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Abstract

Venezuela's drift to authoritarianism has gained pace over the past few years, especially since the controversial 2018 re-election of Nicolás Maduro to the Presidency, followed by the Juan Guaidó self-proclamation as "interim President" in January 2019. The European Union/EU has followed closely developments in that country in particular since Hugo Chávez gained power two decades ago. In 2017, the EU started imposing a series of sanctions against the Maduro regime. And in January 2019, the European Parliament/EP overwhelmingly supported Guaidó, as did most EU states, although some were reluctant to do so. This paper considers the EU reaction to the Venezuela crisis through two original and rather neglected perspectives: first, what role for Responsibility to Protect/R2P? This is a growing international concept, yet strongly opposed by several Latin American states, especially Venezuela. And, second, what role for the EP? Indeed, as a strong R2P supporter, the EP is pushing for a strong common EU policy in favour of a democratic solution to the Venezuelan crisis.

Keywords: European Parliament, R2P, Venezuela, Nicolás Maduro, Juan Guaidó, democracy promotion

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Introduction

The European Union (EU) has always supported a pro-democracy and human rights-based foreign policy - a “force for good” in the world (Sjursen, 2006) - even if its rhetoric and practice are not in sink as often as the EU itself would like them to be. This is mainly due to the existence of a plethora of non-democratic actors in the world system.

EU-Venezuela relations have always been difficult, in part as the Chavista regime in power there since 1999 is as “most observers and Hugo Chávez himself, [have] argued that the regime was not modelled on a liberal or representative democracy” (Marsteintredet, 2020, p. 90). Therefore, the EU has especially been monitoring the situation from then onwards but since 2015 it has taken a much tougher stance, imposing sanctions in November 2017 due to the deteriorating situation in Venezuela under Nicolás Maduro, in power since 2013 (see Part 2 for more details).

Today, Venezuela is “going through an unprecedented political, social and humanitarian disaster, which due to the mass exodus of Venezuelans also have large negative regional consequences” (Marsteintredet, 2020, p. 88).

This paper will focus on a neglected dimension of EU-Venezuela relations: the role of its parliamentary branch, that is to say the European Parliament (EP). There is a growing academic literature on the EP’s international relations (Stavridis and Irrera, 2015) that confirms that it is acting as an international moral tribune. Examples are numerous and range from Ukraine (Nitiou and Sus, 2017) to Nicaragua (Lamoso, 2019), to name but two such examples. Indeed, for years now, the European Parliament (EP) is seen as an international normative actor (Feliu and Serra, 2015; Glahn, 2019), monitoring on an annually basis human rights throughout the world, periodically adopting resolutions criticizing their violations worldwide, and awarding the yearly Sakharov Prize for freedom of thought. In 2017, the Prize was awarded to the Democratic Opposition in Venezuela. On Venezuela, as what follows will show in detail, the EP has also been very active, also referring to Responsibility to Protect/R2P in that particular case – although to date it has not formally called for such an implementation in its resolutions. But the mere fact that it is discussing such a possibility adds further pressure on the Maduro regime.

The literature on R2P is vast (for references, see Part 1). On the Venezuelan situation there is also ample literature, including on the question of whether or how R2P should be used (see Part 2). Surprisingly, there is little interest in the parliamentary dimension of that question, in spite of the European Parliament’s take on the matter (for an exception, see Stavridis, 2013). Indeed, so far, most emphasis in the study of international parliamentarism has been put on its impact on regional integration (for instance in the case of Latin America, Pasquariello Mariano et al., 2017; as for comparative analyses with Europe, see: Contreras Cortés et al., 2010). Considering the relevance of R2P, it is time to go beyond this, no doubt necessary but not sufficient, dimension in the study of parliaments in world affairs. This study therefore adds to both literatures on R2P and on parliamentary diplomacy.

To do so, **Part 1** of the paper will contextualize the ongoing R2P debate by turning to the main differences between EU and Latin American countries on R2P. This is necessary because all European states are pro-R2P whereas the situation is more complex in Latin America, with in particular Venezuela being opposed to that concept. Part 1 will also show how the EP has been a keen promoter of R2P over the years – and how therefore R2P is relevant to any analysis of the EP’s stance on Venezuela.

Part 2 will start with an overview of the dire straits Venezuela finds itself in. It will also refer to the existence of two opposing forces in the country, especially since the January 2019 self-appointment of Juan Guaidó as President-in-interim. Most EU countries have recognized his legitimacy over that of Nicolás Maduro, and with the European Parliament being the first EU institution to do so. Part 2 will also discuss the latest developments in Venezuela which have called many an observer or actor to describe the human rights violations situation in 2018 as “a downward spiral with no end in sight” (Office of the United High Commissioner for Human Rights, 2018; see also Human Rights Council, 2020). As a result, many a voice are now calling for the implementation of the Responsibility to Protect (R2P) in Venezuela due to the severity of the economic, social, and health situation of that country, coupled with a massive forced migration to Venezuela’s immediate geographical neighbours.

Part 3 will start with an overview of EU-Venezuela relations. It will then offer a descriptive analysis of the EP stance on Venezuela that will show that the Parliament has slowly increased his role as a critique of the Chavista regime over the years. Finally, it will also discuss its debates over a possible R2P implementation in Venezuela due to the severity of the situation.

The **Conclusions** of the paper will also offer some avenues for possible future research on that subject, as well as other related issues. Because, sadly, the situation in Venezuela is not unique. Therefore, any country specific analysis also allows to shed light on other conflicts in the world.

I. EU-LA differences on R2P, also EP stance on R2P

It is pertinent to study the importance of R2P for the current situation in Venezuela as many an academic or practitioner is openly and publicly discussing its relevance nowadays. For instance, as Global Centre for the Responsibility to Protect Executive Director, Dr. Simon Adams (2019), recently put it:

“Latin America also became a zone of “norm entrepreneurship.” Latin America played a crucial role in advancing international justice through the founding of the International Criminal Court (ICC) and became leaders in upholding the principle of R2P.”

“The question is (...) to help ensure the government(s) of Venezuela (...) uphold their responsibility to protect? This is a question that every state in the region, the UN, the international community, and everybody in this room, should be asking themselves.”

The objective here is to stress that R2P remains a controversial concept between those countries that see it as an advance in the defence of civilians and on the opposite side those who consider it as an interference in the internal affairs of a sovereign state. Thus, what follows will present an R2P overview, before focusing on the differences of views between European and Latin American states: the former are pro-EU, whereas the latter show much more differentiated approaches, including sheer rejection of the concept.

This Part also refers to the EP’s insistence on the importance to make R2P an effective international principle. Because, little attention has been paid to date to R2P from a parliamentary perspective.

R2P concept

Unprecedented levels of violence in the world, mostly nowadays within states, but often with wider international consequences, have accelerated the need for an international response, leading to “new [forms of] humanitarianisms” (Weiss, 2012, pp. 70-89). In particular, the 1994 Rwanda genocide and the 1995 Srebrenica massacre had revealed the lack of global means to address such situations. Thus, novel international concepts have emerged since the start of the 21st century: in 2005, the United Nations endorsed the concept of Responsibility to Protect/R2P in its Outcome Document of the UN World Summit (General Assembly, 2005²). The R2P concept was first coined by the International Commission on Intervention and State Sovereignty (ICISS), whose report was published in December 2001 (ICISS, 2001). One key element is its focus on the four so-called “atrocities crimes”: genocide, crimes against humanity, war crimes, and ethnic cleansing. Thus, R2P attaches particular attention to policies that target civilians.³

Since then numerous UN reports on that subject have been regularly produced.⁴ Most importantly, to date (time of writing, summer 2020), there have been around 50 R2P-related UN resolutions in response “to genocide, war crimes, crimes against humanity, and ethnic cleansing in countries such as Cote d’Ivoire, Sudan, South Sudan, Yemen, Libya, Mali, Somalia, Syria, the Central African Republic, Iraq, Burundi and Myanmar – to name just a few” (European Centre for the Responsibility to Protect/ECR2P)⁵.

The most controversial case to date remains that of Libya in 2011, because it is the only R2P instance where military action occurred. The debate also extends to whether that intervention intentionally led to “regime change”, or, whether on the contrary, this was just one of its unintended consequences. This is not the place to engage in this discussion - just to note that those claiming an abuse of R2P fail to consider whether it was indeed possible to stop Gaddafi’s murderous actions without removing him (see Jeangène Vilmer, 2016). However, this is the very fact that has made several countries, especially in the so-called South, to increase their reservations towards R2P (García, 2017). Moreover, the R2P debate has gone on, especially with its non-application in an obvious case of atrocity crimes: the Syria conflict since 2011. But, due to Russia’s veto (and also China’s), the catastrophic situation continues unabated (on Russia’s stance in Syria, see Charap, 2013; de Pedro et al., 2018).

In short, R2P brings about a re-definition of “sovereignty”: one based on state responsibility to protect its own citizens, instead of its previously more restricted reference to total control and authority over those very citizens, plus non-interference from external actors in the internal affairs of a state (Gómez Isa, 2014). The concept includes three dimensions (Responsibility to Prevent, Responsibility to React, Responsibility to Rebuild), as well as, under that of reaction, the possibility of using force. There are three “pillars”: First, such responsibility falls on the state concerned with those atrocities crimes, if this is not enough, the international community must assist if relevant that state, and if this is still not possible (for instance the state

² See in particular Paragraphs 138-140 on “Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity” in this 38 page-long document.

³ The existing literature is vast and fast expanding: See inter alia, Bellamy (2011); Bellamy and Williams (2011); Knight and Egerton (2012); Weiss (2012); Díaz Barrado (2012); Thakur (2011); Gözen Ercan (2014); Gómez Isa (2014); Jeangène Vilmer (2015).

⁴ For a collection of all the reports, see the UN Office of the Genocide Prevention and the Responsibility to Protect: <https://www.un.org/en/genocideprevention/key-documents.shtml>. See also Rotmann, Kurtz and Brockmeier (2014).

⁵ <https://ecr2p.leeds.ac.uk/about/about-r2p/>.

in question is itself causing those atrocities), the international community must then intervene, including possibly by military means.

Additionally, as noted, this concept also continues to be controversial as a result of the fact that, worldwide, there are pro and anti R2P states. What follows present existing divisions on the subject between EU and Latin American states.

EU-Latin American different stances on R2P

International actors of all types, starting with states but also including international or (inter-regional organizations, are all part of the ongoing R2P debate, best summed up by the slogan: R2P as “an end to [international] indifference”⁶. There are numerous analyses including comprehensive tables listing pro- and anti- R2P states.⁷ Another study (of eleven countries) demonstrates that the presence of certain conditions has enabled the UN Security Council to successfully implement its R2P mandate (Genser, 2018). In particular, it mentions UN cooperation with regional organizations and/or neighboring regional powers as one such condition.

There is consensus that the EU and its member states are in favour of R2P (Wouters et al., 2011; Fiott and Vincent, 2013; Knudsen, 2013). Thus, Wouters et al. (2013, p. 22) insist that this EU declaratory support encompasses a plethora of official EU institutional documents, texts and declarations, at all institutional (Commission, Council, Parliament), including CFSP Strategy documents. Admittedly there are minor variations among European perceptions: such as between France, Britain, Sweden, Denmark and The Netherlands on the one hand, described as “pro-R2P”, whereas Germany seems to be more ambivalent (Fiott and Vincent, 2013, pp. 204-208)⁸ - as witnessed by its abstention on the 2011 UNSC Resolution No. 1973 that allowed the use of force in Libya.⁹ Also, even within those pro-R2P states there are differences between coalition government partners, for instance at the time of voting on those resolutions (especially over 2011 Libya), such as in the UK (Liberal-Conservative), or in general, the more military-oriented and unilateralist France and various European public opinions, often less prone to support military interventions (Fiott and Vincent, 2013, pp. 204-208).

In Latin America, Serbin and Serbin Pont (2015) identify four groups of countries in relation to their approach to R2P (see also Salgado Espinoza and Álvarez, 2017):

- clear supporters: Costa Rica (especially with respect to the Prevention pillar), Chile, and Guatemala.
- ‘skeptics’: Argentina.
- clear opponents: the “Bolivarian Alliance”, i.e. the ALBA countries (Cuba, Venezuela, Nicaragua, Bolivia, and Ecuador).
- the innovator: Brazil (see also Benner, 2013; on the wider involvement by the BRICS in the R2P debate see Rotmann et al., 2014; Stuenkel, 2014).

⁶ Murithi (2009) in his analysis of this transition from non-intervention to non-indifference in the case of the African Union.

⁷ *State-by-State Positions on the Responsibility to Protect*: www.responsibilitytoprotect.org/files/Chart_R2P_11August.pdf.

⁸ for slightly more ambivalent views on this R2P consensus, see also Schmidt (2019); see also Newman and Stefan (2020).

⁹ The text of the resolution is available at: <https://www.un.org/press/en/2011/sc10200.doc.htm>.

Arredondo (2011; 2014) offers a slightly more succinct list with three clearly defined groups: the pro-R2P states; the anti-R2P states; the “eclectic” states. He refers to these divisions as “frontiers”: a “Bolivarian” one between the ALBA states (Cuba, Venezuela, Nicaragua, Bolivia and Ecuador) and the rest; an “inter-American” between states of both Right and Left administrations¹⁰ that see R2P as a positive contribution to human rights protection (Uruguay, Salvador, Mexico, Chile, Colombia, Peru) and the rest; and finally an “eclectic” one between Brazil and Argentina and the rest.

In 2014, Arredondo goes even as far as to call Chile and Mexico “R2P champions” in the promotion of this principle because they even emphasize that it has already turned into an international legally binding norm (Arredondo, 2014, p. 280). He also stresses that “Costa Rica, Guatemala, Colombia, Uruguay, Panamá (...) have even expressed their preference for a possible extension of R2P to other cases that go beyond the [four] instances listed in the 2005 Final Document” (Arredondo, 2014, p. 281) – read: the four atrocities crimes. At the same time, he qualifies his own assessment by adding that most Latin American countries would not accept after all going too far away from the spirit of the Final Document compromise (read: non-interference principle). Thus, showing a still ongoing debate over R2P’s acceptance among those states.

This is a question of primary importance over the Venezuelan case under study here (see Part 2). Indeed, Arredondo also emphasizes that among the general ALBA opposition to R2P, Venezuela argues that “there are no binding norms”. And that Venezuela also “alerts the world of the dominant imperialist Powers that determine the way international relations dynamics work [today]” – read: only in accordance to their own interests (Arredondo, 2014, p. 282).

Finally, one should also mention the related question of authority under R2P, which up to now, is generally understood as deriving from the UN Security Council alone (hence the importance of the 2011 Libyan precedent). Yet, there are calls made, for instance by France or by the UN Secretary-General himself, for Security Council permanent members to abstain from their veto in R2P matters (see inter alia.: Menéndez de Valle, 2016; Gutiérrez Espada, 2014). This is also supported by the EU, as expressed by Commissioner Benita Ferrero-Waldner back in 2009 (Wouters et al., 2013, p. 22). This question might seem peripheral to our study as at the end of the day either a country is in favour of R2P or not, and the question of authority flows from it and does not create such a principle. But it is relevant as Maduro’s allies in the Security Council are Russia and China, both permanent members and with a right to veto.

In short, a much more pro-R2P European Union group of states and institutions, with perhaps some reluctance in using force in its name, as for instance with Germany over Libya in 2011; and a more complex R2P landscape in Latin America where the Westphalian principle of non-interference in internal affairs continues to prevail in many a state, even if there are pro-R2P “champions” in its midst and the need to protect and promote human rights also has a long tradition on that continent.

Last but by no means least - *and this is of particular importance for the Venezuelan situation* - it is important to note that the R2P literature is developing ideas and suggestions about expanding its scope beyond the four atrocities crimes. That is to say to include situations where, as a result of abuses and crimes against groups of civilians, there is a need for the latter to request special protection, for instance in the case of war refugees (Martin, 2010; Panebianco and Fontana, 2018). There is also at least academic debate over whether R2P should also be applied to “inter-state” crises such as over Gaza (Gözen Ercan, 2015). Taken together, there is

¹⁰ At the time of their study that is.

no a priori reason for not including refugees that escape from an internal conflict. As is the case in Venezuela. The next Part of the paper turns to the situation in that country.

The EP: a pro-R2P stance

The EP has been one of R2P's major driving forces. It calls on the other EU institutions to make sure that it becomes one of the Union's foreign policy guiding principles (Stavridis, 2016; see also Menéndez del Valle, 2018). In particular, the EP encourages the Council to support the UN Secretary General in his efforts to consolidate this doctrine and also insists on the necessity of putting into action concrete measures to enforce those principles - particularly regarding the specific regions or countries in the world where the state is weak (Menéndez del Valle, 2018, p. 34).

According to (former MEP) Menéndez del Valle (2018, p. 35), one of the most remarkable EP resolution regarding R2P was approved in 2013: in order to promote consensus on the matter, the resolution addresses recommendations to the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission (HR/VP), the EEAS, the Commission, the Member States and the Council- It puts emphasis on the long term diplomatic tools with specific references to capacity building activities in the field of human rights, good governance, rule of law, the reduction of poverty, education and health (European Parliament, 2013). In particular, this document stresses the importance of developing the prevention component of R2P, with a view to reducing to the maximum the demand for the use of force; but, also to further encourage the EU to continue being a leader in conflict prevention.

Notwithstanding, even though the EP is an active R2P promoter, it is also a realistic one, clearly differentiating between different cases (e.g. Libya, Syria: see Jeangène Vilmer, 2016; Marrero Rocha, 2013; Morris, 2013), and pointing out clearly at who is responsible for the non-application of R2P in Libya, namely Russia (Stavridis and Fernández Molina, 2013; Stavridis, 2014, pp. 168-176). Finally, the EP emphasizes that Libya, Syria, Sri Lanka or Côte d'Ivoire have shown the many challenges regarding the achievement of a common understanding on R2P implementation, as well on the need for political will and effective capacity to enforce it. At the same time that it has also stressed the necessity to better clarify the role of the regional and sub-regional organizations. The utmost purpose of the EP is to make R2P an international norm (European Parliament, 2013).

II. The situation in Venezuela

There are two key dates for our study. The first is Hugo Chávez's electoral victory at the end of 1998, with a failed attempted coup against his Bolivarian regime in 2002. The second is the current crisis which began with Maduro's coming to power after Chavez's death in 2013. Maduro's repressive regime acts in a less democratic way, culminating recently in a clear authoritarian drift from 2015 onwards. These events led, among many other protests and demonstrations against Maduro. It is important to note that most electoral results since 2002 have been challenged by about half of the Venezuelan population. As a result, there has been a constant polarization between pro-Chavistas and anti-Chavistas in that country over the past decades. Also, consequently, international support for Maduro comes mainly from Russia,

Cuba, Iran and China, as well as other Bolivarian Latin American states – although due to a political shift to the Right in a majority of them, even this support is waning. Thus, Latin American support (which also appears in international regional organizations like the OAS, CELAC, etc.) varies according to which political party is in power say in Brazil or Chile. Indeed, Presidents Luiz Inácio Lula da Silva and Dilma Rousseff were more open to the Venezuela regime¹¹ than the current Jair Bolsonaro administration which follows a much more critical stance in line with that of the USA, especially since Donald Trump became President. On the opposite side, the USA and most Western countries support the Venezuelan Opposition who have all recognized Guaidó as interim President.

In recent years, the catastrophic economic situation in Venezuela has led to a serious humanitarian crisis (see also table below). Its GDP has been drastically reduced and at the same time that the inflation rate has skyrocketed: it exceeds two million per cent (Koenig, 2019, p. 2). In addition, oil exports have radically decreased and so did the population's income. From a major oil exporter country (its oil production in 1998 was of 3.5 million BPD/barrels per day, in 2018 it was down to 1.5 million BPD, in Rapier, 2019), Caracas now needs symbolic deliveries of Iranian oil such as the ones in early September 2020 (www.al-monitor.com, 2020). This, together with high levels of corruption and under investments, has led to the collapse of the even most basic public services such as: water, electricity, or natural gas. In addition, Venezuelans are suffering from a serious lack of food. In short, “[t]he United Nations’ Food and Agriculture Organization” reported 3.7 million people in Venezuela were malnourished, and the NGO Caritas confirmed particularly high levels of malnutrition among children and pregnant women” (FAO, 2018). As a Human Rights Watch report stresses: “The latest official statistics available from the Venezuelan Ministry of Health indicate that in 2016, maternal mortality rose 65 percent and infant mortality rose 30 percent in just one year” (Human Rights Watch, 2019). It continues by emphasizing that “while infant mortality has fallen throughout the region, Venezuela is the only country in South America that has risen back to infant mortality rate levels of the 1990s.” The report also stresses that Venezuela’s Health Minister was fired after publishing these statistics in early 2017 and since then that Ministry has not published any further epidemiological data. Finally, the report emphasizes the problem of malnutrition and insecurity food as well as lack of vaccines that is leading to an increase in illness and deaths (Human Rights Watch, 2019).

The Venezuelan government is also depriving its population from its right to health due to a lack of essential medicines and poor hospitals and health services conditions. In addition, the Venezuelan government is also limiting basic civil rights such as media freedom. It has shut down several radio stations and TV Channels, blocked independent news websites, and forced hundreds of journalists to the exile. “OHCHR documented a number of cases of arbitrary detention of people for expressing opinions on social media. In the last 10 years, the *Espacio Público* NGO registered the arbitrary detention of and criminal charges against 55 persons for social media publications – 24 of them in 2018” (*Espacio Público*, 2019). The regime has also targeted opposition members and individuals all critical of the government in addition to using excessive force and deaths during anti-government demonstrations, together with arbitrary detentions, torture and ill-treatment.¹² This dramatic situation has led the Office of the High Commissioner for Human Rights to say that the Venezuelan government is committing severe

¹¹ Venezuela joined Mercosur in 2012 but its membership was suspended in 2016. See www.bbc.news (2016); see also www.mercopress.com (2019).

¹² On the lack of civilian control over the military, or, perhaps more accurately, on the complete interconnectedness between the Maduro regime and the military, see Ramos Pismataro (2018).

violations of economic, social, civil, political and cultural rights. However, it underlines that the imposition of economic sanctions is not the best solution due to the fact that they would deepen the economic crisis further and therefore worsen the impact of the state's violations of population rights (UNHR, 2020b).

The situation in the country has provoked a massive exodus of Venezuelans. Around 12% of the population have decided to flee the country and, as a consequence, are adding a major stress on the regional neighbours' health systems; leading to the biggest refugee crisis in America and the second worldwide behind that of Syria (Arnson, 2019). On top of that, the COVID-19 pandemic is not making the situation any better. The forecast is that in 2020 the economy is going to keep shrinking for a consecutive seven year in a row. The *focus-economics.com* (2020) projection is that the economy will contract by 19.6% in the year 2020. UN experts stress that even though the country's problems with food shortages, hyperinflation, power and water cuts and unemployment were there before the imposition of international sanctions, as a result of the Coronavirus crisis, it would be essential to immediately lift blanket sanctions due to the fact that they are harming more the wider population. At the same time that they underline the responsibility of the government in ensuring and protecting the basic rights of its population (UNHR, 2020a). Taking into account the Venezuelan legislative elections scheduled at the end of the year (2020), UN experts also show their preoccupation about the lack of freedom and civil liberties (UNHR, 2020a).

The following table summarizes the above points:

Main Indicators	2017	2018	2019 (e)	2020 (e)	2021 (e)
GDP (billions USD)	143.84e	98.44	70.14	62.92	59.68
GDP (Constant Prices, Annual % Change)	-15.7	-19.6e	-35.0	-15.0	-5.0
GDP per Capita (USD)	4,755e	3,411	2,548	2,428	2,409
General Government Gross Debt (in % of GDP)	23.1e	182.4	0.0	0.0	0.0
Inflation Rate (%)	438.1	65,374.1	200,000.0	500,000.0	500,000.0
Unemployment Rate (% of the Labour Force)	27.9e	35.0e	0.0	0.0	0.0
Current Account (billions USD)	8.71	6.30	4.92	0.92	2.08
Current Account (in % of GDP)	6.1	6.4	7.0	1.5	3.5

Source: IMF – World Economic Outlook Database, Latest available data

Note 1: (e) Estimated Data

Note 2: The following indicators were updated by the IMF in April 2020: GDP (Constant Prices, Annual % Change), Inflation Rate (%), Unemployment Rate (% of the Labour Force) and Current Account (in % of GDP); the rest of the indicators were last updated in October 2019.

Note 3: The indicator GDP (Constant Prices, Annual % Change) was updated by the IMF in June 2020.

In short, and as High Commissioner for Human Rights Michelle Bachelet has formally stated, there are reasonable grounds to believe that in Venezuela grave violations of economic and social rights, including the rights of food and health are being committed (see Introduction above; see also Ayuso, 2020, pp. 2-5). The latest report on the subject, by the UN Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela (2020) confirms the continuation of the serious crisis in the country and holds the Maduro regime responsible for it. As chairperson of the Mission Marta Valiñas stated: “The Mission found reasonable grounds to believe that Venezuelan authorities and security forces have since 2014 planned and executed

serious human rights violations, some of which – including arbitrary killings and the systematic use of torture – amount to crimes against humanity”.

There is only one study on R2P and Venezuela to date and its author concludes that *under the current circumstances, R2P is not applicable* (Supervielle Bergés, 2019). Yet, in early 2020 or earlier (see Secretary General of the Organization of American States Luis Almagro’s call in *Horizons*, 2019), Opposition politicians in Venezuela, as well as former international prime ministers or presidents (like Mexico’s Felipe Calderón or Spain’s José María Aznar), and experts (like Council of Foreign Relations President Richard Haas) called for R2P to be implemented in that country (*www.eldiario.es*, 2020). In June 2020, more calls were made in that direction: seven opposition leaders in Venezuela have signed a manifesto calling for R2P for Venezuela (*www.Larazon.es*, 2020; see also Opposition leader Antonio Ledezma August 2020 article in *www.Háblame21.com*, 2020).

III. The EU, the EP and Venezuela

This part consists of two sub-sections. The first looks briefly at EU reactions to the Venezuela crisis in order to contextualize what follows. Then it goes on to provide an analysis of the EP’s stance on the conflict, which in turn is divided into a sub-section dealing with democracy promotion in general, and then another R2P-specific.

EU reactions to Venezuela’s ongoing crisis

In the case of Venezuela, even with the current crisis, the EU still remains Venezuela's fourth largest trading partner (from €11.08 billion in 2012 to just € 2.9 billion in 2019) (European Commission website, 2020)¹³. The EU has closely followed the situation in Venezuela over the past few years. The EU has adopted targeted sanctions against the Maduro regime but it also calls for a democratic solution to the conflict (Ayuso, 2020). This is especially so since late 2017 -early 2018 when “Maduro won (...) the May 2018 Venezuelan elections, despite the elections being clearly characterized by the United States (U.S.) and the European Union (E.U.) as flawed, unfair, and illegitimate” (Ekin Karel, 2019, p. 37) (see Part 2 for details). As a result,¹⁴ the EU has adopted a number of targeted and smart sanctions against the Maduro regime through Council Regulation (EU) No. 2017/2063 (Official Journal of the European Union, 2017): financial constraints, restrictions on entry into the European area to members of Maduro's government, and an arms embargo (see also Gratius and Ayuso Pozo, 2020, p. 32).

The EU does not favour a military intervention *à-la-Trump* and calls instead for a democratic solution to the conflict (Ayuso, 2020). Thus, “[i]n 2017, the Council unanimously approved the first selective sanctions against 7 individuals of Maduro's government and an arms embargo. As Gratius and Ayuso Pozo (2020, p. 44) also note, EP pressure played a role as EP President Antonio Tajani had called for such a development and as noted above the Sakharov Prize was awarded to the Venezuelan Opposition. In short, “[a] total of eleven Resolutions during the governments of Chávez and Maduro until 2020 reflect the EP's continued criticism of

¹³ As of summer 2020.

¹⁴ We do not enter here the debate over the effectiveness of international sanctions, nor on their role in international law, etc.: see, *inter alia*, Gratius and Ayuso Pozo (2020, pp. 34-39).

the human rights situation in Venezuela” (Gratius and Ayuso Pozo, 2020, p. 44; see also below Part 3.2). But even if Gratius and Ayuso Pozo (2020, p. 45) mention the “key role” played by the EP that recognized Guaidó on 31 January 2019, but they do not elaborate upon.

Also, in 2019, the EU, the United Nations High Commissioner for Refugees and the International Organization for Migration organized an International Donor Conference in support of the more than 4 million Venezuelans who have moved to neighbouring countries. In another conference in May 2020 in which more than 40 countries and international organizations participated, the EU promised more than 2,500 million euros (the USA, 200 million dollars) (Ayuso, 2020, p. 10).

The list of sanctioned individuals was expanded in the following two years, and included another 25 political leaders in November 2019 (Gratius and Ayuso Pozo, 2020, pp. 43-44). In addition, since 2019 the EU set up a diplomatic initiative, known as the International Contact Group (GIC) exploring ways to find a negotiated solution to the crisis (Smilde and Ramsey, 2019). As for humanitarian aid offered by the EU and the USA at that time, the Maduro regime refused both of them. More sanctions in July 2020 led to one more diplomatic spat between Brussels and Caracas, with Maduro even threatening to expel the EU ambassador before he relented (*Le Monde*, 2020).

Finally, on the recognition of Guaidó, EU member states have recognized him as interim President although several members still show some ambivalence. In the case of Italy due to a contradiction between its two-party government coalition: on the one hand an anti-interference in internal affairs stance taken by the Five Stars political movement, and, on the other, an anti-Maduro Liga party. This has led to some confusion and uncertainty and more importantly a non-adhesion to the EU stance, as the very President of Italy himself regrets (Bilotta, 2019). In the case of Cyprus because of its own history and its fear of “dual” sources of political authority and legitimacy (read: the 1983 Unilateral Declaration of Independence of the so-called “Turkish Republic of Northern Cyprus”, only recognized by Turkey) (Ali Riza, 2019). As for Greece, the ideological dimension of Athens’ stance is clearly visible: from non-recognition under the SYRIZA-ANEL coalition government of Alexis Tsipras in January 2019 to recognition following the electoral victory of Kyriakos Mitsotakis’ New Democracy in July of that same year (Reuters, 2019).

At the end of the day, even if there are some discrepancies amongst EU governments, all EU states have agreed to impose sanctions on the Maduro regime, and most have “recognized” Guaidó as interim President. Although only states can give diplomatic recognition to another state and not to a government as such, symbolism is very important in International Relations. Coupled with the economic and financial measures and the arms embargo against Maduro all taken at the EU level, it remains clear which side the EU states stand on. What follows will show that the EP has not only taken a similar stance: in fact, it has spurred the EU institutions and states into taken action in that direction.

EP pressure on the Maduro regime: from traditional “democracy promotion” to a call for R2P

The EU Parliament is perceived abroad as a moral force whose main purpose is to strengthen respect for human rights, support democracy and enhance the rule of law worldwide (Bajtay, 2015, p. 17). It has even been argued that “democracy support at the European Parliament”

amounts to its *raison d'être* in global affairs, i.e. the function of its very “parliamentary diplomacy” (Immenkamp and Bentzen, 2019).

As noted, EU-Latin American relations have a long tradition, where the European Parliament has also played a leading role (Fernández Fernández, 2011) - with some observers even calling it of a “pioneering” kind (Dri, 2015, pp. 162-166). This situation further developed with Spain and Portugal joining the EU in 1986 and with the return to democracy in many a Latin American country, both in Central and South America. Such an advance has also meant that instead of focusing on how to fight the absence of democracy in so many Latin American countries, the EU and the EP could now focus on strengthening their democratization processes – further reinforced by numerous regional integration efforts, including many with a parliamentary dimension.

The interparliamentary relationship between the EU and Latin America is very active and is very visible in the way the EP has institutionalized them through the following Delegations:

- the EU-Chile Joint Parliamentary Committee
- the EU-Mexico Joint Parliamentary Committee
- for relations with the Federative Republic of Brazil
- for relations with the countries of Central America
- for relations with the countries of the Andean Community
- for relations with Mercosur
- the Cariforum-EU Parliamentary Committee
- the ACP-EU Joint Parliamentary Assembly (e.g. *Caribbean* countries)
- the Euro-Latin American Parliamentary Assembly (EuroLat), nowadays covering EU-CELAC relations.

The EP emphasizes that the partnership with Latin America is not only about trade but also to defend common values and principles regarding democracy, human rights and fundamental freedoms, rule of law or multilateralism. Moreover, the EP stresses that the EU and LA should work together to fight current global challenges (European Parliament, 2017).

Similarly, in Latin America (Malamud, 2015), and this since the 1960s, numerous international organizations have been set up in Latin America (see, among others Nolte, 2014). A lot of them have developed a parliamentary dimension: the Latinoamerican Parliament (Parlatino), the Centro American Parliament (Parlacen); the Mercosur Parliament (Parlasur), the Union of South American Nations’ Parliament (Unasur); the Andino Parliament (Parlandino), Parliamentary Monitoring Commission of the Pacific Alliance.

All the above confirms that there is a clear *parliamentarization* of EU-Latin American relations, both at the level of parliamentary diplomacy and that of institutionalized parliamentary relations.¹⁵

As we have seen with the EU above, its parliamentary branch, the EP, has also closely followed developments in Venezuela over the years. So far, the EP has adopted various resolutions on the dramatic situation and violations of human rights in Venezuela. The EP has expressed its preoccupation for the humanitarian situation on the ground, encouraging the Venezuelan authorities to find a solution to the ongoing political crisis in this country. In this regard, as we have already underlined, the EP asks for free and fair elections. The EP also urges the international community to deploy humanitarian aid to Venezuela but also to other states in the region, who are facing a massive refugee flow from this country (Parlamento Europeo, 2018b). The EP condemns the violence in Venezuela and stresses its solidarity with its people. It

¹⁵ For instance, on EP cooperation with Parlasur, see Moure (2019).

attributes the responsibility for the dramatic situation in the country to the Maduro regime and asks for the opening of a national investigation on that state of affairs. The EP also urges accessibility to food, medicines, health services and the deployment of humanitarian aid regardless of political affiliation and asks for the imposition of additional sanctions against government authorities - which are considered as the only ones responsible for the human rights violations in the country (Parlamento Europeo, 2019).

Regarding the need for more international support for the Venezuelan people, the EP welcomes the efforts made by the “*Grupo de Lima*” countries in trying to find a democratic solution to the Venezuelan conflict under the leadership of Juan Guaidó in his capacity as legitimate interim President of Venezuela. At the same time that MEPs again highlight the work of other countries in the region in supporting Venezuelans and encourage the EU Commission to assist and keep working with them (Parlamento Europeo, 2018a).

Different political groups in the EP have distinct approaches on how to handle the situation in this country, mainly according to their own ideologies. Traditionally, leftist groups tend to support the Bolivarian revolution in Latin America whereas centre and right parties are opposed to Maduro. These discrepancies came to the fore in the symbolic voting over the recognition of Guaidó as the interim President of the Bolivarian Republic of Venezuela. MEPs adopted a resolution in that direction on 30 January 2020 with 439 votes in favour, 104 against, and 88 abstentions - the first EU institution to do so. Such a result shows an overwhelming majority support for Guaidó in the EP: a majority of 70%, while 16% opposed it and 14% abstained” (Koenig, 2019, p. 3). In addition, the EP has supported the imposition of sanctions and at the same time stressed the necessity of holding free and fair elections (European Parliament, 2020a). Koenig identifies a number of conclusions from that vote and the following one taken in March of the same year:

- “The centre right is more pro-American and less cautious regarding interference.
- The centre left struggles with interference, in particular when there is a possibility of or uncertainty regarding military intervention.
- The far left is openly anti-American and strongly rejects interference and the use of force.
- The more extreme far-right and populist parties in the EP are most divided, even if there is a tendency to converge around non-interference” (Koenig, 2019, p. 7).

In short, she concludes that ideology explains better than nationality how MEPs stand on the Venezuela conflict.

The EP’s tense relationship with Maduro has continued over the years. Evidence of this mutual distrust is the fact that in February 2019 a group of MEPs who had been invited to Venezuela by Guaidó were deported by the Maduro regime for being considered as “conspirators” (*Euobserver*, 2019).

In January 2020 when Maduro tried to prevent Guaidó for being re-elected as President of the Venezuela Assembly through an attempted coup, the EP condemned the Maduro reaction, and reiterated its clear support for Guaidó “as the legitimate President of the National Assembly and the interim President of Venezuela”. In the same resolution the EP called on the EU Foreign Policy High Representative Josep Borrell to work for a common EU response in order to restore democracy in Venezuela, including the imposition of targeting sanctions against individuals responsible for human rights violations and extending them to their family members. Last but not least, the EP also requests the dispatch of a fact-finding mission to Venezuela in order to offer an assessment of the situation on the ground (*European Parliament News*, 2020).

A few days later, Guaidó started an international tour. Thus, he visited also the EU institutions and in particular the EP, where the Renew group gave him a very warm welcome. Guaidó's main EP hosts represented a wide range of political forces: from the Renew Europe political group (its President, Romania's Dacian Cioloș; the EP Vice-President dealing with Latin America, Czech Republic's Dita Charanzová; and Renew Europe Vice-President, Spain's Luis Garicano). As part of the visit, Guaidó also attended a press conference where Dita Charanzová stressed once more, the EP's support to Juan Guaidó and to the Venezuelan people (*reneweuropengroup.eu*, 2020). Juan Guaidó and Dita Charanzová were accompanied by other Spanish MEPs representing various political parties thus reinforcing the overwhelming political support for the Venezuelan Opposition amongst MEPs (EP Multimedia Centre, 2020).

During his press conference Guaidó asked the EU to increase its pressure on the Maduro Government with more sanctions, on the grounds that he thinks that mediation has so far failed. He reiterated once more the human rights abuses of the Maduro regime such as torturing and arresting people, in addition to a lack of essential supplies like electricity or water (Reuters, 2020).

The latest resolution of the EP regarding the situation in Venezuela was released on 10 July 2020. In it, the EP calls on the EU and other international actors to promote an international response in order to "contribute to the urgent restoration of democracy and the rule of law in Venezuela and at the same time to fully support the ICC investigations into the extensive crimes and acts of repression perpetrated by the Venezuelan regime" (European Parliament, 2020b). Taking into account the devastating effects of the coronavirus pandemic, the EP also calls for an urgent response in order to avoid a much more serious humanitarian disaster while it again urges for a democratic solution based on free and fair elections (EP Press release, 2020).

Finally, and as noted above, the EP has been a major pro-R2P actor (see Part 1). However, it is important to note that whereas this is clear in its 15 July 2019 motion for a resolution on the situation in Venezuela (European Parliament, 2019a) where MEPs specifically refer to R2P, this is not the case in the adopted resolution (European Parliament, 2019b). It is important to reiterate that this resolution was adopted by an overwhelming majority (455 in favour, 85 against, and 105 abstentions), and indeed removing R2P from the text may well be one of the prices to pay to achieve such a consensus. In addition, it shows that the EP is a strong support for pro-democracy forces in Venezuela, and also that the existing minority diverging views among MEPs stem mainly from ideological sympathies with the Maduro regime mainly from the extreme Left. This is significant because it shows that Venezuela is just yet another example of the strong democracy promotion efforts that the EP tries to develop in its international relations – in line with the international moral actor stance that the literature on parliamentary diplomacy has identified for the parliamentarians of democratic states or groupings (see Introduction). However, it also confirms that MEPs are aware of the difficulties in turning R2P into an effective international norm. In particular, the EP understands that a UN Security Council authorization would be needed, something that Russia or/and China would probably veto. They understand that this is a long and slow process. But by discussing it, they show that they are actively working to mainstreaming R2P into EU foreign relations.

Conclusions

This paper has analyzed what role the EP has played in the current Venezuelan crisis. As shown, there has been a long European interest in Latin America both at the state and parliamentary levels. The EP has been particularly active in its democracy promotion. As Venezuela has drifted into a spiral of political, economic, and social crisis, the EU with the support of the EP (sometimes the latter inciting the former to take action) has been looking for ways to help solve this crisis. Thus, it has, once again with EP's support/goading, imposed a series of targeted sanctions as well as an arms embargo. And, since January 2019, the EU and the EP have recognized the "interim presidency" of Opposition leader Guaidó.

The paper has also focused on R2P as a key emerging international concept. It has shown that overall EU states support it, whereas many Bolivarian regimes in Latin America are opposed to it. However, the current political and academic debates over R2P tend to agree that it has to be more widely interpreted than the four atrocities crimes it was first intended to cover. The EP also sees reasons for implementing R2P in Venezuela – although it has to formally declare so to date.

Yet, major variations still exist among MEPs not according to nationality but instead due to ideological differences. These remain however minority views, and often on the extremes of the political spectrum. Overall, this study has clearly shown that the EP is clearly in favour of a democratization process in Venezuela, supporting the use of economic and other sanctions against the Maduro regime, and, finally urging the international community to consider the possible implementation of R2P due to the severity of the overall situation in that country. This observation was also made by Koenig (2019; see also Part 3), and as such, deserves further attention in the future. In particular, if one links research on parliamentary diplomacy to that on Europeanization. The literature on the latter is now huge but has rarely focused on the European Parliament. This parliamentary dimension could add rich further data for such an important issue for EU foreign policy (see, inter alia: Wong and Hill, 2011; Hadfield et al., 2017).

The paper has also shown that in Latin America, as a result of diverging views on both the concept and the application of R2P, the picture is more varied. Consequently, more research should be carried out about parliamentary debates between the two sides of the *charco*. One interesting such endeavour would be to explore how the Venezuela conflict in general and the role of R2P in particular play out in EuroLat: thus, as Malamud (2015) has noted the question of Venezuela has produced a "head-on collision" between its European and its Latin American components. Luciano (2017) also agrees when he says that there exists: "a polarization of positions on regional politics between European and Latin American sides, especially regarding the political and human rights situation in Venezuela". But he thinks that, as a result of "institutionalized relations with the European Parliament, through EuroLat", it is possible to argue that there is evidence of an "increased convergence among Latin American parliamentarians", for instance on Venezuela. As both these authors agree that EuroLat's very own *raison d'être* is to bring agreements between the two sides on a range of issues, such a development deserves particular attention. But this would be a topic for another publication.

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