



The Inter-American Treaty of Reciprocal Assistance and the Crisis in Venezuela

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On September 11, 2019, the United States and 11 other Western Hemisphere countries [invoked](#) the Inter-American Treaty of Reciprocal Assistance ([Rio Treaty](#)) to facilitate a regional response to the [crisis in Venezuela](#). As a first step, on September 23, 2019, the countries that have ratified the treaty (*states parties*) agreed to identify, prosecute, and freeze the assets of certain individuals and entities associated with the government of Nicolás Maduro. On December 3, 2019, the states parties approved an initial [list of 29 individuals](#) alleged to have engaged in corruption and/or human rights abuses, who are subject to the September 23 sanctions and to entry and transit restrictions. The states parties agreed to meet again in the first quarter of 2020. Congress may track the ongoing deliberations, given their potential implications for U.S. policy.

Background

The Rio Treaty, which was signed in 1947 and entered into force in 1948, is a collective security pact among [19 of the 35 countries](#) of the Western Hemisphere. The United States ratified the treaty in 1947 after the U.S. Senate provided its advice and consent. Article 3 of the treaty asserts that “an armed attack by any State against an American State shall be considered as an attack against all American States,” and it calls on each party to the treaty to assist in collective self-defense. Article 6 of the treaty, which was invoked in this case, empowers states parties to collectively respond to any other “situation that might endanger the peace” of the region.

The treaty establishes a Meeting of Consultation of Ministers of Foreign Affairs as the principal forum through which states parties are to address collective security threats. Any treaty signatory may request such a meeting but must secure the votes of an absolute majority of parties to the treaty within the Permanent Council of the [Organization of American States](#) (OAS). On September 11, 2019, the United

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States and [11 other states parties](#), including the interim Venezuelan government of Juan Guaidó, supported a resolution calling a Meeting of Consultation to address the crisis in Venezuela.

Article 8 of the treaty authorizes states parties to engage in a variety of collective measures, such as breaking diplomatic and consular relations, restricting economic relations, and using armed force. A Meeting of Consultation may adopt such measures with a two-thirds vote (i.e., 13 of 19 states parties). Decisions are binding on all states parties, with the exception of the use of armed force.

Previous Applications

Before 2019, states parties had applied Rio Treaty provisions 20 times. The states parties have never called for the use of force but have adopted other significant measures on several occasions:

- In 1960, states parties convoked the [Sixth Meeting of Consultation](#) to consider acts of aggression by the government of the Dominican Republic against the government of Venezuela that culminated in an assassination attempt against the Venezuelan president. They agreed to break diplomatic relations with the Dominican Republic and partially restrict trade, beginning with a suspension of arms sales. States parties withdrew those sanctions in 1962.
- In 1962, states parties convoked the [Eighth Meeting of Consultation](#) to consider threats to peace and political independence in the region arising from the intervention of outside powers. They declared that adherence to Marxism-Leninism is incompatible with the principles of the inter-American system and excluded Cuba from further participation in Western Hemisphere institutions. The OAS [partially repealed](#) Cuba's exclusion from the inter-American system in 2009.
- In 1964, states parties convoked the [Ninth Meeting of Consultation](#) to address acts of aggression by the government of Cuba that threatened the territorial integrity and sovereignty of Venezuela. They agreed to break diplomatic and consular relations with Cuba, suspend all trade with Cuba with the exception of food and medical supplies, and suspend all sea transport to Cuba. States parties subsequently agreed to allow normalized relations with Cuba in 1975.

The most recent invocation of the treaty occurred following the September 11, 2001, terrorist attacks against the United States, which states parties recognized as an [attack on the entire region](#).

Application to Venezuela

The Thirtieth Meeting of Consultation of Ministers of Foreign Affairs convened for the first time on September 23, 2019. During the meeting, U.S. Deputy Secretary of State John Sullivan [argued](#) that “mass migration, public health risks, oil shortages, rising crime and violence, criminal groups operating with impunity, and Russian, Chinese, and Cuban patrons” in Venezuela have destabilized the region and pose “a clear threat to peace and security in the Western hemisphere.” He asserted that the Venezuelan people “cannot solve this crisis alone” and called on the other states parties to “finally take corrective action.”

Ultimately, 16 of the 19 states parties approved a [resolution](#) to

- identify, investigate, and prosecute current and former Maduro government officials who have participated in acts of corruption or serious human rights abuses, as well as persons or entities involved in money laundering, drug trafficking, terrorism, or transnational organized crime;
- freeze those individuals' assets; and

- create a network of financial intelligence and public security units to coordinate investigations into criminal activity linked to the Maduro government.

States parties approved another [resolution](#) on December 3 that identified [29 individuals](#) subject to the September 23 sanctions and to entry and transit restrictions. The resolution could provide an external legal framework to implement targeted sanctions for states parties that lack domestic legal mechanisms for imposing such measures. The United States has sanctioned [more than 200](#) individuals and entities tied to Venezuela, but some analysts [argue](#) coordinated sanctions could increase pressure on Maduro and those around him to facilitate a political transition.

States parties plan to meet again in the first quarter of 2020 to consider additional measures. Although [some governments](#) have warned that sanctions could be the first step toward armed intervention, that appears unlikely at this time, since a majority of states parties [have rejected](#) the use of force. Nevertheless, some analysts are concerned that [non-state armed groups](#) operating along the Colombia-Venezuela border could precipitate a conflict with the potential to escalate quickly.

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