



Venezuela: The Perilous Path to a Key Election

Venezuela's pivotal 2024 election may offer a way out of its political and humanitarian crises, but the risk of setbacks is high. In this excerpt from the Watch List 2024, Crisis Group explains what the EU can do to help.

The presidential election due in 2024 offers a chance to advance the cause of a negotiated route out of Venezuela's protracted political crisis, but one that could easily slip away. A potential boost to prospects of progress came in Barbados, on 17 October 2023, when representatives of Venezuelan President Nicolás Maduro and the main opposition coalition, the Unitary Platform, committed to a set of minimum guarantees for a fair election. While the U.S. government was not party to the accord, it immediately instituted sweeping – albeit reversible – relief from a slew of sanctions it had imposed on Venezuela since 2017, when the Maduro government began tightening its constriction of the country's democratic space. The accord also led to the release of over twenty political prisoners, as well as a dozen U.S. citizens, including six considered “wrongfully detained”, and allowed an opposition primary election on 22 October, which hardliner María Corina Machado won with over 92 per cent of the vote. As the government had previously barred her and many other opposition members from standing in any election, the primary was a sign it might loosen its grip.

The advances represented by the Barbados deal are fragile, however, and the risk of backsliding is high. While previously abstentionist

opposition figures like Machado have embraced the electoral route to ending over two decades of rule by *chavismo*, the movement established by the late President Hugo Chávez, the government's commitment to holding credible polls appears lukewarm at best. The government-controlled Supreme Court ordered the opposition primary result “suspended” pending investigation of alleged “serious irregularities”. When the EU renewed for six months its sanctions on individual government figures, Maduro's chief negotiator, Jorge Rodríguez, threatened to withdraw the commitment the government had made in Barbados to invite an EU mission to observe the election. Machado, meanwhile, is still subject to a ban on her standing as a candidate. In Washington, the Biden administration remains publicly committed to scale sanctions back up if it deems Maduro is not honouring his government's pledges in Barbados, although senior U.S. officials appear keen to avoid having to make that determination.

At the same time, concerns have mounted in Latin America and beyond over the government's decision to try forcing concessions from neighbouring Guyana over the Essequibo region, administered by Georgetown but claimed by Caracas. In 2018, the UN Secretary-General referred the sovereignty dispute to the

International Court of Justice. But the Maduro government maintains that it does not recognise the Court's jurisdiction in the matter. On 3 December, it held a referendum to obtain the public's backing for creating a state of "Guayana Esequiba". Its bellicose words have alarmed neighbouring countries, although the risk that it would take military action to enforce its claim so far appears low. Instead, its posturing on Essequibo seems designed to bolster Maduro's election campaign, sideline the opposition and maybe provide an excuse for suspending the presidential race, should the government consider it expedient.

In these circumstances, the EU and its member states should:

- Discreetly encourage the Maduro government to admit EU election observers, while pressing Caracas to adopt at least some recommendations from the mission that the EU sent in 2021. New observers should be given free access to polling sites and be allowed to publish their conclusions.
- Continue to seek stronger coordination of Venezuela policy, including with respect to conditions for sanctions relief and urging progress in government-opposition negotiations, among EU member-states as well as between the EU and other key players, especially the U.S. and concerned Latin American states, above all Colombia and Brazil.
- Accelerate the process of appointing a new EU ambassador to Caracas, given the importance of maintaining high-level dialogue, especially in an election year.
- Urge leaders of the Unitary Platform parties and their allies, especially Machado, to stick to their electoral strategy and work together to choose an alternate presidential candidate if the government refuses to remove the prohibition on her standing.
- Increase aid contributions to address the domestic humanitarian crisis and the needs of migrants.

The Barbados Agreement and Sanctions Relief

When the Maduro government and Unitary Platform met in Barbados in October, it marked their first formal tête-à-tête in a year, resuming negotiations that had begun in Mexico City with support from Norway in August 2021. Under the terms of the deal, the government committed to conditions for a presidential election in the second half of 2024, including an updated electoral register, international observers, equal media time for political forces and security guarantees for candidates.

Because so much power is concentrated in the government's hands, and because the political opposition has until recently emphasised international support over building its domestic base (partly out of necessity, given government crackdowns), the latter has little leverage in talks with Caracas. As a result, the Barbados deal depended in large part on international diplomacy. Secret preparatory conversations

between U.S. and Venezuelan representatives took place thousands of miles away from Venezuela in Doha, Qatar.

The fruits of these meetings became apparent as soon as the ink was dry on the Barbados accord: Washington announced a surprisingly broad sanctions relief package, whose most important component was a six-month renewable licence enabling Venezuelan oil to be sold on the open market for the first time since 2019, promising billions of dollars in additional income. Senior U.S. officials insist, however, that sanctions relief will be reversed, at least in part, unless Maduro takes meaningful steps to make good on the election guarantees to which it committed in Barbados. On 13 November, the EU renewed its own sanctions on 54 government officials and military officers considered to have persistently undermined democracy and human rights, albeit for six months rather

than a year. Resisting member state calls to repeal the measures altogether, the EU Council cited the Barbados agreement as the reason for its modified stance.

The Barbados accord has already had tangible effects. Caracas released five political prisoners on 19 November, followed by 21 more in December alongside ten U.S. nationals – although around 250 are still jailed and at least some of those released still face charges. In exchange, Washington agreed to free Maduro ally Alex Saab, a Colombian businessman accused of money laundering, whom the government portrays as a diplomat and a sanctions-busting hero, and whose release from U.S. custody it had long demanded. Crucially, the government also gave the green light to the opposition primary that took place on 22 October, attracting what organisers said was a remarkably large turnout of over 2.4 million voters.

Absent from the Barbados agreement, however, was clear resolution of a main difference between the sides. Senior government officials have underlined, in public and private, that they do not intend to permit key opposition figures to stand for election, arguing that several of them betrayed the nation by calling for foreign intervention to topple Maduro. The accord includes no explicit commitment to lift

any bans, beyond stating that all “who meet the requirements” of Venezuelan law can run. This situation has the greatest bearing on Machado, who swept to victory in the Platform’s primary despite being one of those prohibited from running for office. Machado reaped the benefits at the ballot box of having been critical of both opposition moderates and the failed “interim government” strategy of 2019-2022, which centred on the claim that Juan Guaidó, not Maduro, was the legitimate president. On 26 January, however, Venezuela’s Supreme Court confirmed the ban on her standing for office.

The Maduro government’s other moves after the Barbados deal have contradicted the spirit, if not the letter, of its own explicit pledges. The Supreme Court demanded Machado’s primary victory be suspended while the authorities looked into “serious irregularities” they allege marred the contest. The vote’s organisers were subjected to lengthy interrogations. Government negotiator Rodríguez angrily rejected U.S. demands to lift the ban on Machado, saying the government had never agreed to do so and threatening to reveal details of private talks with U.S. envoys that would presumably have embarrassed Washington. He also said the EU had disqualified itself from observing the 2024 election by renewing sanctions.

Government Strategy and Sabre Rattling over Essequibo

The contrasting signals from the government indicate the competing objectives of those in the president’s inner circle. Sources close to the government say Maduro and his allies have no intention, for now at least, of handing over power. As a result, the extent of the political opening they are prepared to offer in 2024 will hinge on the risk they run of losing the election. In all likelihood, they will do the minimum necessary to preserve the negotiating path with Washington signalled by the Barbados agreement, and hence the prospect of sanctions

relief, unless they conclude that the opposition’s strength is sufficiently impressive that any form of opening would be too threatening. One plank of the government strategy is to spread pessimism among opposition figures about electoral conditions so as to induce them to resume the boycotts that allowed Maduro to win with low turnout in 2018 and sweep the board in the 2020 legislative election.

The government has also sought to fan patriotic fervour – which might in theory work to its political advantage – by exploiting its

territorial dispute with neighbouring Guyana. Venezuela has a longstanding though contested claim to nearly two thirds of Guyanese territory, some 160,000 sq km of the Essequibo region, which *chavista* governments had hitherto mostly sought to play down for the sake of regional alliances. On 3 December, after weeks of nationalistic rhetoric, the government staged a referendum on its Essequibo policy, claiming a turnout of 10.5 million, which most independent observers saw as greatly exaggerated. Amid this sharply escalated tension with Guyana, the government aggressively went after the Venezuelan opposition: chief prosecutor Tarek W. Saab issued arrest warrants for three members of Machado's team and Roberto Abdul of the NGO Súmate (a member of the opposition primary commission) on charges including treason. Abdul was arrested and held incommunicado, while the others went into hiding, although all four benefited from the December prisoner release.

These arrests underlined the government's intention to use the Essequibo issue to brand the opposition as unpatriotic, with repeated (but unsubstantiated) claims that some of its leaders are acting as agents of Guyana and receiving payments from Exxon Mobil, the leading firm pumping its oil. Maduro has accused the Guyanese government of subordination to Exxon, which he says is colluding with the U.S.

Southern Command to foment a "military conflict" with Venezuela. Some in the opposition fear that the government might cite heightened tensions as a pretext for suspending the 2024 election, although it has made no mention of such an eventuality. In fact, Guyana and Venezuela met in Saint Vincent on 14 December at the urging of the Caribbean Community and the Community of Latin American and Caribbean States, as well as countries such as Brazil and Colombia, signing an agreement to avoid further escalation.

Despite its sabre rattling with Guyana, foot dragging on the promises made in Barbados and continued harassment of the opposition, the government has given signs that it wants to maintain the sanctions relief it has received for agreeing to improve election conditions. Before the 17 October agreement, Venezuela had already agreed to accept direct repatriation flights of migrants whom the U.S. has denied the right to stay. Caracas then proceeded to meet the 30 November deadline the U.S. had set for announcing a "mechanism" for candidates to appeal their bans (while indicating that Machado's would not be lifted) and to cooperate in prisoner exchanges. U.S. President Joe Biden expressed satisfaction with the deal, saying Maduro was "keeping his commitment on a free election. But it ain't done yet".

The Humanitarian Emergency Persists

If current sanctions relief is maintained, allowing the all-important oil sector to produce significant additional revenue, the Venezuelan economy could grow by over 9 per cent in 2024, the fastest rate in the Americas (except in newly oil-rich Guyana). Even partial reimposition of sanctions would likely not plunge the country back into recession, although annual inflation, at over 170 per cent in 2023, is the second highest in Latin America, after Argentina. Additional income from oil sales could allow

Maduro to help Venezuelans handle higher prices by increasing the minimum wage, which is now comparable in dollar terms to that of Haiti. But it will not make an immediate dent in the humanitarian emergency that has driven millions of Venezuelans to leave the country. The timid economic recovery of 2022 went into reverse in the first half of 2023; despite better results in the latter half, the year brought no respite for most of the population. Three quarters of Venezuelans are unable to put enough

food on the table, and more than 100 minimum wages are needed to meet basic nutritional needs for an average family.

Most children attend school only two or three days a week; the provision of running water and electricity is intermittent at best; and public hospitals lack even basic supplies. The burden of these problems falls disproportionately on women, many of whom are single parents. Independent surveys of humanitarian needs suggest significant numbers have no access either to family planning services or care during pregnancy and childbirth, and Venezuela has the highest rate of teenage pregnancy in South America.

There is an urgent need for more humanitarian assistance. In the first half of 2023, the humanitarian response plan for Venezuela was the second most under-funded in the world, with only 14 per cent of the required \$728 million provided. The dire humanitarian situation continues to impel outward migration, with

UN agencies now estimating that around eight million people, or more than a quarter of the population, have left the country. Host nations in Latin America are under enormous strain, and they have responded by imposing more stringent restrictions on Venezuelan migrants.

Partly as a result of these controls, the northward flow of migrants seeking to reach the U.S. has increased enormously, with hundreds of thousands making the perilous journey across the Darién Gap between Colombia and Panama in 2023 and an even larger number expected to do so in 2024. The migration issue exerts a significant influence over U.S. Venezuela policy, pushing the Biden administration to seek the aforementioned deal on deportation flights. After the agreement, the number of Venezuelans detained at the U.S. southern border dropped a great deal, from nearly 55,000 in September to under 30,000 in October, but it later rose again.

The Need for a Flexible Response

If faced with a stark choice between a competitive election that leaves him out of power and a crackdown that intensifies Venezuela's international isolation, the evidence suggests that Maduro will cleave to the latter. The challenge for foreign governments in 2024 is to ensure that the opportunity the forthcoming election offers for progress on the political front is not squandered. They will need to avoid outright confrontation while nudging both sides (but especially the government) toward more plural politics, a more level electoral playing field, and restoration of Venezuela's state institutions and rule of law. Even if a peaceful handover of power is not achieved, the opportunity for cohabitation between a *chavista* government and an opposition-controlled National Assembly that was missed in 2016 could present itself again with the legislative elections of 2025. But a necessary precondition is to avoid acrimony over electoral conditions and secure opposition participation in 2024.

An EU observer mission for the 2024 election, if the terms of its deployment can be negotiated, would be a highly positive development, since it lies at the intersection of Maduro's need for recognition and the outside world's requirement for objective appraisal. It is still possible that Caracas will invite one, provided that the government believes it can retain power in an election in which votes are correctly counted. The EU should keep pushing for an invitation so long as the door remains ajar, while insisting that its observers be given free access to polling sites and permission to publish their findings. The government's failure to take up any of the recommendations in the EU observer mission's report on the 2021 regional and local elections – or even to allow the mission chief to present the report in Venezuela – remains a major obstacle. The EU should keep pressing the government in this regard, linking the prospect of a 2024 mission with at least partial adoption of its prior recommendations, especially those

that overlap with the government's commitments under the Barbados agreement, such as thorough revision of the electoral register, the application of penalties for violations of electoral law and equal access to the media for the opposition.

Furthermore, the EU and member states should use their diplomatic heft to help forge a common approach with the U.S. as well as prominent Latin American states (particularly neighbouring Colombia and Brazil) that eschews the sterile confrontation with the Venezuelan government of 2019-2022 without merely endorsing the status quo. They should continue to support sanctions relief in return for progress on democracy and human rights, but they should seek where possible to avoid public disputes that provoke irate reactions from Caracas. When considering in late May whether to renew EU targeted sanctions against 54 Venezuelan officials, the bloc should coordinate policy with Washington and condition non-renewal on fulfilment of the Barbados agreement. In this regard it is worth noting that the EU has been operating at *chargé d'affaires* level in Caracas for over a year and that its standing and efficacy would be enhanced by the prompt appointment of an ambassador.

Quiet diplomacy, rather than high-profile initiatives, may prove more conducive in 2024 to progress in the direction mapped by the Mexico dialogue that began over two years ago, given the Maduro government's heightened sensitivity to what it regards as foreign "interference". In these circumstances, the EU's particular strengths are likely to be found in the breadth of the bloc's diplomatic ties, and the conciliatory, pragmatic approach it generally espouses – as exemplified by certain member states such as Spain – in contrast to what can be heavy-handedness from Washington. It will not always be easy to maintain agreement among European states or sustain close coordination

with the U.S., on one side, and leading Latin American states like Brazil and Colombia, on the other. But alignment among them in supporting concrete steps toward credible elections, lower political tensions and preparations for the polls' aftermath will make it much harder for the Maduro government to shun their proposals.

While continuing to engage with the Maduro government, in particular with regard to election conditions and the need for professional observers, the EU and member states should also urge leaders of the Unitary Platform parties and their allies, especially Machado, to persist with their electoral strategy and improve their coordination. As the government has reaffirmed its ban on her candidacy, these parties should agree soon on a method for finding a substitute.

Without resolution of the political crisis, Venezuela's humanitarian emergency and the mass migration it has provoked will continue. But in the meantime, and despite tight finances, the EU should maintain and seek to increase its funding of programs to alleviate Venezuelans' hardships and meet the increasing needs of migrants. It should devote particular attention to the most vulnerable, including women and girls who are at risk of being trafficked or subjected to sexual violence. Studies have shown that around half of all migrants are women and girls and, of these, around a third travel alone. ■

