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Venezuela Needs International Intervention. Now.

By Jared Genser

The huge protests rocking Venezuela, which began in early April, were triggered by a decision of its Supreme Court to assume the powers of Venezuela's National Assembly in violation of the country's Constitution. In response, President Nicolas Maduro has responded with an iron fist. More than 50 people have been killed, 1,000 injured, and 2,700 arrested, and that last figure doesn't include the country's more than 180 long-term political prisoners. The Organization of American States is considering action against Venezuela under its "Democratic Charter" for Maduro's brazen transition to authoritarian rule.

But the international community also has a responsibility to protect the people of Venezuela and to respond urgently to its economic and humanitarian crisis.

It is hard to overstate the severity of the suffering of the 31 million people of this once-rich country. Today Venezuela faces acute hyperinflation, which has led to widespread shortages of basic supplies, including food. A recent national study showed that an astonishing 75 percent of Venezuelans have lost 19 pounds in weight from food shortages and one-third of Venezuela's people, some 10 million, are eating no more than two meals a day.

The Venezuela Medical Federation estimates that hospitals lack 98 percent of needed medical supplies and 85 of 100 drugs are totally unavailable. As a result, in the last year, some 11,500 infants died before their first birthday and maternal mortality rose 65 percent. Cases of malaria are up 76 percent and diphtheria, which had been eradicated 20 years ago, has returned to Venezuela. President Maduro fired his health minister after she recently made these statistics public.

Despite the severity of the situation, the government has retreated into angry denial rather than seek urgent assistance, the Government's response has been angry denial. Mr. Maduro lashed out at President Trump, telling him to "Get your pig hands out of here." And Foreign Minister Delcy

Rodriguez recently said: “The humanitarian corridor assumes the existence of a humanitarian crisis. It’s a theory constructed by the Pentagon so that the U.S. can intervene.”

Even worse, when aid has nonetheless arrived in the country, it has been regularly confiscated by the military or police before it could be delivered to the people.

The world isn’t even close to being ready to respond at the scale required, even if access was available. This must be remedied – and fast. First, the United Nations Secretary-General, Antonio Guterres, should appoint a humanitarian coordinator to oversee preparations for assisting the people of Venezuela and begin mobilizing financial and other support from donors. Second, the United Nations should publicly insist on being given access to Venezuela to conduct a comprehensive assessment of its needs. And finally, the international community must demand that Mr. Maduro not only allow assistance to enter Venezuela, but that it be distributed exclusively by reputable international organizations on the basis of need.

While aid cannot be provided forcibly without Mr. Maduro’s assent as long as he maintains effective control over Venezuela’s borders, the world must develop and be prepared to execute a major relief operation the moment permission is granted or otherwise becomes possible.

Furthermore, in 2005 the United Nations adopted the doctrine of the “responsibility to protect,” which built on existing international legal obligations of states to reaffirm that each state’s sovereignty carries a duty to protect its citizens from mass atrocities, including crimes against humanity — and that if a state is committing atrocities, the international community must respond, through action by the Security Council if necessary. By his policy choices, Maduro has created and is dramatically magnifying the enormous human tragedy in Venezuela. This conduct constitutes a *prima facie* case of crimes against humanity under the category of “other inhumane acts” that intentionally cause great suffering or death.

While the Organization of American States focuses on addressing the political crisis in Venezuela, the United Nations and the world must pressure Maduro to allow outsiders access to ameliorate the suffering of the Venezuelan people and also send an unmistakable signal that the commission of mass atrocities will have severe consequences.

Venezuela is part of the International Criminal Court, which has the jurisdiction to investigate, prosecute, and imprison anyone committing mass atrocity crimes within its borders. As such, its prosecutor, Fatou Bensouda, should immediately open an investigation into the conduct of President Maduro and other senior government officials with regard to whether they have culpability in crimes against humanity. The initial focus of such an investigation should be on the widespread and systematic refusal of access for humanitarian assistance to civilian populations.

But with the death toll and mass detentions in response to the nonviolent protests mounting swiftly, opening such an investigation would serve another important purpose. It would tell senior leaders in the military and police at this very dangerous moment in Venezuela's history that if they follow orders to massacre hundreds or thousands to keep Mr. Maduro in power, they could face international justice themselves.

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