

OVERCOMING BARRIERS TO HUMANITARIAN AID IN VENEZUELA

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INTRODUCTION

Venezuela is suffering one of the worst humanitarian crises in the history of the Western Hemisphere,¹ conditions that have spurred the exodus of over 7 million Venezuelans over the last decade, 6 million of whom reside in Latin Amer-



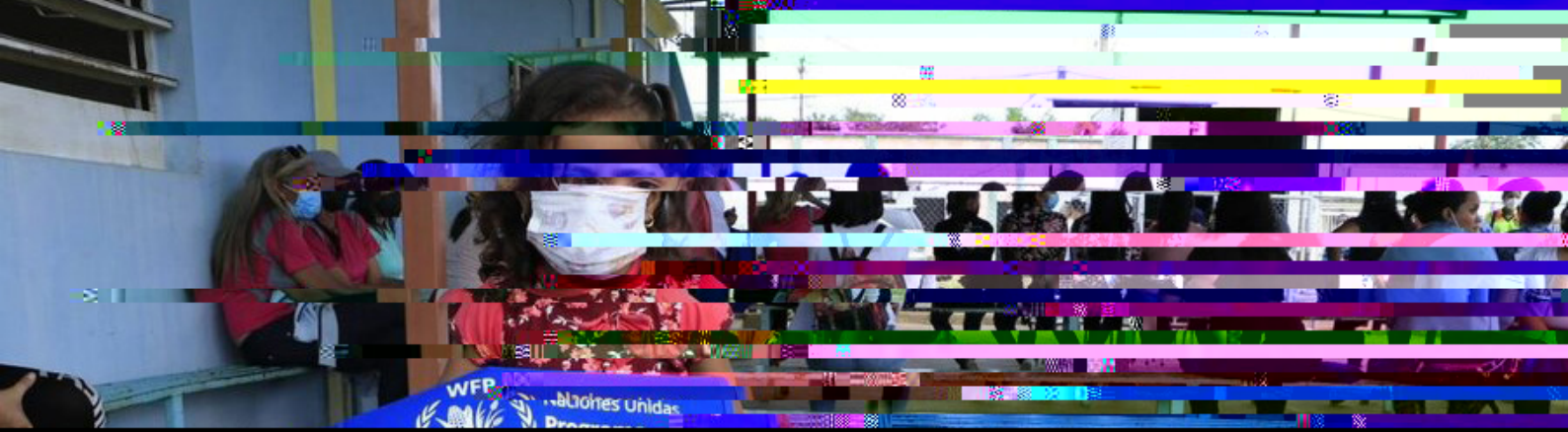


Photo: Alexis Masciarelli/World Food Programme

infrastructure.⁸ The negotiating teams also agreed on a governance structure that would include the participation of civil society organizations, with the goal of unfreezing Venezuelan funds held abroad, identifying joint projects, and verifying project execution. As of early 2023, however, administrative details remained unresolved and political obstacles remained front and center. Senior – perhaps aimed at hardliners in the *chavista* base – indicating that only existing projects (i.e., those in which the government has a preeminent role) would be eligible for support. Venezuelan authorities have also demanded that the opposition release frozen overseas assets before the political talks in Mexico City can continue. Both the introduction of the new NGO legislation and deeply discouraging.⁹

Between January and November 2022, the Wilson Center’s Latin American Program convened a Humanitarian Working Group with representatives of prominent Venezuelan NGOs to identify the main barriers to aid delivery. The virtual workshops drew on the experience of these NGOs in raising funds and implementing humanitarian programs. The discussions also aimed to identify potential solutions and recommendations for overcoming diverse hurdles.

⁸ Juan Diego Quesada, “El Gobierno Venezolano y la Oposición Acuerdan Descongelar entre 3 y 5 Billones de Dólares de Fondos Estatales en el Extranjero,” *El País* (Spain), November 23, 2022, <https://elpais.com/mexico/2022-11-26/el-gobierno-venezolano-y-la-oposicion-acuerdan-descongelar-5000-millones-de-fondos-estatales-en-el-extranjero.html>.

⁹ UN Human Rights Council, “Venezuela: Draft NGO law reaching a point of no return in the closure of the civic space,” January 30, 2023, <https://www.ohchr.org/en/press-releases/2023/01/venezuela-draft-ngo-law-reaching-point-no-return-closure-civic-space>.



that reduce the entry, limit the scope, and enhance the political risks associated with delivering international aid.

**Democratic Republic of the Congo*

Source: ACAPS Severity Index 2022

and (g) impact evaluations. There are unique problems associated with each characteristics: (a) a consolidated hegemonic regime that arbitrarily limits the mo-

ing different territories and population groups; and (d) the regime's corruption and lack of transparency.

Civil society organizations in Venezuela report that the political context seriously impacts the entry of international aid. First, Venezuelan civil society actors have been systematically subject to threats and selective imprisonment by a regime that arbitrarily labels humanitarian activities as politically motivated or destabilizing. Second, Venezuelan governmental institutions restrict access to

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information, civil society organizations, and international donors to commit sufficient resources. They have been unable to design an adequate humanitarian response plan with the cooperation of the Venezuelan government.

Finally, civil society organizations face strict regulations and laws aimed explicitly at curtailing or even penalizing their activities. Venezuela’s regulatory framework is designed to make basic administrative decisions for NGOs more complex and time-consuming for day-to-day operations. Judicial enforcement is unpredictable and rife with human rights violations, including false imprisonment. The result is that NGOs are prevented or inhibited from implementing new initiatives or growing existing programs.

Venezuela’s humanitarian chain is also exposed to sanctions aimed at the oil and gas sector (including the U.S. Secondary Sanctions on Venezuela (VSA)), as well as secondary sanctions (aimed at third parties carrying out commercial transactions with both the Venezuelan private sector and humanitarian organizations are shielded from such sanctions). Institutions have sought to reduce their regulatory risks by over-compliance with regulations. This has affected social and humanitarian organizations. Over-compliance has inhibited some international donors from even considering operations in Venezuela. Because of over-compliance issues, Venezuelan NGOs report that U.S. sanctions have significantly reduced humanitarian development aid.

Insecurity and the unwillingness of state authorities to cooperate with relief programs in states and municipalities experiencing the highest levels of humanitarian need are also major barriers in areas of the country marked by high levels of violence. Some are in urban



areas characterized by extreme poverty, in which criminal gangs operate freely. In rural areas, particularly mining zones close to the Colombian and Brazilian borders, guerrilla and organized criminal

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and exercise de facto control. The violence has made it nearly impos-
sible for humanitarian organizations

to access these territories and attend to vulnerable populations, especially indigenous communities. To the extent that state forces do have a presence in violent rural areas, they fail to cooperate with NGOs or provide protection to their personnel. NGOs that manage to enter these zones are exposed to high levels of violence and retaliation. On occasion, they are unable to extract their personnel or local partners in the face of threats.

According to Transparency International’s latest report, Venezuela is the least transparent and most corrupt country in Latin America. Corruption and the lack of transparency add to the costs of delivering humanitarian aid and pose

¹⁵ Goods can be stolen from ports and airports and along roads and highways, and bribes are so frequently demanded by

aid. This helps reduce transportation and security risks to their personnel. As a result, some humanitarian activities have themselves become more opaque; organizations face a perverse trade-off between guaranteeing the entry of humanitarian goods and maintaining the transparency of their own operations.

Participants in the Latin American Program’s Humanitarian Working Group reached consensus on the main operational obstacles they faced throughout each stage of the humanitarian value chain, as well as the principal barriers to

¹⁵ Transparency International, Corruption Perceptions Index, 2022, <https://www.transparency.org/en/cpi/2022>.

impediment. Another is the apparent belief among some donors that because Venezuela is an oil-rich nation, its humanitarian crisis should be short-lived. For many donors, despite the extent of the humanitarian crisis, the situation in Venezuela is less urgent than that of Ukraine, Yemen, or Syria. Donors have moved from a period of relatively high interest (2016-19), which coincided with the international effort to remove Maduro from power through sanctions and diplomatic isolation; to a period of moderate interest (2020-21), coinciding with Maduro's ability to resist external pressures; to the current period (2022-present), following Russia's invasion of Ukraine and indications that Maduro has increased his grip on power.

Two additional factors help explain the waning interest of the international financing and implementing humanitarian programs in Venezuela is cumbersome and subject to enhanced legal scrutiny. Second, because Venezuela has historically been considered a middle-income country, most of its NGOs are not as well known or embedded in international humanitarian networks as their counterparts in other countries in crisis. Unfamiliarity with Venezuelan NGOs has likely

“International sanctions include exemptions for humanitarian organizations.”

related to over-compliance.

International sanctions include exemptions for humanitarian and civil society organizations. In practice, however, Venezuelan humanitarian organizations face multiple hurdles, including the need to open bank institutions before receiving funds from donors or making payments to providers would be better off with special licenses or letters of compliance. Rarely (OFAC) made these dispensations available, even if it remains open to helping solve certain issues. Moving bank accounts to countries other than the United States does not necessarily help, as most donors prefer transactions in the



perception among the population that those who migrate receive access to humanitarian support, while those who stay home are unable to access aid.

Few Venezuelan NGOs have conducted evaluations to assess the impact of humanitarian programs. There are several organizations that evaluate logistics: that is, if goods and services make it to the intended out, the methodology fails to meet international standards. Few organizations design impact evaluations to improve performance or raise additional funds from international donors. Qualitative assessments are more common; most conclude that the programs are sound, but indicators to adequately measure impact are lacking.

It is critical not only to relieve the suffering of Venezuelans inside the country, but also to reduce migratory pressures that deeply affect Venezuela's neighbors as well as the United States. The consolidation of Maduro's regime, coupled with the intended and unintended impacts of sanctions, have worsened Venezuela's economic and social crisis, particularly among the poorest. The prolonged economic collapse has had profound consequences for the coun-

As detailed in this report, there are two main constraints inhibiting the entry of humanitarian aid: Venezuela's authoritarian government and over-compli-

government and the opposition reach a political agreement in Mexico City on measures leading to reasonably democratic elections in 2024, there are steps that could help alleviate the humanitarian crisis:

- 1.** In November 2022, the government and opposition negotiating teams agreed to establish a social fund to provide humanitarian aid within Venezuela under the auspices of the United Nations. Resources for the social fund are to come from Venezuelan frozen assets held in the United States

to the various committees in charge of managing the fund. Differences over how to disburse the frozen assets have held up implementation of the humanitarian agreement. But it is precisely through the establishment of the committees envisioned in the accord that progress can be made. Making advances on the humanitarian front contingent upon agreements concerning the 2024 elections violates the terms under which the political talks were resumed in late 2022.

- 2.** The Maduro government should formally withdraw the legislative proposal to control and further penalize the work of civil society organizations. The government should focus its efforts instead on working more closely with the UN special coordinator in Caracas to enable the entry of humanitarian aid. Creating formal mechanisms of coordination between the government and NGOs – with support from the UN – would facilitate the implementation of programs. The proposed legislation, if approved, would have a disastrous effect on the entry of humanitarian aid.


- 3.** OFAC should take stock of the negative impact that over-compliance has had on Venezuelan NGOs. To mitigate the damage caused by over-compliance, NGOs operating in Venezuela should be screened and issued an disbursements.

- 4.**





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