

Venezuela: An unexpected turn of events

The election of Juan Guaidó as president of the National Assembly and his subsequent self-proclamation as interim President of Venezuela has brought an unexpected turn to political events in the country and revived hopes for change both at home and abroad. Not only has Guaidó rallied massive popular support among Venezuelans, he has also obtained official recognition from the USA and most countries in the region. The European Parliament and 19 EU Member States have also recognised Guaidó as the legitimate interim President.

Venezuelan political situation takes an unexpected turn

After a period of [crisis](#) following harsh [repression](#) by the government and internal [divisions](#), the Venezuelan [opposition](#), gathered in the Mesa de Unidad Democrática (MUD) coalition, has emerged reinforced with the election of 35-year-old [Juan Guaidó](#) (representing [Voluntad Popular](#), the party of opposition leader [Leopoldo López](#)) as new president of the National Assembly on 5 January 2019. The Assembly also agreed: 1) to declare the [usurpation](#) of the Presidency of the Republic by Nicolás Maduro; 2) to adopt a [statute for transition](#) to democracy; 3) to authorise the entry of international [humanitarian aid](#) to Venezuela; 4) to request the protection of [Venezuelan assets](#) abroad; and 5) to adopt an [amnesty law](#) for crimes committed against the Venezuelan State and people.

Guaidó's roadmap

[Guaidó](#), a charismatic young engineer and former [student leader](#) of humble origins from La Guaira, who co-founded [Voluntad Popular](#) in 2009, belongs to a new generation that grew up under the Bolivarian regime. He aims to restore constitutional order through a transitional Government and free elections. Guaidó's eight [lines of action](#) propose: reaffirming the Maduro's illegitimacy as President; nominating the National Assembly as provisional Venezuelan representation to the international community; creating a transition body to restore constitutional order; resuming the restitution of usurped powers; the appointment and recognition of legitimate representatives to international organisations and bodies; authorising humanitarian aid; creating a fund to recover assets generated by corruption; and adopting a legislative agenda for transition. He has also presented the '[Plan País](#)' to fix the [humanitarian crisis](#).

23 January, Guaidó sworn in as new interim President

On 22 January, the National Assembly adopted an [agreement](#) to commemorate the 61st anniversary of the popular ousting of dictator [Marcos Pérez Jiménez](#). The Assembly demanded an end to the expropriation of power by a government that it considered 'illegitimate and unconstitutional'. Popular demonstrations on this symbolic date for democracy gained massive attendance in the capital Caracas and throughout the country. Juan Guaidó seized this occasion to declare himself '[President in charge](#)' of Venezuela in order to lead a transition process conducive to free and fair presidential elections.

Figure 1 – Timeline of events (various sources)



Constitutional basis

The National Assembly invokes the [Venezuelan Constitution](#) as the legal basis for the appointment of Juan Guaidó as interim President of the Republic. **Article 233** states that the President of the Republic 'shall become permanently unavailable to serve' by reason of 'abandonment of his position, duly declared by the National Parliament'. The article also states that **the President of the National Assembly shall take charge of the Presidency** of the Republic until a new election has been held and the new President has been sworn in. The Assembly also considers the presidential elections to be [irregular](#), as they were not called by the electoral authority. Moreover, **Article 231** provides that the President elect take their oath of office

before the National Assembly, and not before the Supreme Court of Justice – as Maduro has done – unless there is 'any supervening reason' impeding it. Other articles invoked are **Article 333**, which states that the effect of the Constitution shall not cease if it is not observed due to acts of force; and **Article 350**, which enables 'the people of Venezuela' to 'disown any regime, legislation or authority that violates democratic values, principles and guarantees or encroaches upon human rights'. Guaidó would therefore be simply following the [procedure](#) established in the [Venezuelan Constitution](#) in his role as President of the National Assembly. According to the [Maduro](#) government, the National Assembly would be 'usurping popular sovereignty', as the Supreme Court of Justice has declared it in contempt.

Reaction of Nicolás Maduro and the military

Members of the Venezuelan secret service briefly [detained](#) Guaidó on 13 January, and later, [security forces](#) intimidated members of his family. On 21 January, the Supreme Court of Justice (TSJ) declared the National Assembly in contempt and its acts null and void. At the request of the [Attorney General](#), it has also imposed a travel ban and financial restrictions on [Guaidó](#). The military, long regarded as the [power broker](#) in the country, expressed their support for Maduro through Defence Minister, [General Padrino](#), hours after Guaidó's proclamation, but support in the lower ranks is uncertain. The [military attaché](#) in Washington and an [Air Force general](#) inside the country have supported Guaidó, as well as [some diplomats](#). The imminent arrival of [humanitarian aid](#) could serve as a test for military loyalties. As regards repression of the January demonstrations, according to Venezuelan human rights [organisations](#) and the [UN](#), at least 40 people have been killed and [850 arrested](#), and the patterns of human rights violations of [2017](#) are being repeated.

International recognition

The [USA](#) immediately recognised Guaidó as the interim President of Venezuela, and announced [new sanctions](#) against state-owned oil company Petróleos de Venezuela S.A. (PDVSA). Canada and most Latin American countries have followed suit. [Mexico and Uruguay](#) have opted for non-intervention in Venezuela's internal affairs and called for a negotiated solution. [Australia](#), [Israel](#), Georgia and Ukraine have also [recognised](#) Guaidó. Bolivia, Cuba, Nicaragua and El Salvador have explicitly expressed their [support](#) for [Maduro](#), as is the case with Russia, Belarus, China, Iran, North Korea, Syria, Turkey and [South Africa](#).

EU position

The informal Foreign Affairs Council [meeting](#) of 31 January 2019 did not reach a consensus on recognising Guaidó, but on 4 February, Spain, France, Germany, the UK and 15 other [EU countries](#) recognised Guaidó as the legitimate President, after Maduro ignored an eight-day [ultimatum](#) to hold elections. Nevertheless, the Council did agree on the establishment of the [International Contact Group](#) (ICG), proposed in its conclusions of [15 October 2018](#), and supported in HR/VP Federica Mogherini's [Declaration](#) of 26 January. This declaration also reiterated the lack of democratic legitimacy of the last presidential elections and the EU's full support for the National Assembly, calling for 'free, transparent and credible' elections. The [ICG](#), aimed at facilitating conditions for a political and peaceful process leading to new presidential elections, met in Montevideo on 7 February. The EU, eight of its Member States, and four Latin American countries, form the Group.

A 31 January 2019 **European Parliament** (EP) [resolution](#): recognises Guaidó as the legitimate interim President of Venezuela; supports the National Assembly as the only legitimate democratic body in the country; and calls on Mogherini to cooperate with countries in the region on establishing an international contact group to facilitate an agreement to hold free, transparent and credible presidential elections. In 2018, the EP adopted a [resolution](#) rejecting the decision to hold early presidential elections, and another on the [migratory crisis](#).

Outlook

Although not free from [possible risks](#), the situation in Venezuela now looks much more favourable for successful political change: The [opposition](#) is united around a new charismatic leader, and demonstrations are taking place in districts typical of those which used to provide Maduro with most of his support. Although the military hierarchy still support the government, Guaidó's [amnesty](#) offer could [tip the balance](#) in his favour, as recent defections show. In addition, the international support gathered, as well as US oil sanctions, could make Maduro more inclined to negotiate a solution conducive to new elections. The International Contact Group established by the [EU](#) could prove decisive in facilitating this process.

