

A man and a woman are walking in front of a large Venezuelan flag. The man is wearing a light-colored shirt and a face mask, and the woman is wearing an orange shirt. The flag is blue with three white stars and a red bottom section.

# Lessons for Negotiations in Venezuela

## *A Roadmap*

By Moises Rendon and Claudia Fernandez

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### THE ISSUE

Nicolás Maduro, who has been president of Venezuela since 2013, lost the legitimacy of his position when he remained in power past his constitutionally mandated term ending in January 2019. Two and a half years later, the Maduro regime maintains control despite repeated international pressure campaigns, sanctions, and other diplomatic tools aimed at promoting a return of democracy in Venezuela. There have been several attempts at negotiating a peaceful transition of power in Venezuela, though none has culminated in a solution amenable to all parties involved. Though negotiations have failed several times before, they are likely to play a role in any resolution to Venezuela's political crisis. It is not a matter of whether some sort of negotiation will happen, but when, how, by whom, and for what. Over a period of six months, the Future of Venezuela Initiative of the CSIS Americas Program has analyzed previous Venezuelan negotiation attempts, assessed lessons learned from other successful negotiations in the region and around the world, and established a roadmap for any future Venezuelan negotiation process. This brief provides specific recommendations to inform a roadmap for successful negotiations in Venezuela.

### EXECUTIVE SUMMARY

Though negotiations have failed several times before, they may play a vital role in any resolution to Venezuela's political crisis. This notion is not surprising or new. It was publicly acknowledged during the Trump administration, which in 2020 released a **Democratic Transition Framework** outlining specific minimum conditions for a democratic transition. As Special Representative for Venezuela Elliot Abrams outlined in an April 2020 one-on-one **interview** with CSIS, there are three options when it comes to resolving Venezuela's crisis: the first is to wave a magic wand, if you believe in magic; the second is a military intervention; and third, for those who do not believe in the aforementioned, is negotiation.

What is really in question is not *whether* some sort of negotiation will happen, but *when, how, by whom*, and, most importantly, *for what*. These factors range from more **maximalist positions** (e.g., the only thing to negotiate is

the terms of Maduro's surrender) to **reformist positions** (e.g., negotiate a new National Electoral Council and work within the system).

Though the Venezuelan crisis demands immediate attention, negotiating prematurely under the wrong conditions—with the wrong actors and without a clear strategy and necessary support from the international community—could do more harm than good. Another failed negotiation would buy more time for the regime, divide the opposition, delegitimize key third-party facilitators, and make Venezuelans even more skeptical of negotiations as a viable tool for resolving the crisis.

As Venezuelan and international actors consider renewed efforts to find a negotiated solution, CSIS presents key lessons learned from previous negotiations in Venezuela and beyond. These lessons inform the roadmap for successful negotiations in Venezuela.

If a renewed negotiation is to take place, several high-level recommendations need to be considered.



### **Ensure Venezuelan Leadership and International Support**

Venezuelans should play the leading role in resolving their own crisis, while international actors must have strong support roles that are clearly defined from the beginning.



### **Involve Women as Leaders and Partners**

Venezuelan women are disproportionately affected by the crisis but have not been adequately involved in past negotiations. This should be rectified because peace negotiation outcomes improve when women are actively involved.



### **Include Authentic Representation of Venezuelan Society**

The negotiation process should represent a more complete spectrum of Venezuelan citizens, including civil society, smaller political parties, Indigenous groups, trade unions, and Venezuelan migrants, among others.



### **Build a United Opposition with a Fresh Narrative**

Before arriving at the negotiating table, Venezuelan opposition leaders should be united and collaborate with each other and any other pertinent players to develop a clear and renewed strategy that reframes negotiation as a sign of strength.



### **Be Mindful of Timing and Incentives**

The regime needs to be under targeted internal and external pressure, including through street mobilization and more coordinated international sanctions, to be brought to the negotiating table in earnest.



### **Pursue Stronger Structure and Process**

Venezuela needs a well-planned and professional negotiation structure with well-trained facilitators. The parties should be encouraged to jointly identify issues that merit being discussed in separate tables.

## **BACKGROUND**

In January 2019, the Venezuelan opposition mounted a compelling constitutional challenge to the Maduro regime by swearing in National Assembly president Juan Guaidó as interim president until free and fair presidential elections could be held. Guaidó was promptly recognized by the

United States and more than 50 other democracies as the country's legitimate president, and he capitalized on this momentum to stimulate domestic protests and encourage international pressure in the form of sanctions, judicial indictments, and human rights investigations.

Two and a half years later, the Maduro regime remains in power. This would have seemed inconceivable in 2019, when many expected a swift transition, perhaps in the form of a **military uprising**. Instead, as the international community ratcheted up its maximum pressure campaign, the regime adapted to circumvent sanctions and expanded its revenue through **criminal activity**, all while using its security forces to repress and intimidate the opposition, activists, and even humanitarian relief organizations. The interim government has lost much of the momentum it once had. In the two years since Guaidó became interim president, his approval ratings dropped from around **61 percent** to **17 percent**. More broadly, the opposition was forced out of the last remaining democratic institution in the country, the National Assembly, which the Maduro regime reclaimed through **rigged parliamentary elections**.

Venezuelans are ready for a revamped strategy from domestic political actors and the international community, and that strategy may eventually involve negotiations. To ensure they are prepared to negotiate when the time comes, the Venezuelan opposition and their international allies should look to the past.

## **LESSONS LEARNED FROM PAST TALKS**

CSIS's analysis focuses on the five formal processes listed below, though there are many lessons to be learned from other experiences, such as early efforts by an entity known as the Boston Group.

CSIS analyzed these processes to identify specific takeaways that are still timely and relevant despite the rapidly evolving domestic and international political landscapes. These takeaways should be used to guide how the opposition and international community approach potential negotiations in the future.

### **1. Conditions were not ripe, and the regime did not negotiate in earnest.**

A recurring pattern from past negotiations is that the Chavista regime abandons talks as soon as it deems there is no longer a credible threat of external and domestic pressure. Instead of negotiating in earnest, the Chavista delegations derailed conversations and used the negotiations as an opportunity to exploit points of

# Lessons Learned from Previous Attempts

2002–2019

2002

NOVEMBER 2002 – MAY 2003

## Forum for Negotiation and Agreement

mediated by the Organization of American States (OAS), the Carter Center, and the United Nations Development Program

APRIL 2014 – MAY 2014

## National Peace Conference

mediated by the Union of South American Nations (UNASUR) and the Holy See

OCTOBER 2016 – JANUARY 2017

## National Dialogue Forum

mediated by the Holy See and the general secretariat of UNASUR, including former Spanish prime minister Zapatero, former Dominican Republic president Leonel Fernandez, and former president of Panama Martin Torrijos

SEPTEMBER 2017 – FEBRUARY 2018

## The Dominican Republic Negotiations

mediated by former Spanish prime minister Zapatero and Dominican Republic president Danilo Medina

MAY 2019 – SEPTEMBER 2019

## The Oslo/Barbados Process

mediated by the Section for Peace and Reconciliation in the Norwegian Ministry of Foreign Affairs

2020

Source: Authors' own analysis based on multiple sources.

tension within the opposition. In the Oslo/Barbados Process, for example, the regime abandoned talks once it sensed that domestic protests had dissipated and that the economy had stabilized enough to prevent further unrest. In the 2016 effort, the regime agreed to discuss the possibility of jointly renewing vacancies in the National Electoral Council (CNE) but then used the supreme court to **unilaterally fill** the vacancies the following month. Unsurprisingly, the regime was able to use negotiations as a delay tactic because it lacked real incentives to negotiate, even after it was subjected to international sanctions. This is a fundamental obstacle.

### *A recurring pattern from past negotiations is that the Chavista regime abandons talks as soon as it deems there is no longer a credible threat of external and domestic pressure.*

The regime's intransigence is not the only factor. The opposition made strategic mistakes in their approach and timing that weakened their position relative to that of the regime. They missed opportunities when they may have had enough momentum to force Maduro to step down. This was the case in the early months of 2019, when the Guaidó interim government gained international recognition and successfully stimulated nationwide protests. Instead of capitalizing on this moment, the opposition negotiated at a much weaker point several weeks later, after a failed military uprising linked to Guaidó. The opposition also struggled to instrumentalize national protests as a pressure element in tandem with negotiations. In 2017, for example, though civil society and opposition leaders had organized one of the largest protest movements in Latin America, the protests dissipated before talks formally began, and the opposition showed up to the negotiating table already defeated.

#### **2. The opposition sent inexperienced delegations that lacked gender balance and were not representative of Venezuelan society.**

The opposition's delegations have not adequately represented Venezuelan society. In 20 years of failed talks, the opposition has been represented by 25 people, all of them men.<sup>1</sup> This is a major shortcoming that the opposition should rectify, not just because women are **disproportionately affected** by the crisis and can ensure

gender sensitivity in the agenda, but because experiences in other contexts have demonstrated that women make peace processes more likely to succeed. According to one study, when women participate in the negotiation phase the resulting agreement is **35 percent more likely to last** for 15 years.

### *In 20 years of failed talks, the opposition has been represented by 25 people, all of them men.*

The opposition's delegations have also not been politically representative. Though the opposition is composed of about 28 political parties, the delegates at the Oslo/Barbados Process and the Dominican Republic Negotiations represented only four: Primero Justicia, Voluntad Popular, Acción Democrática, and Un Nuevo Tiempo—known as the G4. This negotiation process largely shut the door to other elements, including smaller parties, Indigenous groups, trade unions, business associations, civil society, and, critically, the growing proportion of the Venezuelan opposition classified as “dissident Chavismo.” Though civil society was involved in the Dominican Republic through parallel consultation tables, they did not have clear channels through which to communicate with the central negotiating table, making the consultation mechanism largely symbolic.

The opposition would have benefited in past talks if their delegations had been better organized and prepared, specifically in discussing and developing a strategy prior to sitting down with the regime. One observer from the Oslo/Barbados effort noted that the opposition delegation did not seem to dedicate enough time outside of the negotiating room to brief each other or chart a strategy for the following day. A third-party actor involved in the 2014 effort sensed that the opposition intensified an already uncooperative environment by refusing to set aside or skip the first point in their agenda, which focused on releasing a specific political prisoner.

Every previous effort has also suffered from intractable divisions and infighting within the opposition. In 2014, for example, three of the most prominent parties publicly rejected the negotiations, delegitimizing the effort from the beginning. These divisions permeated the negotiation room through the opposition delegates themselves, all while public infighting increasingly played out in the form of personal and malicious attacks on social media.

### 3. Key international actors—especially the United States—were missing.

In both the Dominican Republic and Oslo/Barbados, the regime did not see the opposition as a relevant or appropriate counterpart because it knew that the opposition could not deliver on the regime’s most frequently requested concession—sanctions relief. The United States, which holds the keys to most of the sanctions, was noticeably absent from both processes and, in 2019, strongly opposed certain concessions that were being considered by the opposition. From the outside, there seemed to be a lack of consensus or coordination between the United States and the opposition, illustrated most clearly by the Trump administration’s decision to **expand sanctions** in August 2019 while the Norway process was still ongoing.

Other international actors were also missing in previous processes. This shortcoming became more consequential over time as the Venezuelan crisis became more geopolitical. After the Oslo/Barbados process, it became clear that subsequent efforts would need to include international actors who have sided with the regime and enabled it to circumvent international sanctions and domestic pressure, including Russia, China, and Cuba.

### 4. Third parties made mistakes.

The international community became increasingly involved in past negotiation efforts as it became clear that the crisis would require third-party facilitators, mediators, and guarantors. Starting as early as the 2002 process, third parties did not have clearly defined roles, which delegitimized the processes and hampered progress on specific agenda points. In the Dominican Republic effort in 2017, former Spanish prime minister Rodríguez Zapatero had an especially ambiguous role from the beginning and, according to actors involved in the process, blocked proposals that other accompanying countries had agreed to. Chile and Mexico, for example, wanted to actively mediate but were blocked from doing so by Zapatero and then-president of the Dominican Republic Danilo Medina.

This ambiguity emerged in part because the third parties did not have internal consensus on whether to participate and what role to play. UNASUR, for example, could not get support from all its member states to participate in the 2016–2017 process and therefore engaged only through its general secretariat, with support from three former heads of state: Martín Torrijos of Panama, Leonel Fernández of the Dominican Republic, and José Luis Rodríguez Zapatero of Spain.

At times, international facilitators intervened during moments that were beneficial to the regime. In 2016, for example, the Pope offered to mediate talks days before the opposition-controlled National Assembly was set to pass a recall referendum against Maduro. The talks allowed the regime time to solidify its grip on power and prevent the referendum from happening. The opposition, which had mobilized a massive protest movement in support of the recall referendum, emerged from the talks defeated and divided.

Past processes lacked structure but became more sophisticated over time. The 2014 process began with a six-hour meeting that devolved into a semi-hostile and unfocused debate in which mediators barely intervened. One actor involved in the 2016–2017 process—in which Vatican bishops directly facilitated between the regime and the opposition—described it as “artisanal,” though there was some effort to establish a roadmap and split up into issue-specific working groups. The following year, in the Dominican Republic, international actors helped create a more robust structure, for example, by proposing an initial agreement that was used to guide discussions. The Oslo/Barbados Process was by far the most sophisticated and included a pre-agreed agenda with six focuses and **56 sub-points**.

## LESSONS FROM OTHER CONTEXTS

Negotiations, like the conflicts they are meant to resolve, are unique, making it difficult to draw parallels and identify transferable lessons learned. With that in mind, case studies from across the globe can and should still be used, wherever possible, to identify best practices, illustrate common pitfalls, and challenge decisionmakers to think creatively about the negotiation process.

The following are CSIS’s gathered lessons learned from Nicaragua, Guatemala, El Salvador, Colombia, and Spain.

### CENTRAL AMERICAN PEACE PROCESS (1980S–1990S)

Nicaragua, Guatemala, and El Salvador signed a series of peace agreements in the late 1980s and early 1990s to end their destructive civil wars. The agreements were reached with support and assistance from the United Nations, the OAS, and complementary regional diplomatic efforts, leading to the disarmament of rebels, transitional justice frameworks, and democratization.

## LESSONS LEARNED

- Negotiations are a prolonged, complex process, not a one-time event. Domestic and international stakeholders should plan for a long-term engagement to monitor implementation and address the root causes of the conflict.
- Civil society can effectively channel public perceptions and legitimize the dialogue process.
- Agreements should deal directly with spoilers by identifying who they are and designing implementation plans that prevent them from hindering a successful transition.
- Dignity is an underappreciated force in negotiations. By granting each other dignity and respect, the parties are better able to negotiate on merit.

Source: Authors' own analysis based on multiple sources.

## COLOMBIAN PEACE PROCESS (2012–2016)

After four years of negotiations, the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) signed a peace agreement in August of 2016 in Havana that ended a 52-year conflict. The peace accords laid out a roadmap for disarmament and demobilization of the FARC guerrillas which reinserted them into civilian and political life and allowed for a transitional justice mechanism. Cuba and Norway were facilitators during the negotiations.

### LESSONS LEARNED

- Criminal actors, especially those who have been indicted by the U.S. justice system, will not engage credibly in any negotiation process without judicial guarantees and clear transitional justice mechanisms.
- Actors must analyze and learn from past mistakes before entering a renewed negotiation process.
- Secret processes and pre-talks are often necessary and appropriate to establish an agenda and lay the groundwork for successful negotiations.
- Parties to a conflict should use backchannels to build confidence and find common areas

of interest that could be developed into a negotiating agenda. This method can make the process smoother and prevent outsiders from spoiling the talks.

- The international community can provide support and pressure parties to make concessions that may have seemed inconceivable before the dialogue process started.

Source: Authors' own analysis based on multiple sources.

## SPANISH TRANSITION TO DEMOCRACY (1975–1978)

The Spanish transition from a 40-year dictatorship to democracy started after the death of Francisco Franco in 1975. Slowly but determinately, King Juan Carlos I and Prime Minister Adolfo Suárez, along with the democratic opposition, jointly reformed the state to pave the way for democratic elections in 1977 and a new constitution in 1978.

### LESSONS LEARNED

- Amnesty laws could support national reconciliation, help advance the democratization process, and prevent reactionary threats to the new democratic order.
- Sectoral or partial agreements, such as the Moncloa Pact of 1977, can reinforce confidence among the parties and tackle urgent problems, possibly paving the way for more comprehensive agreements in the future.
- Democratic stakeholders will need to overcome their ideological differences to establish a unified vision that allows them to “fight the same fight.”

Source: Authors' own analysis based on multiple sources.

## A ROADMAP FOR SUCCESSFUL NEGOTIATIONS

Conversations about potential talks began early in 2021. A delegation from the Norwegian Ministry of Foreign Affairs [traveled to Caracas](#) in February and March to assess the current political situation. This delegation reportedly conducted pendular talks among high-level regime and

opposition leaders, though no formal process has been established. Separately, in March, the Maduro regime and the Guaidó interim government agreed to use frozen assets in the United States to purchase Covid-19 vaccines through the international COVAX program. The agreement was touted as a positive step, though it got off to a rocky start because the regime **refused to accept** the AstraZeneca vaccine, citing reports of side effects. In April, the regime **finally agreed** to allow the World Food Programme into Venezuela, which civil society and the opposition have been requesting for years. This decision was interpreted by some as a confidence-building measure that could pave the way for additional agreements in the near future.

A February 2021 poll revealed that **64 percent** of Venezuelans support a negotiated solution, up from **47 percent** in July 2020. If a window of opportunity emerges, and the right incentives are in place, the opposition, the United States, Canada, the European Union, and international actors, such as the Lima Group, should have a plan for how to move forward. CSIS suggests the following roadmap based on lessons from Venezuela and other examples.

## **1. AIM FOR NEGOTIATIONS WHEN CONDITIONS ARE RIPE.**

### ***Combined Domestic and International Pressure***

The regime and military elites continue to profit tremendously from criminal networks and corruption. They see an existential threat in a negotiated solution that could lead them to be held accountable for their crimes, including human rights violations. There are two major drivers that can change this political calculus for the regime: the degree of internal stability that the regime can maintain and the degree and type of external pressure or assistance the regime receives from key international actors.

For negotiations to succeed, the opposition should strive for unity and better instrumentalize domestic unrest. The United States, European Union, Canada, and other international allies should coordinate more targeted sanctions and pressure on the networks that currently sustain the regime, with the main goal of establishing incentives for the regime to negotiate in earnest. This international pressure could also be directed at the regime's allies. For example, through a unified regional posture, Latin American countries could leverage their economic relations with China to increase the reputational cost of not contributing constructively to a peaceful negotiated

settlement in Venezuela. The international community, including the International Criminal Court (ICC), should also continue to investigate and monitor violations by the Maduro regime and bring to international justice those who have committed human rights violations.

## **2. ADJUST THE OBJECTIVES, PLAN AHEAD, AND CONSIDER PARTIAL AGREEMENTS.**

Even if conditions are not yet ideal, the opposition should be preparing for an eventual negotiation, laying the groundwork, and seeking consensus with civil society so that they are ready to negotiate if timing and conditions turn in their favor.

### ***The Big One***

Negotiations will fail if the opposition's central objective is to eliminate Chavismo altogether. The opposition should focus on objectives that are specific, realistic, and attainable and that do not alienate actors within the regime who fear loss of voice or freedom. They will need to craft a strong and unified narrative that demonstrates a commitment to transitional justice while at the same time working together with the international community to establish incentives for regime actors to negotiate in earnest.

More maximalist objectives, such as requiring that Maduro steps down before any elections are held, should be reassessed. Instead, the macro goal could focus on reinstitutionalizing the country's democracy with help from the international community.

One option could be to take advantage of the constitutionally enabled recall referendum in 2022. A longer alternative would be looking into a step-by-step process, protected and guaranteed by the international community, to host free, fair, and transparent presidential elections in 2024.

Elections would need to be followed by a series of internationally backed actions to address the humanitarian crisis, promote the rule of law, establish transitional justice and reconciliation efforts, rebuild public services, professionalize the armed forces, recuperate territory back from armed groups, and reconcile Venezuela's deeply polarized civic and political spaces.

### ***From "All or Nothing" to Partial Agreements***

One argument is that incremental or partial agreements could **serve as a confidence-building measure**, establish personal relationships between key interlocutors, bring immediate relief to a suffering population, and

legitimize negotiation as a viable tool. If the opposition decides to pursue partial agreements, it is critical that both opposition political parties and civil society stakeholders develop consensus regarding which issues could realistically be addressed through a partial agreement, and which issues are too interconnected to be treated separately. This decision is likely to splinter political actors but could help the interim government and mainstream political parties gain trust from civil society, which has become increasingly supportive of partial agreements to bring immediate relief to a suffering population. It is worth noting that the regime has reneged on partial agreements in the past. The opposition could try to mitigate this risk by loudly announcing the details of the agreement so that the regime can be held accountable publicly.

The regime has also used partial agreements to exploit divisions within the opposition by negotiating with peripheral opposition groups. For example, breaking away from the interim government's efforts, some opposition members have tried to reach private agreements with the regime about selecting a new CNE, the branch of the government which oversees the country's elections. The opposition should anticipate these challenges by building consensus regarding what can and cannot be solved incrementally. This should feed into a communications strategy that reframes negotiation as a viable tool and reorients public discourse away from maximalist positions and toward attainable objectives such as the need to rebuild democratic institutions.

### **3. EXPAND THE TENT BY INVOLVING THE MILITARY AND FINDING FRESH FACES.**

International facilitators and accompanying countries could help ensure that the process involves the Venezuelan armed forces, which have been absent from all previous efforts despite being the most decisive institution in the country when it comes to facilitating a peaceful transition of power.

Though the armed forces continue to be primarily aligned with the regime, the opposition should consider how to directly consult with someone that can represent and reflect military interests, perhaps even as a delegate to the negotiation. The opposition—currently represented by the G4—should collaborate with civil society initiatives, such as the Foro Cívico, to establish a viable mechanism by which they can select fresh faces to include in future delegations. Representation is essential from multiple sectors of Venezuelan society who also oppose the

regime, including women and youth, civil society groups, Indigenous groups, dissident Chavistas, and smaller political parties. The recent U.S.-backed “Nueva Alianza para Elecciones Libres” ([NELA](#)), which brings together the private sector, civil society, and political parties, is a step toward expanding the tent, though it has already been criticized for having unclear leadership and not having a clear public accountability mechanism.

Separately, international facilitators should promote a negotiation structure that allows the opposition to consult easily with a broad set of stakeholders from civil society, including academia, student groups, the church, the private sector, activists, and others, perhaps in a parallel room.

### **4. DEFINE LIMITS TO THE INTERNATIONAL COMMUNITY'S ENGAGEMENT.**

#### ***Facilitators***

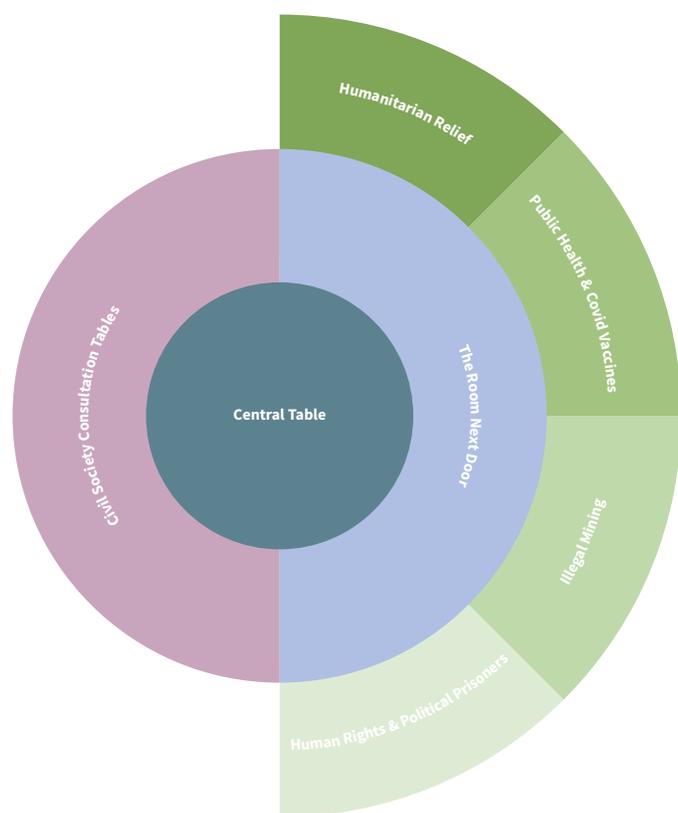
The Venezuelan crisis is not likely to be resolved without serious facilitators who have had experience mediating other conflicts. These facilitators should come from a country or body which is perceived as neutral by both parties. Norway stands out as a potential facilitator, as does Sweden. The process could also involve the handful of Latin American countries that have mediated in regional issues before.

Regarding the role of multilateral organizations, the same principle of neutrality should apply. Despite its bureaucratic constraints, the United Nations remains one of the few international organizations that could play a strong role in the implementation process, especially by helping to establish an independent transitional justice process that addresses grievances and human rights abuses.

#### ***Other Stakeholders***

The Venezuelan crisis is now deeply embedded in broader geopolitical tensions between the United States and the regime's various allies. Those geopolitical tensions should be reflected in the structure used to negotiate, for example, by establishing a “room next door” made up of delegates from stakeholders such as the United States, Canada, Latin American countries, the Vatican, the European Union, Russia, China, Cuba, and Turkey. The United States should be present to evaluate whether and when it should grant concessions by lifting sanctions or granting waivers. Cuba could play a constructive accompanying role if given enough assurances that an agreement in Venezuela does not need to translate into an existential threat to

## The Negotiating Table



### Central Table

Norwegian team facilitates dialogue between opposition and regime delegations focused on the broad goal of free, fair, and transparent presidential elections.

### Civil Society Consultation Tables

Advisory group comprised of a diverse set of civil society leaders that has a direct and impartial channel of communication with both the central negotiating table and parallel tables. Could include human rights defenders, environmental activists, humanitarian relief workers, student leaders, and Indigenous representatives, among others.

### The Room Next Door

International table comprised of UN ambassadors or other delegates from various countries, including the United States, Lima Group countries, the European Union, Mexico, Panama, Argentina, Russia, Cuba, and China, all available for consultation with the Norwegian delegation. Possibly presence of multilateral organizations such as the United Nations and OAS.

### Humanitarian Relief

Specialized delegations from the opposition and the regime negotiate potential short-term trust-building partial agreements aimed at opening channels for humanitarian aid. Mediated by an international organization or an impartial country.

### Public Health & Covid Vaccines

Specialized delegations from the opposition and the regime negotiate short-term trust-building partial agreements aimed at acquiring and distributing Covid-19 vaccines, personal protective equipment, and medicine. Mediated by Pan American Health Organization or other international organizations.

### Illegal Mining

Specialized delegations from the opposition and the regime negotiate short-term trust-building partial agreements aimed at halting the illegal mining crisis in southern Venezuela and preventing further environmental devastation. Potential mediators include the United Nations or countries such as Costa Rica and Finland.

### Human Rights & Political Prisoners

Specialized delegations from the opposition and the regime negotiate short-term trust-building partial agreements aimed at securing the release of political prisoners and opening access to continued investigations into the regime's human rights violations. Mediated by UN Human Rights Council or the Inter-American Commission on Human Rights.

Note: These are just a few examples of potential topics that could be covered in issue-specific tables. There are other key topics, such as economic recovery, which aren't covered here.

the Cuban regime. The European Union may be able to establish channels with some of the regime's other allies, including Turkey, China, and Russia, to find commonalities and shared objectives for Venezuela. While the Lima Group has played a diminishing role and thus holds less sway than it once did, many countries in the region could be able to accompany or sponsor a dialogue process. This has been done before by Mexico, Ecuador, Colombia, Chile, Panama, Nicaragua, St. Vincent and the Grenadines, and the Dominican Republic.

### 5. IDENTIFY THE BEST LOCATION AND CONDITIONS.

Successful negotiations will be preceded by months of confidence-building, exploratory talks, and agenda-setting. Many of these activities will be kept secret, and some will take place in Venezuela. Eventually, however, the talks will need to move to a more formal and neutral setting where both parties can be guaranteed that their delegations will be safe. This setting should be easily accessible but relatively secluded. For logistical reasons, it should be close to Venezuela. Mexico, Panama, and Costa Rica are promising options.

## CONCLUSION

Though negotiations have failed before, these failures should not prevent them from being used as a tool to resolve the Venezuelan crisis, which is a destabilizing force in the region and has caused a tremendous amount of human suffering.

The United States, Canada, the European Union, the Lima Group, and other actors from the international community should act more cohesively to establish the conditions that would allow the opposition to negotiate from a position of strength. As several CSIS workshop participants noted, the opposition needs to reassess its objectives and broaden its representation among civil society, minority groups, and dissident Chavistas. They should strive for consensus and mobilize domestic pressure. When conditions are ripe, Venezuelans themselves should lead, but the international community should be prepared to play a strong and continuous supporting role.

CSIS hosted this series of workshops because the international community will one day be able to decide how to support negotiation as a tool for resolving the crisis in Venezuela. These workshops were aimed at

understanding the past and preparing for the future. Given the history of failed talks, it is important that Venezuelan political leaders and the international community find a way to circumvent previous sticking points and accelerate steps that can improve the prospects of negotiations as a tool to resolve the crisis.

It is the authors' sincere hope that this paper provides specific and useful suggestions that are beneficial for all good-faith actors involved, and that it can serve as a roadmap for deciding how to prepare for renewed negotiations most effectively for a prosperous and democratic future in Venezuela. ■

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## ENDNOTE

- 1 If early efforts by the Boston Group are included in this count, then the opposition has been represented by 38 men and 1 woman. By contrast, the regime has included at least 1 woman in each of its delegations.

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## ANNEX: NEGOTIATION EFFORTS, 2002–2019

### 2002–2005

#### *Boston Group*

Following the 2002 coup attempt against Chávez, the Venezuelan National Assembly and U.S. Congress formed the Boston Group, a parliamentary cooperation network, to work on subjects of mutual interest. In the aftermath of the coup, several U.S. congressmembers hosted National Assembly deputies, both from Chavismo and the opposition, to shield the cooperation between the two legislatures from the rising political tensions. The Boston Group met twice. **First**, from September 19 to 23, 2002, the group convened to discuss avenues to defend democracy in Venezuela and to strengthen the National Assembly. In the **second meeting**, from June 30 to July 2, 2003, the parties discussed measures to address poverty in Venezuela and agreed to conduct activities with major media owners and other stakeholders around the controversial Law of Social Responsibility on Radio and Television. At the time, the Boston Group became the only forum where the government and the opposition could communicate their differences cordially and directly.

The Boston Group **faded** after the opposition lost representation in the National Assembly as a result of their boycott for the 2005 legislative elections.

Chavista Delegation	Facilitators/Mediators	Opposition Delegation
Calixto Ortega	Gregory Meeks	Pedro Díaz Blum
Nicolás Maduro	William D. Delahunt	Carlos Tamayo
Cilia Flores	John Kerry	Pastor Heydra
Elvis Amoroso	Loretta Sánchez	Rafael Octavio Rivero
Victoria Mata	James Moran	Julio Montoya
Francisco Solórzano	Caleb McCarry	Alfonso Marquina
José Khan	Ted Brennard	Ángel Vera
Luis Acuña	Paul Oustborg	Rafael Parra Barrios
Tania Dámelo	Alexander Degwitz Maldonado	Pedro Pablo Alcántara
Héctor Vargas		Néstor López
Rafael Ríos		Víctor Cedeño
Imaab Saab		Gabriela Mayaudon
Rodolfo Gutiérrez		Leopoldo Martínez
Amalia Sáez		Enrique Márquez

## 2002–2004

### **Forum for Negotiation and Agreement: Organization of American States, Carter Center, and United Nations Development Program**

Parallel to the Boston Group efforts, the Chávez government and opposition groups agreed to the facilitation of negotiations by a tripartite mission consisting of the OAS, the Carter Center, and the UNDP. The parties **started negotiations** on November 2002 at the Forum for Negotiation and Agreement (MNA). On December 2, 2002, the opposition participated in a **general strike** by oil workers and made the government temporarily withdraw from the MNA. To quell tension, OAS secretary general César Gaviria submitted a 22-point proposal to resolve the crisis.

The renewed sessions revolved around one point: an electoral solution to the crisis. The MNA eventually led to two main agreements. In May 2003, the MNA reached a **final agreement** where the parties decided to solve the crisis through a recall referendum. The Carter Center helped the parties to agree on the **electoral conditions** for the recall referendum and served as a liaison between the opposition and the different government entities involved, including the CNE and the Supreme Tribunal of Justice (TSJ). The recall referendum, held in 2004, reassured Chávez's mandate and popularity and further fragmented the opposition.

Parallel to the negotiations between the main political leaders, the Tripartite Mission also launched a series of projects at all levels of Venezuelan society to address the country's political polarization and constant confrontation. The **efforts** consisted of training local leaders (*Constructores de Paz*) to implement peace-building activities at the grassroots level. These projects continued after the political dialogue had ended.

Chavista Delegation	Facilitators/Mediators	Opposition Delegation
José Vicente Rangel	César Gaviria (OAS)	Timoteo Zambrano
Roy Chaderton Matos	Francisco Diez (CC)	Alejandro Armas
María Cristina Iglesias	Antonio Molpeceres (UNDP)	Manuel Cova
Ronald Blanco La Cruz		Américo Martín
Nicolás Maduro		Eduardo Lapi

## 2011

### **Dialogue Attempt around Enabling Law**

On December 16, 2010, the outgoing, government-controlled National Assembly granted Hugo Chávez the power to **govern by decree** for 18 months through an Enabling Law (*Ley Habilitante*). The opposition considered that this law granted dictatorial powers to Chávez and sought to abrogate it following their achievement of 40 percent of the seats for the 2011–2016 legislature. Chávez offered to return legislative powers to the National Assembly a year earlier than stipulated and to **open a dialogue** with the opposition. The opposition did not show a lot of interest, as they interpreted Chávez's offer as a political play and

showed intransigence to the idea. Chávez ended up governing by decree for the remaining 18 months granted by the law, and no negotiation took place.

## 2014

### *National Peace Conference: The Vatican and UNASUR*

Between February and April 2014, Venezuelans took the streets to protest high levels of inflation, increases in delinquency, and shortages of basic products. The protests also followed Leopoldo López’s **arrest** for his involvement in “*La Salida*,” a mobilization effort by a sector of the opposition to end the presidency of Maduro, whom they considered illegitimate. Amid the violence, resulting in over **40 deaths**, **UNASUR and the Holy See** sponsored a dialogue between the government and some opposition political parties. The six-hour, televised dialogue took place at Miraflores Palace and quickly turned into an unfocused debate. In subsequent, private meetings, the two sides **agreed to** discuss filling the vacancies at the CNE and TSJ, establishing a Truth Commission, and reconsidering the humanitarian situation of Iván Simonovis, an emblematic political prisoner. The government only followed through with the **last demand**, **failing** to advance on the other political and human rights issues.

The dialogue broke down after a month. The opposition decided to stop meeting with the government, given the latter’s lack of **concrete demonstrations of willingness**, the continued repression against protesters, and criticisms over the opposition’s apparent under-the-table agreement to prevent U.S. sanctions. It is important to note that third parties had almost no clear role and influence on this process.

Chavista Delegation	Facilitators/Mediators	Opposition Delegation
Nicolás Maduro	Aldo Giordano (Holy See)	Ramón Guillermo Aveledo
Cilia Flores	María Ángela Holguín (UNASUR/Colombia)	Andrés Velázquez
Elías Jaua	Ricardo Patiño (UNASUR/Ecuador)	Roberto Enríquez
Aristóbulo Istúriz	Luiz Figueiredo (UNASUR/Brazil)	Henry Ramos Allup
Rafael Ramírez		Omar Barboza
Diosdado Cabello		Julio Borges
José Pinto		Simón Calzadilla,
Blanca Eekhout		Juan José Molina
Jorge Arreza		Henri Falcón
Didalco Bolívar		Henrique Capriles
Jorge Rodríguez		

## 2016–2017

### *Forum for Dialogue and Negotiations*

In response to mass dissatisfaction and increasing authoritarianism, former presidential candidate Henrique Capriles led a **recall referendum campaign**, which was suspended in October 2016 by the Maduro-aligned CNE on the charge of fraud in the preliminary petition stage. After mass protests broke out in response to the annulment, the **Vatican met with Maduro** and convinced the regime and the opposition to meet in negotiations centered on a **five-point agenda mediated** by the Vatican and UNASUR and **facilitated** by multiple former heads of state. After little progress, the negotiations came to an end in December as the opposition accused the regime of **renegeing on accords** and the **January deadline** for the referendum drew near.

Chavista Delegation	Facilitators/Mediators	Opposition Delegation
Cilia Flores	Monsignor Claudio María Celli (Holy See)	Jesús “Chuo” Torrealba
Elías Jaua	Ernesto Samper (UNASUR)	Carlos Ocariz
Delcy Rodríguez	José Luis Rodríguez Zapatero (UNASUR/Spain)	Timoteo Zambrano
Jorge Rodríguez	Martín Torrijos (UNASUR/Panama)	Luis Aquiles Moreno
Roy Chaderton	Leonel Fernández (UNASUR/Dominican Republic)	Henri Falcón

## 2017–2018

### *Dominican Republic Negotiations*

Dominican president Danilo Medina offered to host the dialogue, co-mediated by former Spanish prime minister Rodríguez Zapatero, after a year of political tensions and protests in response to the incapacitation of the opposition-controlled National Assembly the previous year that left at least **125 people** dead. The opposition, represented by the Democratic Unity Coalition (MUD), attempted to secure **free and fair conditions** for the 2018 presidential elections, among other democracy and human rights related concessions, while the regime pushed for sanctions relief. Various regional foreign ministers served as observers of a negotiation centered on a **six-point agenda**. The negotiations entered a period of “**indefinite recess**” in February 2018 after the regime signed a one-sided agreement, with which the opposition could not agree, and pushed forward to an accelerated **presidential election**.

Chavista Delegation	Facilitators/Mediators	Opposition Delegation
Delcy Rodríguez	Danilo Medina (Dominican Republic)	Timoteo Zambrano
Jorge Rodríguez	José Luis Rodríguez Zapatero (Spain)	Luis Florido
Roy Chaderton		Manuel Rosales
		Vicente Díaz
		Eudoro Gonzalez
		Julio Borges

## 2019

### *Oslo/Barbados Process*

After several high-profile events in the first half of 2019, the regime and the opposition became open to **international efforts seeking to spur negotiations** led by the Norwegian government and advocated for by the EU-backed International Contact Group on Venezuela. These negotiations, held in **Oslo and Barbados**, were launched in May 2019 thanks to Norwegian diplomatic efforts that begun in January as part of a **phased mediation process**. The negotiation was centered on a **six-point agenda** through which the opposition pursued democratic guarantees and free and fair presidential elections, while the regime pursued sanctions relief. Despite some progress, the negotiation process **came to an end** in September, shortly after Washington imposed new sanctions on the regime. The regime then negotiated with a peripheral **breakoff group** from the opposition.

Chavista Delegation	Facilitators/Mediators	Opposition Delegation
Jorge Rodriguez	Dag Nylander (Norway)	Stalin González
Hector Rodriguez		Gerardo Blyde
Jorge Arreaza		Fernando Martínez Motolla
Larry Devoe		Vicente Díaz