle, producing devastating consequences for their nations. Venezuela has become the

prime example of this nefarious practice. Corruption, bad policies, and the abuse of power have destroyed what should be one of the most prosperous countries in our hemisphere. Now, in a continent that once prided itself on its hard-earned democracies, we count among us not only a dictatorship, but a failed state.

Corruption is a disease that extends far beyond a country's borders. It has no political party or ideology. We have witnessed throughout the region that when we turn a blind eye to these practices, they are replicated elsewhere. Examples such as Odebrecht, the looting of Venezuelan oil wealth, and the Paradise Papers in Panama all point to the unbounded spread of corruption in Latin America. We have also witnessed repeated attempts to politicize the judiciary, and in turn use it to expand the executive's political authority. Corrupt officials have blatantly ignored referendum results. The civic space has been closed and opposition political parties have been eliminated. The protections guaranteed in our constitutions have been treated as if they were drafted in pencil and can be easily ignored. The regime in Venezuela is guilty of violating almost every single constitutional article. Elsewhere, term limits are being removed for the sole purpose of extending the hold on power. Perhaps the greatest tragedy of them all, in a region that has paid such a high cost to ensure the democratic order and civilian oversight of security forces, Venezuela has created a model for reviving the military encroachment in the responsibilities of governance.

Robust and stable democracies require not only strong institutions, but transparency, accountability, fair processes, and vibrant civic space. Democracy must be about so much more than elections. It is natural to favor elections when politicians know they will win. The key challenge is what happens when those in power face

an uncertain electoral outcome. When the executive branch attempts to consolidate power in the hands of the president, it turns elections into a zero-sum game. It allows them to act with impunity, and politics are reduced to a strategy to gain time, skirt accountability, and reduce the odds of landing in jail. These behaviors, fueled by raw, self-interested ambition, have fostered an environment of bad policies and illegitimate deals. Today, the consequences for Nicolas Maduro – the head of the Venezuelan government – of losing an election are now too high for him to take that chance. When losing an election means losing everything, there will always be a motivation to change the rules of the game so they always work in your favor.

For the international community, the easy way out of addressing these problems is to simply ignore them, pretending that these issues are isolated exceptions that will resolve themselves. It is in these instances that the OAS has been expected to remain silent, limiting its mission to a mere oversight role of process validation without any substantial agency. The OAS cannot remain silent. The cost is too high. The permanent message we must adopt is that we can build inclusion, security, and prosperity by strengthening democracy and the rule of law with the help of the Inter-American Legal Framework. However, honoring this commitment also means that we cannot be afraid to act when we see any of our region's hard-earned democracies begin to backslide.

The OAS has a crucial role to play in confronting anti-democratic practices, corruption, inequality, exclusion, and insecurity. Our membership requirements are clear: each Member State chooses to sign on to agreements protecting human rights and democracy, which create both incentives for adherence and mechanisms for enforcement and accountability. We

have also established a clear authority to act in every signatory state when these values are threatened. We have seen the value of these tools in the historic peace deal in Colombia, the ongoing democracy-strengthening process with the Government of Nicaragua, and the joint efforts with the Government of Honduras to tackle corruption and improve electoral legitimacy.

Today, the OAS is the only multilateral organization to have spoken clearly and loudly about the crisis in Venezuela. It is the only multilateral organization to send a strong political signal for strengthening the voice of democracy, showing solidarity from the majority of our hemispheric community. On 23 February 2018, the Permanent Council adopted its second resolution condemning the latest efforts by President Maduro to consolidate another six years of power through false elections.<sup>1</sup>

We have been relentless and will continue to denounce the dismantling of the constitution and the democratic institutions, the violations of human rights, and the violent repression against citizens in Venezuela. Maduro's regime also employs a less overt but no less sinister form of repression by controlling society through misery. Control is easier to exert when people have been stripped of their rights, their livelihoods, and their basic human needs. The economy has been decimated and poverty rates have jumped to 82 percent, meaning that a family needs to earn 63 times the minimum wage in order to afford basic food necessities.<sup>2</sup> In 2016, the number of undernourished people living in Venezuela jumped by 1.3 million people in less than two years.<sup>3</sup> It is very difficult for people to take the streets when they have nothing to eat. The mass migration of Venezuelans out of the country means fewer people challenging or opposing the government from within.

The OAS General Secretariat has called on Member States to activate the mechanisms of the Inter-American Democratic Charter. We have produced four reports over the past two years that provide indisputable evidence of the government's efforts to dismantle the country's democratic institutions and the widespread and systematic repression targeting anyone who questions the government's authority. More than 12,000 people have been arbitrarily detained since 2014.<sup>4</sup> In the 2017 protests, 111 people were murdered by state security forces or their paramilitary allies; that is more than one death per day.<sup>5</sup> Estimates for the number of wounded reached as high as 15,000.<sup>6</sup> Hundreds of civilians have been tried by military courts and the number of political prisoners reached 676 at the height of the protests.<sup>7</sup> We have denounced the unconstitutional interruption of the democratic order and how it severely impairs the democratic process in Venezuela.<sup>8</sup>

Repeated attempts to pursue dialogue with Maduro's regime have simply proven the government's ability to buy off, coopt, or coerce political leaders into doing their bidding. Thus, the only means to hold the regime accountable now lie outside of Venezuela's borders. The OAS General Secretariat has been collecting evidence to analyze the situation in Venezuela and determine whether crimes against humanity may have been committed by the regime.<sup>9</sup> We welcome the announcement that the International Criminal Court prosecutor made on 8 February 2018 launching a preliminary examination into the situation in Venezuela. This is an important step forward and signals that such political impunity must have an expiration date.

The Venezuelan crisis is not just a domestic problem. It is a threat to international peace and security. The increasing outward flow of migrants could destabilize

the fragile peace and political stability of neighboring countries, fostering a wider humanitarian problem. Colombia, Brazil, Panama, and Peru have already welcomed hundreds of thousands fleeing the crisis. With more Venezuelans taking perilous journeys in search of food, healthcare, and employment, both Colombia and Peru, for instance, have seen their Venezuelan population increase by more than 1,000 percent.<sup>10</sup> In 2015, Venezuela was the largest purchaser of weapons and ammunition in Latin America. Some of the regime's leadership, including the vice president and the presidential family, have even been linked to drug trafficking.<sup>11</sup> Recent reports about the growing links between Maduro's regime-connected organized crime syndicates and international terrorism should have the entire region on notice.

The OAS General Secretariat believes that targeted sanctions to hold criminals responsible for the crisis have been useful. Yet, we also believe that it is time to introduce broader, harsher, and more effective sanctions. This is the strongest diplomatic tool we have. The worst possible scenario for the Venezuelan people would be six more years of repression and dictatorship, hunger, sickness, and the deprivation of human rights. That is a certain outcome if Maduro succeeds in stealing the presidential election.

We cannot remain distant or indifferent to this human tragedy. The hemispheric community must stand united in denouncing the illegitimacy of the presidential elections that Nicolás Maduro and his corrupt Electoral Council have convened for April 2018. The international community must exert pressure and demonstrate that he cannot act with impunity. We must demand compliance with the constitution and focus on a democratic exit from the crisis. This is the *raison d'être* of the creation of the Inter-American Democratic Charter.

Latin American countries have the opportunity to reaffirm their commitment to the preeminence of these democratic principles, to the foundation on which this Organization was established. We must be clear in our message that we will defend democracy. Regional solidarity, or non-intervention, cannot come at the cost of human rights abuses, undermining democratic institutions, and exclusionary policies. The ethical and moral values that we subscribe to mean nothing if we do not work diligently and consistently to make them a daily reality for all people of the continent. This is the commitment that all the OAS Member States must honor at this historical moment of truth.

## NOTES

<sup>1</sup> Organization of American States, "Resolution on the Latest Events in Venezuela," CP/Res. 1095 (2145/18), 23 February 2018, [http://www.oas.org/documents/eng/press/CP-RES.1095\(2145-18\).pdf](http://www.oas.org/documents/eng/press/CP-RES.1095(2145-18).pdf).

<sup>2</sup> United Nations Office of the High Commissioner for Human Rights, "Venezuela: Dire Living Conditions Worsening by the Day, UN Human Rights Experts Warn," 9 February 2018, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22646&LangID=E>.

<sup>3</sup> Food and Agriculture Organization of the United Nations, "The State of Food Security and Nutrition in the World," 2017, 82, <http://www.fao.org/3/a-I7695e.pdf>.

<sup>4</sup> Foro Penal, "Reporte Sobre la Represión en Venezuela" ["Report on Repression in Venezuela"], December 2017, 1, <https://foropenal.com/2018/01/20/diciembre-2017/>.

<sup>5</sup> Complaint of Attorney General of Venezuela, Luisa Ortega Diaz, before the International Criminal Court, 6 November 2017.

<sup>6</sup> "Oposición contabiliza 15,000 heridos tras 63 días de protestas en Venezuela," *Diario Libre*, 2 June 2017, <https://www.diariolibre.com/mundo/latinoamerica/oposicion-contabiliza-15-000-heridos-tras-63-dias-de-protestas-en-venezuela-AN7249002>.

<sup>7</sup> Foro Penal, "Ascendió a 676 el número de presos políticos en Venezuela," 11 August 2017, <https://foropenal.com/2017/08/11/ascendio-a-676-el-numero-de-presos-politicos-en-venezuela-2/>.

<sup>8</sup> On 30 May 2016, in accordance with Article 110 of the OAS Charter, I executed my responsibility as Secretary General, in activating the Inter-American Democratic Charter by submitting my first Report on the Situation in the Bolivarian Republic of Venezuela to the Permanent Council, requesting a meeting of the Permanent Council under the Democratic Charter. As the situation continued to deteriorate, I submitted my second report on 14 March 2017. On

3 April 2017, the Permanent Council passed Resolution 1078 declaring that there had been an “alteration of the constitutional order” in Venezuela. CP/Res 1078 (2108/17), [http://www.oas.org/en/media\\_center/press\\_release.asp?sCodigo=E-022/17](http://www.oas.org/en/media_center/press_release.asp?sCodigo=E-022/17).

<sup>9</sup> Venezuela ratified the Rome Statute in 2002 and therefore falls under the jurisdiction of the International Criminal Court. The third Report of the Secretary General, dated 19 July 2017, stated that there was evidence that “points to the systematic, tactical and strategic use of murder, imprisonment, torture, rape and other forms of sexual violence, as tools to terrorize the Venezuelan people in a campaign planned to crush opposition to the regime. The regime is implementing a systemic policy to assert control over the people of Venezuela that can be measured both through its actions as well as the rhetoric and propaganda used to enflame the polarization and tension in the country. A systematic attack directed against any civilian population is the core definition of crimes against humanity.” (p. 38) The General Secretariat established a three-part process that provided space

for the public depositions of witnesses, victims, and former members of the regime, and facilitated the gathering and compilation of additional documentary evidence in a final report that will be reviewed by a panel of independent international experts. The final report is expected to be released in March.

<sup>10</sup> Anthony Faiola, “The Crisis Next Door,” *Washington Post*, 2 March 2018, [https://www.washingtonpost.com/news/world/wp/2018/03/02/feature/i-cant-go-back-venezuelans-are-fleeing-their-crisis-torn-country-en-masse/?utm\\_term=.f22342382e41](https://www.washingtonpost.com/news/world/wp/2018/03/02/feature/i-cant-go-back-venezuelans-are-fleeing-their-crisis-torn-country-en-masse/?utm_term=.f22342382e41).

<sup>11</sup> U.S. Treasury Press Center, “Treasury Sanctions Prominent Venezuelan Drug Trafficker Tareck El Aissami and His Primary Frontman Samark López Bello,” 13 February 2017, <https://www.treasury.gov/press-center/press-releases/Pages/as0005.aspx>; Brendan Pierson, “Nephews of Venezuela’s First Lady Sentenced to 18 Years in U.S. Drug Case,” *Reuters*, 14 December 2017, <https://www.reuters.com/article/us-venezuela-usa-crime/nephews-of-venezuelas-first-lady-sentenced-to-18-years-in-u-s-drug-case-idUSKBN1E833G>.



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*Luis Almagro Lemes was elected OAS Secretary General on 18 March 2015. Since taking the helm of the OAS, the motto of his administration has been “more rights for more people,” and his work has focused on bringing the Organization closer to the hemisphere’s new reality to contribute toward guaranteeing more democracy, more security, and greater prosperity for all. A lawyer and career diplomat, he served as the Minister of Foreign Affairs of his country, Uruguay, between 2010 and March 2015. He was elected senator during Uruguay’s national elections in October 2014.*