



# A Glimmer of Light in Venezuela's Gloom

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# Principal Findings

**What's new?** After a failed opposition uprising to oust Venezuelan President Nicolás Maduro in April, a discreet diplomatic effort by Norway now offers the best prospect for finding a peaceful negotiated settlement to the country's political crisis and averting more violence and instability.

**Why does it matter?** Venezuela's economy is in freefall, infrastructure is falling apart and millions have fled. Without a negotiated solution, the risks of violence will multiply and threaten to spill over regionally. A small window of opportunity has opened but could close again at any moment.

**What should be done?** Pragmatic elements on both sides should seize this fleeting opportunity to seek a compromise solution including early, free, fair and internationally monitored elections and guarantees against a winner-take-all outcome. External allies of government and opposition, together with more neutral international actors, should back these efforts and coordinate their support.

## *Executive Summary*

The Venezuelan opposition's failed bid to topple President Nicolás Maduro on 30 April presents a fleeting opportunity to reach a negotiated settlement to the country's costly political and economic crisis. The uprising ended ignominiously, as not a single military unit ultimately backed Juan Guaidó, the chair of the National Assembly whose claim to the interim presidency on 23 January has been recognised by dozens of countries. This failure dashed hopes of a swift victory among the opposition and its external backers. But the events also shook the government, already reeling from catastrophic economic conditions, as they exposed serious internal rifts. With polls suggesting a majority of Venezuelans back a peaceful resolution and with renewed international attention to the crisis, talks brokered by Norway offer the best (albeit slender) chance for a solution. To that end, pragmatic elements on both sides need to show willingness to compromise; potential domestic spoilers need to be neutralised; and deeply polarised international actors need to show flexibility and fully back Norway's initiative.

Venezuela's crisis has reached epic proportions. Its hyperinflationary economy is in freefall; at the end of May, the Central Bank admitted GDP had shrunk by nearly 48 per cent from 2013-2018 and that inflation last year topped 130,000 per cent. Independent estimates are gloomier. Spill-over effects are equally catastrophic: Colombia and other Latin American countries must contend with the bulk of a migrant exodus that, to date, totals four million Venezuelans. Worse may yet come. Awash in weapons, the country also is home to many armed groups, including paramilitaries popularly known as *colectivos*, organised criminal gangs and current and former guerrillas from Colombia's National Liberation Army (ELN) and Revolutionary Armed Forces of Colombia (FARC) rebel groups, raising the possibility of a bloody internal conflict in the absence of a political settlement.

At this point, no party should have reason to feel confident. Predictions of Maduro's early exit proved wildly premature, as repeated efforts to persuade the armed forces to break with the government fell flat. As time goes by, the opposition will increasingly bear the brunt of both growing public impatience and recurring internal fissures. While this may give the government and its supporters, known as *chavistas*, satisfaction, they too are under pressure. They remain highly unpopular, are reeling under sweeping U.S. sanctions, including those seeking to cut off Venezuela's oil revenue, and learned on 30 April that significant government figures had been conspiring with the opposition.

The two sides' external allies can hardly feel more optimistic. For the Trump administration, the events of 30 April must have come as a significant wake-up call, exposing the distance between expectations and reality. Others tied to the opposition doubtless feel similarly disillusioned and, for those in the region, increasingly worried about the risks of a protracted crisis. Russia, China and Cuba, the government's main partners, may well have been pleased by the failure of the uprising, but they can be under no illusion that the crisis can be resolved absent a negotiated solution. Recouping their economic investment in Venezuela doubtless will require a new government and an end to sanctions.

In short, the Oslo process – which was already under way prior to 30 April, and has seen two rounds of negotiations since then – has come at the right moment. Whether the parties fully realise that is another question. Indeed, both still seem to feel that time is on their side. Every day it continues to hold power is seen as a victory by the government; every day the government demonstrates its inability to resolve the crisis or break out of its isolation is viewed as a success by the opposition. Their positions remain far apart, not least on the question of whether and when Maduro should resign, the timing and conditions of new elections, and the issue of lifting U.S. sanctions. The opposition is deeply sceptical of the government's good faith. The government fears the opposition wants to wipe out *chavismo*. The past weighs heavily too: three previous attempts at domestic dialogue since 2014 were scuppered by political differences, government unwillingness to make or implement any major concession, and opposition disunity. Hardliners in both camps are watching closely.

Still, Venezuela's unprecedented economic and humanitarian collapse, coupled with the sense shared by many that neither side can win, and that violent escalation could ensue, has encouraged a degree of pragmatism among some elements in both camps. On the still-polarised international scene there are also timid signs, if not of outright convergence, at least of diminishing divergence. The International Contact Group for Venezuela, jointly chaired by the European Union and Uruguay, is building global support for a negotiated settlement ending in fresh elections, and has courted Latin American countries opposed to Maduro as well as regime allies such as China, Cuba and Russia. Washington, for its part, has all but dropped dangerous hints of a military intervention, while regime allies profess to support negotiations.

Elements of a potential deal can be divided into three baskets. First are necessary pre-electoral confidence-building measures that, on the government side, could include releasing political prisoners, allowing exiled politicians to return, winding down the *chavista*-controlled National Constituent Assembly and restoring some of the opposition-controlled National Assembly's powers and, on the opposition's, support for sanctions relief to address the most urgent humanitarian issues. A second phase would entail election-related measures to ensure a level-playing field, including reconstituting an impartial National Electoral Council, reforming the Supreme Court, registering diaspora Venezuelans on electoral rolls, and, of critical importance to *chavismo*, lifting at least some significant U.S. economic sanctions.

Finally, a third package would comprise post-electoral guarantees, including power-sharing arrangements and other measures to ensure the system is not winner-take-all. Potential steps include restoring proportional representation in legislative elections, reintroducing presidential term limits, and reinstating an upper chamber to provide checks and balances, along with assurances that *chavistas* will not face persecution or marginalisation if they lose power and that the military will remain intact and its interests protected.

At this writing, a third meeting – in Barbados – is under way, but Guaidó faces pressure from sceptical harder-line opposition elements who insist that Maduro must go before negotiations restart. Such a position is untenable, but the government – which initiated a widespread crackdown after 30 April, arresting the deputy chair of the National Assembly and forcing many MPs into hiding or exile by announcing the lifting of their parliamentary immunity – has done little to encourage

flexibility on the opposition side. The release of several dozen political prisoners in response to the 19-21 June visit of UN High Commissioner for Human Rights Michelle Bachelet was accompanied by more arrests and, on 29 June, by the death after interrogation of a detained naval officer.

Reaching a deal in Barbados will mean not only agreeing on the elements outlined above, but also overcoming objections from actors who are *not* in Barbados: hardliners (those on the government side who fear losing everything if power change hands, or those in the opposition who view talks as a means used to buy time by an autocratic government on the verge of collapse); the U.S. (some of whose punishing sanctions will have to be lifted in advance of elections); Cuba (which the U.S. accuses of playing a pivotal role in propping up Maduro); and Venezuela's armed forces (which have considerable economic and institutional interests they will want preserved).

Venezuela has witnessed enough false starts in prior negotiations to warrant a high degree of doubt about the outcome of the current talks. But conditions for a settlement are as good as they have been. To help get there, Venezuela's public should both pressure its leaders and give them the political space necessary for compromise, while external actors should seek to coordinate their positions in favour of Norway's efforts. The alternative to an agreement risks being an entrenched political status quo amid deteriorating humanitarian conditions and heightened refugee flows or, worse, all-out violent conflict. Barbados represents the country's best hope, and the window may not remain open for long.

**Caracas/Bogotá/Brussels, 15 July 2019**

# A Glimmer of Light in Venezuela's Gloom

## I. Introduction

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Political deadlock is exacerbating Venezuela's already dire socio-economic problems. Six months into a campaign led by a rejuvenated opposition and backed by numerous foreign governments aimed at ousting President Nicolás Maduro, triggering a political transition and holding a new presidential election, neither side can claim victory. The government remains entrenched, although starved of resources and short on public support. The opposition's repeated efforts to prise the armed forces away from the government and split the *chavista* regime – named after its founder, the late president Hugo Chávez – have so far floundered, most vividly during the failed 30 April uprising.<sup>1</sup> On this bleak horizon, growing international consensus over the need for a negotiated solution and the onset of talks brokered by Norway are welcome bright spots.<sup>2</sup>

Both sides still feel time is on their side. The government feels it is victorious every day it holds onto power; as time goes by, it assumes, a notoriously divided opposition will fracture, its relative impotence will become clearer, and Venezuelans will increasingly blame it for their economic hardships following the sanctions Juan Guaidó championed.<sup>3</sup> In the opposition's view, by the same token, as sanctions bite harder and the economy crumbles ever more, elements of the regime, bereft of resources and internationally isolated, will turn against Maduro.<sup>4</sup> But time clearly is not on the side of ordinary citizens. A majority of the population, struggling to survive amid economic collapse, prefers a peaceful solution.<sup>5</sup>

This report seeks to identify the outlines of a possible agreement between government and opposition, as well as obstacles on the road, possible ways of surmounting

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<sup>1</sup> See below, Section II.

<sup>2</sup> The Peace and Reconciliation section of the Norwegian foreign ministry spent several months in separate talks with the two sides before inviting them to Norway to continue the process, which was intended to be confidential. In mid-May, however, the existence of the talks was leaked, provoking sharp criticism from opposition ranks. Crisis Group interviews, Venezuelan analysts and journalists, Caracas, May 2019. The Norwegian government confirmed its involvement in what it described as an "exploratory" process, while Guaidó said in a 29 May communiqué that the opposition still insisted Maduro resign before negotiations take place. After a second round in late May, talks were suspended due to the opposition's insistence on this point. Alex Vasquez and Andrew Rosati, "Venezuela talks in Oslo hinge on Maduro accepting a new vote", Bloomberg, 23 May 2019. Guaidó temporarily suspended opposition attendance at a third session in early July after the 29 June death in custody of a political prisoner. Crisis Group interviews, European diplomats, June 2019. Astolfo Villaroel, "Guaidó suspende diálogo con representantes del régimen tras la muerte del Capitán Arévalo", *Punto de Corte*, 1 July 2019.

<sup>3</sup> Crisis Group interview, member of National Constituent Assembly, Caracas, 8 February 2019.

<sup>4</sup> Crisis Group interview, adviser to opposition leadership, Caracas, 8 May 2019.

<sup>5</sup> In a poll carried out in May by the Mesa de Análisis Coyuntural del Centro de Estudios Políticos y de Gobierno de la Universidad Católica Andrés Bello, 48.6 per cent preferred an electoral solution, 15.2 per cent an agreement between government and opposition and 21.4 per cent a U.S.-led military intervention.

them and the risks of violence should the two sides fail to reach a deal. It is based on numerous interviews with government and opposition leaders, foreign diplomats and members of Venezuelan civil society.



## II. False Dawn, Fresh Hope?

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Since 23 January, when Juan Guaidó announced he was assuming the interim presidency, the opposition leadership has repeatedly sought to provoke a split between the armed forces and the Maduro government. On 23 February, for example, it tried to use humanitarian aid supplies stockpiled on the Colombian and Brazilian borders to that end, insisting the aid would cross into Venezuela despite the government's refusal to accept it. While scores of junior soldiers and police officers on the Colombian border deserted, the military as a whole remained unmoved and the aid stayed where it was.<sup>6</sup> Then, in late April, Guaidó announced "the biggest demonstrations ever held in Venezuela" would take place on 1 May, triggering the final phase of "Operación Libertad" (Operation Freedom). But the move broke down after plans for a palace coup, to take place after the demonstrations, were brought forward and collapsed in confusion. The failure of these various endeavours to break the political deadlock has prompted growing international convergence on the need for a negotiated settlement.

### A. *An Uprising that Fizzled Out*

On 30 April, the country awoke to what many at first took to be the denouement of Venezuela's crisis. Juan Guaidó announced on social media at dawn that elements of the military had "begun to join the cause" and called on supporters to accompany him at La Carlota military air base in eastern Caracas. With him was the country's most famous political prisoner, Leopoldo López, leader of Guaidó's Voluntad Popular (People's Will) party, who had been sprung from house arrest before dawn on instructions from the general heading the state security police (known as Sebin).<sup>7</sup> Joining them were some low-ranking, uniformed soldiers, who it later emerged belonged to the National Guard detachment charged with ensuring parliament's security.

Within an hour or two it became clear to those on the spot that the plot was unravelling. The air base was not under rebel control and the handful of Sebin agents present soon disappeared, followed by the Guard's armoured vehicles. By 8am, the remaining soldiers were asking nervously for help seeking diplomatic asylum.<sup>8</sup> Opposition demonstrators, subjected to volleys of teargas, charged by armoured anti-

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<sup>6</sup> Nelson Bocanegra, "Venezuelan military deserters willing to return to fight Maduro", Reuters, 25 February 2019. Some of the aid went up in flames after a load caught fire amid clashes between opposition supporters and government forces on the Colombian border. The opposition insisted it had been set alight by projectiles from the Venezuelan side, but press reports subsequently indicated an accident with a petrol bomb wielded by an opposition demonstrator was a more likely cause. Nicholas Casey, Cristoph Koettl and Deborah Acosta, "Footage contradicts U.S. claim that Nicolás Maduro burned aid convoy", *The New York Times*, 10 March 2019.

<sup>7</sup> Gen. Manuel Cristopher went into hiding after López's release, but not before publishing a letter critical of Maduro. Daniela Henao Cardozo, "Carta de Manuel Ricardo Cristopher, destituido por Maduro como director del Sebin", LAFM Noticias, 1 May 2019. Maduro later accused Cristopher of being a CIA "mole". In late June, after nearly two months in Colombia, the general surfaced in the U.S. "Maduro: Manuel Cristopher Figuera trabajaba para la CIA desde hace más de un año", *Tal Cual*, 10 May 2019; Antony Faiola, "Maduro's ex-spy chief lands in U.S. with allegations against Venezuelan government", *Washington Post*, 24 June 2019.

<sup>8</sup> Crisis Group interview, participant in 30 April events, May 2019.

riot vehicles and hearing bursts of live fire, retreated to a nearby square, and before long both Guaidó and López were forced off the streets, the latter eventually ending up in the Spanish ambassador's residence.

Even before the dust had settled, U.S. officials were claiming that the plan had almost succeeded and that among conspirators were high-ranking government figures committed to a political transition. U.S. National Security Adviser John Bolton and Secretary of State Mike Pompeo named Defence Minister Gen. Vladimir Padrino López, Supreme Court President Maikel Moreno and the head of military counterintelligence (DGCIM), Gen. Iván Hernández Dala, as accomplices in the plot. Maduro, claimed Pompeo, had been on the verge of boarding a plane out of the country and was only dissuaded by a last-minute intervention by Russia.<sup>9</sup>

The events of 30 April were a stunning setback for the opposition. But they were not necessarily a triumph for the government, and what happened validated parts of both sides' pre-existing assumptions. The government regards the opposition as having emerged considerably weakened from the collapse of their attempted takeover, appearing disorganised, disunited and impotent; the opposition for its part sees signs of government fragmentation in the reported involvement of important regime figures in a plot against Maduro. The president cannot sleep soundly knowing some of his closest colleagues were apparently prepared to jump ship.<sup>10</sup>

Against this backdrop, news emerged that Norway had arranged private talks between the rival sides. Government and opposition arguably had many reasons to attend the two rounds held in Oslo in mid- and late May. The government may have engaged in more stalling tactics and the opposition might not have wished to be viewed as obstructionist and opposed to negotiations. Still, their decision also likely reflected the feeling among some in both camps that compromise will be necessary to extricate Venezuela from its serious economic and humanitarian crisis. Pragmatic *chavista* and opposition voices stress both the importance and fragility of the Oslo talks, alongside the need to shore up domestic and international support for the process.<sup>11</sup>

## B. *Growing International Support for Talks*

In the early stages of the U.S.-backed opposition plan to oust Maduro, limited support existed for yet another round of what many feared would be unproductive talks with the government. Washington and its allies in the Venezuelan opposition insisted the only issues on the table were Maduro's resignation, the end of his "usurpation" of power, and Guaidó's interim presidency to be followed by early elections. They were adamant that elections could not be held under Maduro's presidency, which they viewed as illegitimate.<sup>12</sup> In this regard, they were backed, to varying degrees, by

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<sup>9</sup> "Maduro was ready to leave Venezuela but Russia convinced him to reverse course", Reuters, 30 April 2019. Russian officials firmly denied any involvement. "Russia says U.S. claim it told Maduro not to flee is part of 'information war'", Reuters, 1 May 2019.

<sup>10</sup> Crisis Group interview, Venezuelan journalist, Caracas, May 2019.

<sup>11</sup> Crisis Group interviews, various locations, May 2019.

<sup>12</sup> Elliott Abrams first State Department Briefing on Venezuela, 7 February 2019. Key points included: "The time for dialogue with Maduro has long passed"; U.S. was never interested in joining the Contact Group, "because we don't think that's the way to go". "Guaidó afirmó que no se prestará para 'falsos diálogos' con el Gobierno de Maduro", *El Cooperante*, 25 January 2019.

the fourteen members of the “Lima Group” of western hemisphere nations, and especially by the new, right-wing governments of Iván Duque in Colombia and Jair Bolsonaro in Brazil.<sup>13</sup>

Not all the region’s governments objected to a negotiated settlement between Maduro and the opposition.<sup>14</sup> Mexico, while remaining a Lima Group member, has taken a significantly different line under its new left-wing president, Andrés Manuel López Obrador, devising with Uruguay the so-called Montevideo mechanism. Their proposal was for a four-stage process, comprising dialogue, negotiations without pre-conditions, commitments and implementation. The fifteen-member Caribbean Community (CARICOM) later signed up to the mechanism, but despite its role in the initial planning, Uruguay eventually opted to co-chair a different initiative – the International Contact Group (ICG), set up by the European Union.<sup>15</sup> The ICG’s mandate calls for a fresh election, but has emphasised the need for a prior political settlement between the two sides.<sup>16</sup>

Meanwhile, the Maduro government’s allies, including Russia, China and Cuba, condemned outside interference in Venezuela and questioned the need for new presidential elections, indicating that they regarded Maduro as the legitimate head of state. Diplomats from those three countries simultaneously stressed that they strongly favoured a negotiated solution.<sup>17</sup>

As the crisis has endured, the humanitarian emergency has worsened and U.S. hopes for Maduro’s swift ousting have dissolved, there has been growing (if still far from perfect) convergence among various external actors. Following the 23 February failure to force through humanitarian aid, some opposition leaders argued for outside military intervention, but the Lima Group explicitly ruled out this option.<sup>18</sup> On 26 April, Lima Group and ICG members, with Mexico and the U.S., met informally in Washington to discuss strategies.<sup>19</sup> And, on 3 May, in the wake of the failed uprising, the Lima Group called for “an urgent meeting” with the ICG to “seek convergence” on the issue of restoring democracy in Venezuela.<sup>20</sup>

That meeting took place at the UN on 3 June and led to a joint statement in which the two expressed the need for a “peaceful transition leading to free and fair

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<sup>13</sup> The Lima Group of fourteen (originally twelve) nations was formed in August 2017 in response to repeated failures of the Organization of American States to reach consensus on addressing the Venezuelan crisis. Among members are Canada and all major Latin American nations. Since Guaidó assumed the “interim presidency”, Julio Borges has represented him at the Group’s meetings.

<sup>14</sup> For more detail on these initiatives, see Crisis Group Latin America Briefing N°38, *A Way Out of Latin America’s Impasse Over Venezuela*, 15 May 2019.

<sup>15</sup> While a majority of EU member states recognised Guaidó’s interim government, this was not the case for the EU itself, or for ICG co-chair Uruguay.

<sup>16</sup> It has been equally clear that it does not view its role as that of a mediator. See, eg, “Venezuela: Statement from the Ministerial Meeting of the International Contact Group”, European External Action Service, 7 May 2019.

<sup>17</sup> Crisis Group interviews, Russian ambassador, Caracas, 20 March 2019; Russian diplomat, Bogotá, 13 June 2019; “Cuba apoyará toda iniciativa de diálogo entre gobierno y oposición venezolana”, EFE, 27 May 2019.

<sup>18</sup> Lima Group Declaration, 25 February 2019.

<sup>19</sup> Crisis Group interviews, Latin American and European diplomats, Caracas, 9 and 17 May 2019.

<sup>20</sup> Lima Group Declaration, 3 May 2019 (Point 5).

elections”, along with support for “all efforts underway towards this goal”.<sup>21</sup> The reference to the Oslo talks was oblique but clear: those talks are currently the only known forum where the two sides are engaged – however tentatively – in some form of negotiation. Finally, in mid-June, Sweden hosted a meeting on Venezuela attended by, among others, Russian and Cuban representatives, along with the Vatican and the newly-appointed ICG special adviser on Venezuela, Enrique Iglesias. Nothing concrete emerged from the meeting, but the fact that it was held is a sign of a gathering consensus in favour of a negotiated settlement.<sup>22</sup>

To the extent parties are coalescing, it is behind the Oslo process, backed by the ICG and enjoying the Lima Group’s implicit support. It presents the Trump administration with a quandary. Washington still publicly insists that Maduro’s departure must precede substantive negotiations and says it cannot imagine an outcome in which he does not soon leave. Privately, however, some officials concede that hope of producing swift “regime change” has faded and a genuine transition is required. This almost certainly means convincing more pragmatic elements within the government, both military and civilian, that their interests will be safeguarded, and agreeing on a transition plan before Maduro departs.<sup>23</sup> Trump himself is said to be increasingly impatient with advisers who promised quick success and reportedly is losing interest in Venezuela.<sup>24</sup> Tellingly, the U.S. has not discouraged Norway’s efforts.<sup>25</sup> The ICG itself has agreed to continue working beyond its original 90-day deadline, subject to periodic reviews.

Maduro’s international allies have signalled support for the Contact Group. Chinese foreign ministry spokesperson Geng Shuang said on 8 May that China “highly appreciated” the ICG’s position, while noting it opposed foreign military intervention.<sup>26</sup> Russia still insists that fresh elections are not needed, because Maduro was re-elected last year in what they regard as a legitimate election, but is supportive of dialogue. Its expressed preference had been for the so-called “Montevideo mechanism”, although in late May, Moscow offered its support for the Norwegian initiative.<sup>27</sup> Cuba, too, officially backs dialogue and has been actively engaged with Canada and

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<sup>21</sup> European External Action Service, “Statement on the joint meeting of the Lima Group and the International Contact Group on the situation in Venezuela”, New York, 3 June 2019.

<sup>22</sup> Joshua Goodman and Aritz Parra, “Russia, other key powers discuss Venezuelan crisis in Sweden”, Associated Press, 13 June 2019. In early July, Peru announced it had invited around 100 countries, including Russia, China, Cuba and the U.S., to a conference in Lima on 6 August to discuss how to resolve the Venezuela issue. Neither the Maduro government nor the opposition is invited. “Peru to host international talks on Venezuela in Lima next month”, Reuters, 3 July 2019.

<sup>23</sup> Crisis Group interview, U.S. official, Washington, May 2019.

<sup>24</sup> Karen DeYoung and Josh Dawsey, “With Maduro entrenched in Venezuela, Trump loses patience and interest in issue, officials say”, *Washington Post*, 19 June 2019.

<sup>25</sup> Crisis Group interviews, U.S. officials, Washington, May-June 2019. On 22 June the U.S. special representative for Venezuela, Elliott Abrams met with Guaidó’s Oslo delegation in Washington.

<sup>26</sup> “China will step up communication and work together in a constructive manner with the international community including the EU for the political settlement. This will serve the interests of the Venezuelan people and all parties”, China’s foreign ministry spokesperson Geng Shuang, press conference, 8 May 2019.

<sup>27</sup> Crisis Group interview, Russian ambassador, Caracas, 20 March 2019. “Russia says it is ready to play role in Venezuela crisis talks in Oslo”, Reuters, 27 May 2019. Kate de Pury and Vladimir Isachenkov, “AP interview: Russia hails Norway-brokered Venezuela talks”, Associated Press, 26 June 2019.

the EU on Venezuela, even as it reportedly flatly rebuffed U.S. demands that it stop backing Maduro or face onerous consequences.<sup>28</sup>

Among the agreements the Lima Group and ICG reached at their 3 June meeting was to engage in “outreach to other relevant international actors”.<sup>29</sup> The appointment of former Uruguayan foreign minister and former head of the Inter-American Development Bank Enrique Iglesias as special adviser on Venezuela to the ICG could help in this regard because of his lengthy diplomatic experience and extensive international contacts.<sup>30</sup>

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<sup>28</sup> U.S. officials told their Cuban counterparts that more sanctions were in store if it maintained support for Maduro – which Washington considers critical to his survival. Cuba purportedly dismissed the threat. The U.S. claims that some 2,500 Cuban military advisers are present in Venezuela, seeking to protect Maduro from a coup. Crisis Group interviews, U.S. officials, Washington, May–June 2019. Cuba has rejected the charge, asserting its citizens in Venezuela are civilians providing health and other services. Crisis Group interview, Cuban official, June 2019. Zachary Fagensen, Matt Spetalnick and Lesley Wroughton, “Trump’s Cuba hawks try to squeeze Havana over Venezuela role”, Reuters, 17 April 2019.

<sup>29</sup> Lima Group communiqué, 3 June 2019.

<sup>30</sup> “Federica Mogherini appoints Enrique Iglesias as Special Adviser for Venezuela”, EEAS press release, 28 May 2019.

### III. Oslo and Potential Contours of a Deal

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Successive rounds of dialogue between government and opposition over the past five years, many of them attended by international facilitators -- including the Vatican, Latin American foreign ministers, former presidents and heads of government -- have failed to achieve a breakthrough.<sup>31</sup> The existence of Norway's fresh effort was leaked to the press in mid-May after months of private talks. The leak (responsibility for which most observers pinned on the opposition) came at a cost.<sup>32</sup> It caused tensions within the opposition, some of whom reject the notion of substantive negotiations as long as Maduro remains in power. Still, it has not so far derailed the process.

The principal obstacles to a deal are substantive. Backed by the U.S. along with dozens of other countries, Guaidó insists that the May 2018 polls that re-elected Maduro were invalid and therefore that he must "end the usurpation" of the presidency and resign.<sup>33</sup> The opposition fears the talks are yet another government ploy to waste time even as it continues its domestic crackdown.<sup>34</sup> On 7 June, Guaidó said no fresh round of talks was currently contemplated, because to engage in a process that did not lead to Maduro's resignation was "useless".<sup>35</sup> Although the parties later agreed to a further series of meetings, it was called off at the last minute after a military detainee died in custody, allegedly as a result of torture (see below). On 7 July, the Norwegian foreign ministry said the two sides had agreed to resume meetings "this week" in Barbados and that talks would proceed in a "continuous and expeditious" manner.<sup>36</sup>

The government, for its part, asserts the elections were legitimate and hence objects to early polls; it suspects the opposition is aiming to erase *chavismo* from the political map and, once in power, persecute *chavistas*. The attempted 30 April uprising stands as proof in its eyes, as do intensified U.S. sanctions. That those sanctions

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<sup>31</sup> See Crisis Group Latin America Reports N°59, *Venezuela: Tough Talking*, 16 December 2016, and N°65, *Containing the Shock Waves from Venezuela*, 21 March 2018.

<sup>32</sup> Crisis Group interviews, Venezuelan and European observers, Caracas, European capitals, June 2019.

<sup>33</sup> The opposition's oft-repeated three-point plan is summarised as: an end to the usurpation, transitional government, free elections. "Juan Guaidó se proclama presidente de Venezuela: el líder de la oposición detalla su hoja de ruta al tiempo que Maduro arremete contra él y EE.UU.", BBC Mundo News, 26 January 2019.

<sup>34</sup> In the aftermath of the failed 30 April uprising the government ordered the parliamentary immunity of over a dozen MPs lifted. "Asciende a 14 la cifra de diputados perseguidos por la dupla TSJ y ANC en las últimas dos semanas", Observatorio Parlamentario, Transparencia Venezuela, 14 May 2019. Many went underground, left the country or sought refuge in embassies. It also embarked on a fresh purge of the armed forces. More recently, a group of military officers, together with two members of the CICPC police investigations body, were rounded up in mid-June, and Attorney-general Tarek W. Saab announced that fourteen individuals, both military and civilian, were under investigation for conspiracy. One of those arrested, Navy Capt. Rafael Acosta, died a week later, apparently after being tortured. Anatoly Kurmanaev, "Venezuelan Navy captain accused of rebellion dies after signs of torture", *The New York Times*, 29 June 2019.

<sup>35</sup> "Venezuela's Guaidó says no plans for further talks in Norway", Reuters, 7 June 2019.

<sup>36</sup> Communication on Venezuela, Royal Norwegian Foreign Ministry, 7 July 2019.

cannot be lifted by the opposition but by a party – the Trump administration – that is not present in Oslo further diminishes the government's faith in the process.<sup>37</sup>

Despite these clear gaps, there appears to be space for compromise, at least between pragmatic elements on both sides. To move forward, they should think of three baskets of measures: pre-electoral confidence-building steps; steps to ensure a level-playing field and fair elections; and steps to reassure both sides as to the political aftermath of those elections.

#### A. *Pre-electoral Confidence-building Measures*

To begin, the two parties should consider steps to rebuild a modicum of trust. On the government side, there is a wide spectrum of potential measures: releasing political prisoners, who currently number around 700; allowing the return of exiled politicians; lifting bans on opposition leaders; restoring at least some of the National Assembly's powers and ending the boycott by pro-government MPs; and limiting the prerogatives and duration of the National Constituent Assembly – a unanimously *chavista* body elected in the face of widespread domestic and international opposition in July 2017. At a time of serious criticism within opposition ranks of the decision to attend the Oslo talks, such steps would be important to help persuade Guaidó's allies of the wisdom of pursuing them.

One potentially positive development was the government's decision to allow the UN High Commissioner for Human Rights (UNHCHR), Michelle Bachelet, to visit the country on 19-21 June. This was preceded by a visit in March by investigators from the organisation, the first in situ investigation by an international human rights body in almost twenty years. The organisation is currently negotiating its permanent presence in the country.<sup>38</sup> The government released a score of prisoners ahead of Bachelet's arrival; a week later, 59 Colombians accused of belonging to a paramilitary group planning acts of terrorism against the government and detained since 2016, were deported to their country of origin.

But if Bachelet's visit raised some hope, it risks being short-lived. Some in the opposition saw it as a boost for the government, a public relations coup that has yet to produce meaningful change. Even before the High Commissioner had left, the government began rounding up military and police officials accused of involvement in a coup plot. On 29 June, one of the detainees – naval officer Rafael Acosta – died in custody. His family and lawyers say he was tortured to death while in the hands of military counterintelligence (DGCIM).<sup>39</sup> Bachelet also issued an unsparing, hard-hitting report accusing the government of “patterns of violations directly and indirectly affecting all human rights”, including thousands of extrajudicial killings; the government immediately rejected it as “selective and openly biased”.<sup>40</sup>

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<sup>37</sup> Crisis Group interviews, government and opposition representatives, Caracas, May-June 2019.

<sup>38</sup> “First UN Human Rights presence in Venezuela: Statement by UN High Commissioner for Human Rights Michelle Bachelet at the end of her visit to Venezuela”, 21 June 2019. “Venezuela: ‘a worrying destabilising factor in the region’, Bachelet tells Human Rights Council”, UN News, 20 March 2019.

<sup>39</sup> “Venezuela: outrage over navy captain's death in custody”, BBC News, 1 July 2019.

<sup>40</sup> “Report of the United Nations High Commissioner for Human Rights on the situation of Human rights in the Bolivarian Republic of Venezuela”, 5 July 2019. “Comentarios sobre errores de hecho

The opposition has fewer options at hand for building confidence. That said, its leaders could cease hinting at the possibility of a foreign military intervention to oust Maduro.<sup>41</sup> More controversially, it could call on the U.S. to issue modest sanctions waivers to help alleviate some of the worst consequences of the humanitarian crisis affecting the health system and public services.

### B. *Free, Fair and Early Elections*

From the opposition's perspective, there can be no settlement without early presidential elections that are simultaneously free, fair and internationally monitored. To that end, the government will need to agree to reform and rebalance the National Electoral Council (CNE), whose board currently comprises four *chavistas* and one opposition-leaning member; appoint new magistrates to the Supreme Court, which was packed with pro-government appointees in an irregular procedure in late 2015; lift bans on opposition leaders and reinstate their parties' electoral registration; update the electoral registry to include the diaspora (currently estimated to number four million); and accept comprehensive international monitoring.<sup>42</sup> Because a realistic timeframe for election preparation is likely to stretch beyond a year, the vote could be held in 2020, perhaps coinciding with parliamentary elections currently scheduled for December that year.<sup>43</sup>

Although the government officially continues to reject the notion of early polls, many *chavistas* take a more flexible view. They not only acknowledge it is the only way out of the crisis and Venezuela's growing isolation, but also have concluded that a period of time in opposition – after twenty years in power – might be necessary to restore their credibility and popular support, and thus boost their future political fortunes.<sup>44</sup> But they too say they need steps to ensure a level playing field and, in that context, argue that elections held while the country is under heavy sanctions cannot be fair to the party in power.<sup>45</sup> As further discussed below, this presents a considerable challenge given the U.S.'s current view that sanctions will only be lifted once the transition has been completed.<sup>46</sup>

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del informe de la Alta Comisionada de Naciones Unidas para los Derechos Humanos sobre la situación de derechos humanos de la República Bolivariana de Venezuela”, comments by the Venezuelan state regarding the Bachelet report, UN Human Rights Council, 4 July 2019. Possibly in an attempt to soften the report's impact, the government released another 22 political prisoners. Alonso Moleiro, “Maduro intenta contrarrestar el informe de la ONU liberando a 22 presos”, *El País*, 5 July 2019.

<sup>41</sup> In a late June interview with James Menendez of the BBC, Guaidó said military force (whether domestic or foreign) remained an option for resolving the crisis. “Venezuela crisis: Military force still an option, says Guaidó”, BBC News, 26 June 2019.

<sup>42</sup> “Refugees and migrations from Venezuelan top 4 million: UNHCR and IOM”, UNHCR, 7 June 2019.

<sup>43</sup> Crisis Group interview, senior CNE official, Caracas, 7 February 2019.

<sup>44</sup> Crisis Group interviews, *chavistas*, Caracas, May-June 2019.

<sup>45</sup> Crisis Group interview, senior government official, Caracas, 5 February 2019.

<sup>46</sup> Some officials have expressed willingness to consider lifting some sanctions before elections under the right conditions. Crisis Group interviews, U.S. officials, Washington, June 2019.



### C. *Post-electoral Assurances*

If Venezuela's political conflict is to be overcome in a stable, sustainable way, government and opposition will need to agree on measures to end the current winner-take-all approach and ensure respect for the rights of those who suffer electoral defeat. Here a range of initiatives are possible: restoring proportional representation in legislative elections, strengthening the rights of minority parties in the National Assembly, reintroducing presidential term limits (abolished under then-President Chávez), developing a mechanism to produce a more balanced Supreme Court and re-establishing an upper house, or Senate, to bolster legislative checks and balances.<sup>47</sup>

For the incumbent government and *chavista* movement more broadly, the threat of electoral loss is particularly acute given their current unpopularity and fear of political retribution at the hands of an intensely anti-*chavista* opposition. This likely heightens their reluctance to hold an early presidential vote. Alongside the above-mentioned steps, other measures could assuage *chavista* anxieties, including opposition pledges that, should it win, would neither revoke the mandates of (overwhelmingly *chavista*) mayors and state governors before their tenures expire in 2021 nor seek to revoke the tenure of judges beyond those sitting on the Supreme Court. Some opposition figures have gone further and floated the possibility of offering lifelong seats in a re-established Senate and immunity from prosecution for a small number of former senior level officials as a means of reassuring Maduro and some of his allies.<sup>48</sup>

Beyond that, *chavistas* also say they fear a post-electoral witch-hunt that would threaten the survival and integrity of their political movement.<sup>49</sup> They seek assurances that the movement will not be banned nor its legacy be erased, and that the international community would recognise their victory should they eventually prevail.<sup>50</sup> Such assurances could take the form of opposition commitments (backed by external guarantees) not to embark on a judicial campaign against *chavismo* nor outlaw the United Socialist Party of Venezuela, preserve some key social programs, and maintain Venezuela's mixed economy and sovereign control over its natural resources.

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<sup>47</sup> Article 63 of the 1999 Constitution enshrines the principle of proportional representation. However, a 2009 reform of the electoral law (*Ley Orgánica de Procesos Electorales*) introduced a hybrid system where majorities are overrepresented in collegiate bodies such as the National Assembly. The Constitution originally permitted two consecutive, six-year presidential terms, but voters approved the abolition of term limits in a 2008 referendum called by Hugo Chávez. The Senate was eliminated in Chávez's 1999 constitutional reform.

<sup>48</sup> Crisis Group interviews, government and opposition backers, Caracas, May-June 2019. A precedent that is often cited is the Chilean political transition that began in 1989-1990. The opposition agreed to respect the constitution drafted under the 1973-1990 military regime, which incorporated "authoritarian enclaves" such as appointed senators, exceptional autonomy for the armed forces and the retention of outgoing dictator Gen. Augusto Pinochet as commander-in-chief. Pamela Constable and Arturo Valenzuela, "Chile's Return to Democracy", *Foreign Affairs*, Winter 1989-1990.

<sup>49</sup> Crisis Group interview, former senior government official, Caracas, 20 March 2019.

<sup>50</sup> Crisis Group interviews, scholar and activist, Caracas, 19 March 2019. A U.S. official asserted that, if a *chavista* were to win a free and fair election, Washington would accept the results. Crisis Group interview, Washington, June 2019.

#### D. *Transition and Implementation*

The parties will also have to agree on the shape of a transitional government whose mandate would be limited to organising elections and implementing policies to alleviate economic and humanitarian suffering. Optimally, such a transitional body would entail a degree of power sharing, although in interviews with Crisis Group representatives of both sides ruled out a national unity government.<sup>51</sup> Instead, they took the view that (assuming resolution of Maduro's fate, discussed below) a more pragmatic *chavista* might lead a new government and appoint by consensus with the opposition key office-holders such as the attorney general and public ombudsman, as well as qualified technocrats to key economic portfolios.<sup>52</sup>

Should the two sides reach an agreement, pragmatic elements close to the government and to the opposition proposed three steps to ensure implementation: a popular referendum (to be held only after reforms to ensure the electoral system's integrity), endorsement from the *chavista* National Constituent Assembly, and backing by key regional and international bodies, including the UN Security Council. Again, subject to U.S. approval, sanctions would gradually be lifted in tandem with incremental implementation of the deal in order to encourage the government to carry out its obligations.<sup>53</sup>

One consequence of this staggered confidence building process would be to move away from a "nothing is agreed until everything is agreed" approach. Pragmatic representatives from government and opposition were unanimous on this point: only a process entailing gradual implementation of incremental steps has a chance of success. As one put it, "holding interim solutions hostage to comprehensive resolution of the conflict is a recipe for paralysis".<sup>54</sup>

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<sup>51</sup> Crisis Group interviews, government and opposition backers, Caracas, May-June 2019.

<sup>52</sup> Crisis Group interviews, government and opposition backers, Caracas, May-June 2019.

<sup>53</sup> Ibid.

<sup>54</sup> Crisis Group interview, Caracas, May 2019.

#### IV. Obstacles on the Road

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Odds against a negotiated agreement remain high. As noted, the principal obstacles are substantive, and there are reasons to seriously doubt the government's willingness to relinquish power. As of now, the only early elections the government says it is prepared to contemplate are legislative ones, currently scheduled for December 2020 – an offer tantamount to threatening to deprive the opposition of the one significant institutional base it controls. The question is whether more pragmatic *chavistas* – acknowledging the country is at an impasse, recognising that a political transition is necessary, and believing that spending some time in opposition could rejuvenate the movement – can effectively press the government to compromise.

That issue aside, several other key obstacles will need to be overcome, including Maduro's fate, the lifting of sanctions and, more broadly, the absence from Oslo of several key stakeholders with considerable ability to either spoil or support progress: the U.S., Venezuela's armed forces and hardliners on both sides.

##### A. *Maduro's Fate*

Curiously, while the question of whether Maduro stays in office until elections are held or steps down immediately has dominated public debate in Venezuela and abroad, supporters of a negotiated solution from the two camps appear far less concerned about it.<sup>55</sup> Some opposition backers made clear their priority was free and fair elections; were they to be held at a relatively early stage, they would be indifferent as to whether the current president remained in power until then. In fact, some commented that he would be by far the best electoral adversary, given his lack of public support.<sup>56</sup> Pragmatic elements of the *chavista* movement likewise downplayed the issue. They did not wish to concede the illegitimacy of the May 2018 elections, and thus could not accept having Maduro forced out of office. But they could live with a formula that, through legitimate means, led to his resignation – indeed, in a mirror image to the opposition view, some commented that *chavismo* would fare better if it held Maduro at a distance.<sup>57</sup>

Elements on both sides floated two potential scenarios. Under a first option, neither Maduro nor Guaidó would be president during the transitional period. Rather, in order to preserve their respective claims to the office, both would agree in advance on the appointment of a new vice president and cabinet. Maduro would then step down, and the consensual vice president and cabinet would take charge until elections were held. Alternatively, Maduro would remain as president, agree to electoral reforms and trigger an election by resigning 30 days before the election (one of the available constitutional means to allow for an early vote).<sup>58</sup> Whether this latter sce-

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<sup>55</sup> Crisis Group interviews, government and opposition backers, Caracas, May 2019.

<sup>56</sup> Crisis Group interviews, opposition backers, Caracas, May-June 2019. Nonetheless, polls suggest opposition voters' willingness to turn out would be adversely affected if Maduro remains in power and/or is a candidate.

<sup>57</sup> Crisis Group interviews, government backers, Caracas, May-June 2019.

<sup>58</sup> Article 233 of the 1999 Constitution.

nario could ever be acceptable to the bulk of the opposition or to the U.S. given Maduro's track record is far from clear, however.<sup>59</sup>

### B. *The Issue of Sanctions*

As noted, lifting sanctions prior to elections is an absolute *chavista* requirement, but a hard one to meet. The U.S., the only party in a position to act on that issue, is not present in Oslo, and its position to date has been relatively inflexible: economic penalties will not be removed prior to a transition and certainly not as long as Maduro remains president.<sup>60</sup>

Optimally, rather than representing a stumbling block, the phased, conditional removal of sanctions over a six- to twelve-month period before fresh elections would serve as an incentive for the government to honour its commitments during the transitional period. Should an agreement on this score be reached, the burden would then be incumbent on Guaidó and his colleagues – alongside EU member-states and the Lima Group – to persuade the Trump administration that a deal good enough for the opposition ought to be good enough for the U.S.<sup>61</sup>

Sanctions could be lifted incrementally, but the U.S. likely would need to remove the most harmful, sectoral ones – notably the prohibition on transferring proceeds of Venezuelan oil sales in the U.S., which Washington imposed on 28 January – sufficiently far ahead of elections, again assuming the government fulfils its commitments.<sup>62</sup> By contrast, decisions on individual sanctions targeting government leaders, most of which were applied (by the U.S., Canada and the EU) before the start of Guaidó's campaign in January, could wait until after the election.<sup>63</sup>

### C. *The Military's Role*

From the inception of the campaign to remove Maduro, both the opposition and the U.S. have viewed the armed forces as pivotal players and have sought to peel off its members from the government camp, using amnesty offers in particular as an incentive. So far, despite a number of individual defections, that strategy has failed.<sup>64</sup> Se-

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<sup>59</sup> On 25 June, Elliott Abrams, the U.S. Special Representative for Venezuela, said: "the notion that Maduro might remain president to preside over free elections and a transition to democracy is laughable". [www.state.gov/on-the-record-briefing-2](http://www.state.gov/on-the-record-briefing-2). Privately, other officials were more flexible, pointing to the difficulties inherent in setting up a transitional government for a period of a few months, which inevitably would raise questions about its composition and prerogatives. Crisis Group interviews, Washington, May 2019. But they conceded that such a position was anathema to key U.S. officials.

<sup>60</sup> Crisis Group interview, U.S. official, Washington, June 2019.

<sup>61</sup> Crisis Group interviews, government and opposition backers, Caracas, May-June 2019.

<sup>62</sup> "Factbox: U.S. sanctions on Venezuela's oil industry", Reuters, 29 January 2019.

<sup>63</sup> For a list of those sanctioned see "WOLA Targeted Sanctions Database", Washington Office on Latin America.

<sup>64</sup> High-profile defections include those of Air Force Gen. Francisco Yáñez on 2 February, former health minister Gen. Carlos Rotondaro on 18 March and former intelligence chief Maj. Gen. Hugo Carvajal on 21 February. None, however, had command of troops. Christopher's defection provides Washington with another trove of information about the inner workings of the Maduro government and is particularly significant because he was previously considered highly loyal and close to Cuba.

curity forces did not turn against the government on 30 April, a fact that was decisive in sealing the uprising's fate. There are many reasons why the approach has fallen short, including the fact that security officials have tended to view individual offers of amnesty as both insulting (they do not consider themselves criminals in need of individual deals) and insufficient (the military has other important institutional interests it is keen to protect).

In the context of a political agreement, the parties would need to extend more meaningful guarantees to the security forces. These might include a commitment not to alter, much less purge, its leadership; reducing or removing altogether presidential powers to make promotions; creating a transitional, parallel national security structure giving the military a key voice in critical decisions; or even protecting the military's extensive economic interests by granting it exclusive economic rights to mining in Venezuela's south (which it in effect controls already), so long as it respects local communities' welfare and human rights.<sup>65</sup>

#### D. *Dealing with More Hardline Views*

Influential individuals holding more uncompromising views and with considerable ability to spoil any progress in negotiations exist on both sides. In the government camp, these include in particular senior officials for whom a transition could mean the loss of all economic and political power, and who could be held accountable for their misdeeds. Moreover, changes in the upper ranks of the military, announced in early July could alter the balance of power in the armed forces and tilt it toward a more uncompromising stance, affecting the Oslo process. While not directly present in the Norway talks, hardliners in the military are able to undermine progress by intensifying the crackdown on the opposition or vetoing concessions they deem excessive.

Within the opposition are also many who oppose any compromise, are convinced the government is merely playing for time, and will hold fast to the view that the only acceptable solution must entail Maduro's exit and their own rise to power. Internal divisions, often driven by personal ambition, further complicate the opposition scene.<sup>66</sup> Opposition figures have proved adept at using social media to amplify their message and narrow the negotiators' manoeuvring room in Oslo. The most vocal are headed by the Soy Venezuela alliance and the small group of MPs calling themselves the 16 July caucus.<sup>67</sup> That said, the initial broadside against the Oslo talks, on the grounds that the initiative was taken by a small group without consultation with allied parties, came from moderates and hardliners alike.<sup>68</sup>

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<sup>65</sup> For an account of the role of armed forces and non-state armed actors in Venezuela's "Mining Arc", see Crisis Group Latin America Report N°73, *Gold and Grief in Venezuela's Violent South*, 28 February 2019.

<sup>66</sup> See Crisis Group Latin America Report N°71, *Friendly Fire: Venezuela's Opposition Turmoil*, 23 November 2018.

<sup>67</sup> In mid-June, Soy Venezuela leaders María Corina Machado, Antonio Ledezma and Diego Arria published an open letter calling on Guaidó to abandon the talks and arguing for military intervention by an "international coalition". Nurelyin Contreras, "Carta Abierta: María Corina, Ledezma y Arria piden a Guaidó cerrar el 'Diálogo' en Noruega", *Punto de Corte*, 12 June 2019.

<sup>68</sup> Of the four leading parties, neither Primero Justicia nor Acción Democrática appears to have been consulted. Xabier Coscojuela, "Contactos en Noruega dividen a la oposición", *Tal Cual*, 16 May 2019.

Overcoming these obstacles will be challenging. Part of the solution would be for those who favour dialogue – both Venezuelans and foreigners – to try to shore up domestic support. To that end, they should correct any misinformation about what is being discussed in Norway, avoid attacks on the Oslo process and – where possible – moderate their behaviour (critically, in the government's case ending the crackdown on the opposition) and rhetoric (in the case of the U.S. and its Venezuelan allies, for instance, ending reference to a possible military intervention). Civil society activists could play an important role, giving voice to those who favour a negotiated solution and providing the Oslo process greater space. Any bipartisan initiative – for example, joint events attended by pro-government and pro-opposition elements – likewise would increase the space for negotiations.<sup>69</sup>

The EU-led International Contact Group could help by working in close cooperation with Norway. It could act as a liaison of sorts between foreign Maduro and Guaidó backers, as well as between opposing Venezuelan constituencies. The Lima Group of Western hemisphere nations, whose position is increasingly aligned with the Contact Group's, also could bolster the process, as could Mexico, whose position of “non-interference” (not, says the Mexican foreign ministry, to be confused with indifference) has created some distance from the Lima Group majority, and could allow it to play a mediating role.<sup>70</sup>

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<sup>69</sup> Crisis Group interviews, government and opposition backers, Caracas, May-June 2019. The pro-opposition Frente Amplio Venezuela Libre – founded in March 2018 in an attempt to incorporate the views of civil society activists – could be one such actor. To date, its efforts too often have been thwarted by politicians seeking to control its deliberations. See Crisis Group Report, *Friendly Fire*, op. cit.

<sup>70</sup> Crisis Group interview, Mexican foreign ministry official, Caracas, 10 April 2019.

## V. The Threat of Escalation

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The current stalemate will not last indefinitely, and in the worst case scenario the failure of talks could lead to a violent escalation. The opposition in particular is under pressure to make good on its promise to oust Maduro, and faces a real time crunch. Guaidó's term as National Assembly chair (on which his claim to the interim presidency is based) theoretically expires at the beginning of 2020 under the terms of a 2015 agreement among opposition parties.<sup>71</sup> He has said privately that his political survival depends on achieving victory by the end of 2019.<sup>72</sup> In early June he told a rally in the state of Barinas that, "This didn't begin in 2019 but it will end in 2019", adding that, "international [military] cooperation will come, but it must find us in the streets".<sup>73</sup> In reality, however, the likelihood of an external intervention appears low at this time. The more serious danger is of internal conflict.

### A. *A Receding Threat of Foreign Military Intervention?*

Ever since President Donald Trump evoked the possibility of a "military option" to resolve the crisis in Venezuela in August 2017, the potential threat of external armed intervention has divided domestic and international opinion.<sup>74</sup> The issue came into sharper focus after Guaidó announced on 23 January that he was assuming the interim presidency and the U.S. threatened a "significant response" if Maduro were to detain him.<sup>75</sup> To this date, while little suggests Washington is genuinely contemplating military action, the administration's standard position is that "all options are on the table" – tantamount to saying that the use of force is on the table.<sup>76</sup> The secretary general of the Organization of American States, Luis Almagro, also explicitly declined to rule out "military intervention to overthrow the regime of Nicolás Maduro" in late 2018 press remarks.<sup>77</sup>

At intervals, the opposition itself has suggested support for a foreign armed intervention. In late February, after its plan to force humanitarian aid across the border failed, some members explicitly called for the use of force.<sup>78</sup> The Soy Venezuela

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<sup>71</sup> Following the December 2015 legislative elections, opposition parties agreed to take turns chairing the Assembly for twelve months each over the course of the five-year parliament. Voluntad Popular's turn came in 2019, and with all its leading MPs absent due to government persecution, the job fell to Juan Guaidó. Anthony Faiola, "Who is Juan Guaidó?", *Washington Post*, 24 January 2019. Some opposition members are considering ways of prolonging Guaidó's position. Crisis Group interview, U.S. official, Washington, May 2019.

<sup>72</sup> Crisis Group interview, Venezuelan political analyst, Caracas, 5 June 2017.

<sup>73</sup> "Juan Guaidó desde Barinas: En 2019 termina este proceso de una vez por todas", *Tal Cual*, 1 June 2019.

<sup>74</sup> "Trump alarms Venezuela with talk of a 'military option'", *The New York Times*, 12 August 2017.

<sup>75</sup> Joshua Goodman, "Amid mass arrests, Maduro won't touch rival Guaidó", Associated Press, 28 January 2019.

<sup>76</sup> See, eg, briefing with Special Representative Elliott Abrams, 25 June 2019. [www.state.gov/on-the-record-briefing-2](http://www.state.gov/on-the-record-briefing-2).

<sup>77</sup> "OAS chief says should not rule out Venezuela 'military intervention'", Agence France Presse, 15 September 2018.

<sup>78</sup> "Julio Borges pedirá al Grupo de Lima 'uso de la fuerza' contra Maduro", EFE, 24 February 2019. Republican Senator Marco Rubio, an influential voice on Venezuela policy in the U.S. Congress,

movement, which belongs to the opposition's most confrontational wing, has long called for "humanitarian intervention". Guaidó himself at times has seemed to endorse U.S.-backed regime change: on 11 May, he announced at a rally that he was asking his "ambassador" in Washington, Carlos Vecchio, to seek a meeting with the general in charge of U.S. Southern Command, clearly hinting at the prospect.<sup>79</sup>

Predicting President Trump's actions is an uncertain science at best. He is clearly cautious when it comes to the use of force, as the recent Iranian episode – where he called off a military strike ordered in response to Tehran's downing of a drone at the very last minute illustrates.<sup>80</sup> But he also wishes to demonstrate that he acts on his threats and that he can produce results. Some also have speculated that he might see political advantage in taking decisive action in Venezuela if only to secure the Hispanic vote in Florida in the upcoming presidential elections.<sup>81</sup> His advisers too are seemingly divided, with his National Security Advisor John Bolton presumably more open to military action than others.<sup>82</sup> Several unsubstantiated press reports suggest Trump is at odds with Bolton and feels misled about the ease with which Maduro could be ousted.<sup>83</sup>

#### B. *The Threat of Irregular Warfare*

The most serious risk of violence comes from within Venezuela, a country awash in weapons and armed groups, both formal and informal. In urban areas, so-called *colectivos* – pro-government, paramilitary groups that combine political enforcement, especially in low-income areas, with black market businesses and other criminal activities – present a significant threat of ongoing, low-intensity warfare in the event of a non-consensual regime change. Many are closely integrated with police and intelligence units and are linked in some cases to some of the more radical *chavista* leaders.<sup>84</sup> Their equivalent in the rural west and close to the Colombian border are the so-called *boliches* of the Fuerzas Bolivarianas de Liberación (FBL), who are estimat-

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tweeted at the time that the "willingness of many nations to support stronger multilateral actions to dislodge them has increased dramatically", following that up with a tweet showing a photograph of Maduro alongside another of a dead and bloodied Col. Muammar Qadhafi. Rubio later deleted the tweet amid a storm of criticism. U.S. officials expressed considerable irritation with Rubio's rhetoric on that occasion. Crisis Group interview, U.S. official, February 2019.

<sup>79</sup> Aime Williams and Gideon Long, "Venezuela opposition envoy meets with US officials", *Financial Times*, 20 May 2019. Vecchio's letter received a polite response but he only met with the State Department. While Guaidó said he was asking for "military cooperation", he made it clear that U.S. military intervention was what he meant, adding that "the red line was crossed some time ago".

<sup>80</sup> Michael D. Shear, Helene Cooper and Eric Schmitt, "Trump says he was 'cocked and loaded' to strike Iran but pulled back", *The New York Times*, 21 June 2019.

<sup>81</sup> Marc Caputo, "Trump Venezuela policy scores in Florida", *Politico*, 30 January 2019.

<sup>82</sup> Crisis Group interviews, U.S. officials, Washington March-June 2019. Adam Taylor, "What is the Monroe Doctrine? John Bolton's justification for Trump's push against Maduro", *Washington Post*, 4 March 2019.

<sup>83</sup> Anne Gearan, Josh Dawsey, John Hudson and Seun Ming Kim, "A frustrated Trump questions his administration's Venezuela strategy", *Washington Post*, 8 May 2019.

<sup>84</sup> Guillermo Olmo, "Venezuela crisis: the 'colectivo' groups supporting Maduro", BBC News Mundo, 6 February 2019. "Paramilitares", PROVEA.



ed to number in the low thousands.<sup>85</sup> Like their counterparts among the Colombian guerrillas based in Venezuela, they profess allegiance to the Bolivarian revolution and although their firepower is modest, they can be expected to wage a guerrilla war against anyone threatening their regional hegemony and control of cross-border trafficking routes.

But perhaps the greatest security concern relates to the growing presence of former and current guerrillas from the National Liberation Army (ELN) and the now formally disbanded Revolutionary Armed Forces of Colombia (FARC). FARC dissidents found safe haven in Venezuela following the 2016 signing of a peace treaty between the guerrilla leadership and the Colombian government. The ELN, whose peace talks with Bogotá broke down after they admitted responsibility for a January 2019 car bomb in the Colombian capital that killed a score of police cadets, moved into Venezuela in force.<sup>86</sup> On the western border with Colombia, the ELN is reportedly allied with the FBL and other armed groups.<sup>87</sup> Its presence in the chaotic and violent mining areas south of the Orinoco River, seemingly with the Maduro government's support, is particularly worrisome, insofar as the ELN is formally committed to resisting any attempt to overthrow the government.<sup>88</sup>

Despite two decades of political conflict, incidents of opposition violence – beyond the throwing of stones and petrol bombs at demonstrations – have been rare. Even as he suggested the possibility of foreign military intervention, Juan Guaidó has not suggested the opposition itself should engage in violence. But there are signs not all anti-Maduro forces are averse to armed struggle. On 4 August 2018, two drones carrying explosives were detonated in the vicinity of a military parade attended by President Maduro, in what appeared to be a failed assassination attempt. The government presented evidence linking the attack to opposition sectors. Small armed groups led by former members of the security forces have also emerged in the recent past, but their leaders have been killed or captured.<sup>89</sup>

There are other signs of a potential militarisation of the conflict. Amid an opposition attempt on 23 February to force humanitarian aid convoys across the border, scores of mainly low-ranking members of the armed forces defected and crossed into Colombia in response to calls by Guaidó for the military to switch sides. In succeed-

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<sup>85</sup> Fernando Tineo, "Este es el grupo armado que amenaza la Asamblea Nacional", *El Estímulo* 29 January 2016.

<sup>86</sup> Helen Murphy, "Colombia's ELN rebels say deadly car bomb was legitimate act of war", Reuters, 21 January 2019.

<sup>87</sup> Sebastiana Barráez, "Alianza de guerrilla y parracos en la frontera", *Punto de Corte*, 7 February 2019.

<sup>88</sup> See Crisis Group Report, *Gold and Grief*, op. cit.

<sup>89</sup> In June 2017 police pilot Oscar Pérez commandeered a helicopter and dropped percussion grenades on the Supreme Court building in Caracas, later forming a small armed group with the hope of sparking an uprising. A few months later, the group was hunted down by government security forces and its members, including Pérez, killed. Nicholas Casey, "Venezuela's most-wanted rebel shared his story, just before being gunned down", *The New York Times*, 2 February 2018. Another small group, led by Juan Carlos Caguaripano, a former National Guard captain, seized weapons from barracks in Maracay in August 2017. This too proved short-lived. Caguaripano was arrested just days after the raid. "Quién es Juan Caguaripano, el capitán que se rebeló contra Maduro", *El País*, 7 August 2017.

ing weeks, the number rose to over 1,400, but with no progress towards the formation of a transitional government, the group was left stranded in Colombia, without money or resources and unable to work. While many left for other countries, a small group expressed their determination to embark on a military campaign to oust Maduro.<sup>90</sup> There is some evidence that inside Venezuela other groups are being formed with a similar objective.<sup>91</sup> Perhaps most worryingly, the percentage of people expressing willingness to take up arms to change the government has risen from almost none just a few years ago to as much as 10 per cent of the population.<sup>92</sup>

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<sup>90</sup> Helen Murphy and Luis Jaime Acosta, "From Colombia, Venezuelan defectors arm themselves to 'liberate' their homeland", Reuters, 28 May 2019.

<sup>91</sup> Crisis Group interview, consultant on security and defence, Caracas, 5 June 2019.

<sup>92</sup> Polling from May 2019 shows that the percentage rises to almost 23 per cent among core opposition supporters "in the event Guaidó were to be arrested" (op. cit. see fn 5). Separately, and according to the Reuters news agency, Erik Prince, founder of the (since dissolved) private security company Blackwater, has been seeking backers for a plan to create a 4-5,000-strong force of Latin American mercenaries to intervene in Venezuela. The US\$40 million project purportedly would begin with intelligence operations but would eventually include direct military action to bring down the government. Aram Roston and Matt Spetalnick, "Blackwater founder's latest sales pitch: mercenaries for Venezuela", Reuters, 30 April 2019. Although Prince is a prominent Trump backer (and his sister is a member of Trump's cabinet), there is no evidence the administration is considering such a plan.

## **VI. Conclusion**

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Efforts to produce “regime change” in Venezuela through draconian sanctions, withdrawing recognition from the Maduro government and threatening military force so far have failed. This has left the two competing sides locked in a mutually damaging stalemate while the country plunges ever deeper into economic and social despair. For now, neither the government nor the opposition leadership has concluded that outright victory is impossible and that mutual concessions leading to a negotiated transition constitutes the only way out of the impasse. But, were they to do so, the already-visible outlines of a possible agreement almost certainly would carry the support of majorities in both *chavista* and opposition camps.

That the two sides are engaged in the Oslo process in itself represents an important opportunity, despite doubts about the parties’ actual motivations, the potential spoiling role of critical stakeholders not present in the Norwegian capital, and questions about the process’ very viability. But these obstacles, coupled with the bleak alternative of a protracted crisis, are all the more reason for pragmatic elements on both sides, members of civil society, as well as outside powers and multilateral bodies to support a realistic transitional plan and support Norway’s initiative.

The gaps separating the sides’ positions remain wide but conversations with an array of Venezuelans suggest that a compromise enjoying broad-based support is possible. The opposition’s inability to oust the government and the government’s ineffectiveness in overcoming the country’s unprecedented crisis carries a simple message: that such a compromise is the best and only way forward, and that the alternative is a deepening and spreading catastrophe.

**Caracas/Bogotá/Brussels, 15 July 2019**

Appendix A: Map of Venezuela



## Appendix B: About the International Crisis Group

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 70 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Algiers, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Hong Kong, Jerusalem, Johannesburg, Juba, Mexico City, New Delhi, Rabat, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

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**July 2019**

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**Appendix C: Reports and Briefings on Latin America since 2016**

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**Special Reports and Briefings**

*Exploiting Disorder: al-Qaeda and the Islamic State*, Special Report N°1, 14 March 2016 (also available in Arabic and French).

*Seizing the Moment: From Early Warning to Early Action*, Special Report N°2, 22 June 2016.

*Counter-terrorism Pitfalls: What the U.S. Fight against ISIS and al-Qaeda Should Avoid*, Special Report N°3, 22 March 2017.

*Council of Despair? The Fragmentation of UN Diplomacy*, Special Briefing N°1, 30 April 2019.

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*Crutch to Catalyst? The International Commission Against Impunity in Guatemala*, Latin America Report N°56, 29 January 2016 (also available in Spanish).

*Venezuela: Edge of the Precipice*, Latin America Briefing N°35, 23 June 2016 (also available in Spanish).

*Easy Prey: Criminal Violence and Central American Migration*, Latin America Report N°57, 28 July 2016 (also available in Spanish).

*Colombia's Final Steps to the End of War*, Latin America Report N°58, 7 September 2016 (also available in Spanish).

*Venezuela: Tough Talking*, Latin America Report N°59, 16 December 2016 (also available in Spanish).

*In the Shadow of "No": Peace after Colombia's Plebiscite*, Latin America Report N°60, 31 January 2017 (also available in Spanish).

*Veracruz: Fixing Mexico's State of Terror*, Latin America Report N°61, 28 February 2017 (also available in Spanish).

*Mafia of the Poor: Gang Violence and Extortion in Central America*, Latin America Report N°62, 6 April 2017 (also available in Spanish).

*Power without the People: Averting Venezuela's Breakdown*, Latin America Briefing N°36, 19 June 2017 (also available in Spanish).

*Colombia's Armed Groups Battle for the Spoils of Peace*, Latin America Report N°63, 19 October 2017 (also available in Spanish).

*Venezuela: Hunger by Default*, Latin America Briefing N°37, 23 November 2017 (also available in Spanish).

*El Salvador's Politics of Perpetual Violence*, Latin America Report N°64, 19 December 2017 (also available in Spanish).

*Containing the Shock Waves from Venezuela*, Latin America Report N°65, 21 March 2018 (also available in Spanish).

*Mexico's Southern Border: Security, Violence and Migration in the Trump Era*, Latin America Report N°66, 9 May 2018 (also available in Spanish).

*Risky Business: The Duque Government's Approach to Peace in Colombia*, Latin America Report N°67, 21 June 2018 (also available in Spanish).

*The Missing Peace: Colombia's New Government and Last Guerrillas*, Latin America Report N°68, 12 July 2018 (also available in Spanish).

*Building Peace in Mexico: Dilemmas Facing the López Obrador Government*, Latin America Report N°69, 11 October 2018 (also available in Spanish).

*Saving Guatemala's Fight Against Crime and Impunity*, Latin America Report N°70, 24 October 2018.

*Friendly Fire: Venezuela's Opposition Turmoil*, Latin America Report N°71, 23 November 2018 (also available in Spanish).

*A Road to Dialogue After Nicaragua's Crushed Uprising*, Latin America Report N°72, 19 December 2018 (also available in Spanish).

*Gold and Grief in Venezuela's Violent South* Latin America Report N°73, 28 February 2019 (also available in Spanish).

*A Way Out of Latin America's Impasse over Venezuela*, Latin America Briefing N°38, 14 May 2019 (also available in Spanish).

*The Keys to Restarting Nicaragua's Stalled Talks*, Latin America Report N°74, 13 June 2019 (also available in Spanish).

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