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An Architecture Without Force: Venezuela and the Exhaustion of Multilateralism in Human Rights

In the early hours of January 3, as F-22 Raptor and F-35 Lightning II fighter jets bombed seven locations across Venezuelan territory and Chinook helicopters took positions over Fuerte Tiuna, it was not only the power of Nicolás Maduro and Cilia Flores that collapsed. At that same moment, another, less visible but deeper defeat was exposed: that of the international human rights protection system, incapable of preventing an authoritarian regime from advancing for years until its containment required armed intervention.

Beyond the external responsibilities of U.S. authorities and the internal role of the ruling party in replacing the former trade unionist Nicolás Maduro, what occurred exposes profound limitations in the international human rights architecture conceived after the Second World War.

The Foundations

After the horrors of the Nazi Holocaust and the Soviet gulags, the approval in 1948 of the Universal Declaration of Human Rights constituted an unprecedented historic effort to

universalize the protection of human dignity. From that moment on, a global framework began to take shape, based not only on the individual responsibility of states but also on the commitment of states to monitor one another's compliance.

That framework developed through a complex institutional and normative structure promoted within the United Nations (UN), combining declarations, binding international treaties, and specialized oversight bodies. Over the following decades, fundamental covenants were adopted –civil, political, economic, social, and cultural– and permanent monitoring mechanisms were created, including expert committees, special rapporteurships, complaint procedures, observation missions, and later the Universal Periodic Review, under the coordination of the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights.

In its original design, this architecture aspired to replace international indifference toward state abuses with a logic of collective scrutiny, diplomatic pressure, and the gradual internalization of shared human rights standards by states. At the regional level, the counterpart was the creation, in 1959, of the Inter-American Commission on Human Rights (IACHR) and, in 1979, of the Inter-American Court of Human Rights, both linked to the Organization of American States (OAS).

This system operated largely on a core diplomatic premise: the “good faith” of states. The commitments undertaken through the signing and ratification of human rights treaties were not conceived as obligations subject to strong coercive enforcement mechanisms, but rather as voluntary expressions of adherence to a shared moral and legal consensus. Compliance was expected to arise from cooperation, dialogue, and political pressure among peers. Accordingly, states would accept international

scrutiny, respond to the observations of supervisory bodies, and progressively adopt their recommendations –not out of fear of immediate sanctions, but because of the normative and reputational value of belonging to an international community committed to protecting human dignity.

Design Flaws

Normative advances in human rights were reflected in concrete improvements across the region, enhancing the quality of life of its populations. To compile a full inventory, in fairness, would exceed the scope of this text. Yet alongside these gains, the international human rights protection system began to develop internal weaknesses that, in the face of growing societal demands, increasingly limited its reach and effectiveness. In the text “Failing to Protect: The UN and the Politicisation of Human Rights,” the scholar Rosa Freedman summarizes these shortcomings.

- **Structural deficit in protection:** The system is designed to promote and develop norms, but not to effectively protect individuals from grave and immediate violations, especially when states refuse to cooperate.
- **Absence of coercive power:** The Human Rights Council and other human rights bodies lack enforcement mechanisms. They can debate, condemn, and recommend, but they cannot compel states to comply, unlike the Security Council or international financial institutions.
- **Promotion vs. protection:** The system functioned relatively well in tasks of promotion, dialogue, cooperation, technical assistance, and normative development, which operate in the medium and long term. However, it fails

in the short term, when urgent intervention is required to halt ongoing abuses.

- **Dependence on state “good faith”:** The system’s effectiveness presupposes that states will act in good faith and accept scrutiny. When this does not occur, the mechanisms are rendered largely ineffective.
- **Politicization as a weakness:** The protection of human rights is severely affected by politicization, particularly within United Nations mechanisms: geopolitical alliances, double standards, selective condemnations, and strategic silences regarding powerful or allied states.
- **Bureaucratization:** The expansion of procedures, review cycles, periodic reports, and technical formats strengthened the administrative dimension of the system, but not its protective effectiveness. Bureaucratic timelines proved incompatible with the urgency imposed by repressive contexts and distanced the system from victims, who required intermediary actors –such as NGOs and specialized lawyers– to access it.

The Latin American Experience

In Latin America, the government of Alberto Fujimori (1990–2000) was one of the earliest and clearest warning signs of the crisis of multilateral mechanisms for protecting democracy and human rights. It inaugurated a phenomenon that would later become recurrent: authoritarianism that comes to power through elections and, from there, dismantles the democratic order. The 1992 self-coup exposed a gap: existing tools had been designed to respond to classic military coups, not to elected leaders who eroded democracy from within.

That normative and political vacuum was one of the direct antecedents that, years later, led to the adoption of the Inter-American Democratic Charter (IDC) by the OAS. The Charter sought precisely to respond to the “Fujimori lesson”: that democracy is not exhausted by elections, and that its breakdown can be gradual, legalistic, and legitimized by majorities, without tanks in the streets. In this sense, Fujimori was not only a national case but a regional turning point that revealed the fragility of the international protection system in the face of new forms of authoritarianism.

The Venezuelan case dramatically reinforced the limitations of the international system when confronting new authoritarianisms. Hugo Chávez came to power at the end of 1998 with a discourse that claimed to address various social and political demands of the population, generating broad expectations both domestically and abroad. Nine months after being sworn in as president, Chávez ratified his supposed commitment to human rights by becoming the first head of state to visit the headquarters of the Inter-American Commission on Human Rights in Washington. In December 1999, a new Constitution –widely protective in human rights matters– was approved through a popular referendum.

In 2002, when Hugo Chávez himself became the victim of a coup d’état, OAS mechanisms reacted swiftly. For the first time, its Permanent Council activated the Inter-American Democratic Charter, and its secretary general at the time, César Gaviria, visited the country on multiple occasions to support mediation and dialogue initiatives that ultimately led to the presidential recall referendum in 2004. For its part, the Inter-American Commission on Human Rights visited Venezuela a few days after the events, in May, at the invitation of the authorities themselves.

Although the international community was dazzled by the Bolivarian experiment, most national organizations had condemned the interruption of constitutional order. These organizations documented and denounced the authoritarian traits of Hugo Chávez's government. They did so before a regional audience that was skeptical of these early warnings. Here we introduce an additional element: the international protection system can be understood as an ecosystem. It is formed not only by its institutions and normative mechanisms, but also by its regular users, such as specialized NGOs. If we adopt this broader understanding, we can affirm that the system, taken as a whole, was ineffective. It failed to contain and deter Chavismo's authoritarian drift and its grave human rights violations.

Identity Over Principles

The Venezuelan government denounced the American Convention –the regional treaty that establishes fundamental rights and the obligations of its member states to guarantee them, creating a supervisory system– in September 2012. This denunciation was the formal procedure for withdrawing from the contentious jurisdiction of the Inter-American Court, a withdrawal that took effect one year later, in September 2013. Previously, only Trinidad and Tobago had taken a similar step. Although Fujimori's Peru attempted to withdraw from the Court's jurisdiction, it did not formally renounce the Convention, underscoring the exceptional and extreme character of Venezuela's decision.

However, denunciation of the Convention carried minimal political cost for Hugo Chávez, who, despite the advance of increasingly authoritarian practices, continued to enjoy broad support from both progressive governments and social movements across the region. That support even included historic figures of the Latin American human rights movement. An emblematic case

was the public backing of Hebe de Bonafini, longtime president of the Mothers of Plaza de Mayo, an organization founded in 1977 and considered one of the first experiences of public, sustained, and transnational human rights advocacy in Latin America. But the blank check granted by Bonafini was not an isolated incident: other regional leaders and organizations also chose to downplay or justify the rupture of international oversight mechanisms in the name of political and ideological affinities. Identity ties were placed above the principle of universality that the movement –and officials within both OAS and UN bodies –claimed to uphold.

Over the years, Venezuela’s democratic political and social leadership activated virtually every known international mechanism for supervision, monitoring, and pressure in the fields of human rights and democracy. Beginning in 2017 –when images of the repression of massive protests and the forced exodus of millions, who became known as “walkers,” spread across the continent– multiple bodies began operating simultaneously and cumulatively regarding the country. These included the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Labour Organization’s Commission of Inquiry, the Mercosur Ushuaia Protocol, the Inter-American Democratic Charter, the Financial Action Task Force (FATF), the Independent International Fact-Finding Mission, and the Special Monitoring Mechanism for Venezuela (MESEVE) of the Inter-American Commission on Human Rights.

Yet despite the accumulation of diplomatic efforts, public statements, technical visits, and exhaustive reports, none of these initiatives succeeded in effectively deterring the advance of authoritarianism or in altering the systematic abusive conduct of the Venezuelan state.

An unprecedented milestone was even reached in the region: the opening of a formal investigation by the Office of the Prosecutor of the International Criminal Court into the alleged commission of crimes against humanity. As the only international mechanism with potentially binding legal decisions, it generated expectations that its working and cooperation agreement with the authorities in Miraflores might serve as a containment wall against the repressive drift. However, that expectation was also frustrated. On December 1, 2025, just one month before the U.S. armed incursion, the Prosecutor's Office announced the closure of its technical office in Caracas, citing the "lack of real progress" in its cooperative relationship with the Venezuelan authorities.

In Venezuela, the situation seen in other authoritarian contexts was repeated: international organizations operating on the ground subordinated their discourse and activities to the goal of remaining in the country. Various UN mechanisms in Caracas prioritized technical cooperation with the authorities over the protection of individuals, separating the humanitarian dimension from the human rights dimension and avoiding any public expression that might upset the authorities. When the Office of the High Commissioner for Human Rights signed a working agreement with the authorities, it accepted the condition that the agreement not be made public.

In this way, the structural weakness of the system was compounded by field operations that privileged institutional survival over effective protection. Without the capacity to exert pressure and without the will to confront, the international community became part of the everyday landscape of Venezuelan authoritarianism: present, visible, and formally active, yet politically innocuous. When the regime ultimately collapsed through armed means, it became evident that this presence had

not functioned as containment, but rather as a silent backdrop to the unfolding catastrophe.

Confronting the Challenges

Far from closing the horizon of collective action, the Venezuelan experience offers valuable lessons for renewing the role of civil society *vis-à-vis* the international human rights protection system. The structural limits of these mechanisms do not render them irrelevant, but they do require a more conscious and strategic use, without delegating to them responsibilities that ultimately belong to societies themselves.

The accumulated capital of knowledge, networks, and technical capacities developed by Venezuelan civil society over more than two decades now enables a less naïve and more strategically articulated form of advocacy. This advocacy operates across local, regional, and global levels. It is capable of translating the documentation of violations into concrete outcomes. These include judicial proceedings, targeted sanctions, and political debates. It also feeds into memory and truth agendas. In doing so, it expands the field of protection beyond the system's formal channels.

At the same time, the Venezuelan experience challenges the international community to critically reassess its tools in the face of emerging authoritarianisms. A system designed to operate under the assumption of state good faith proves insufficient when confronted with regimes that instrumentalize cooperation, dialogue, and international presence as devices of legitimation.

Strengthening the system's capacity for impact requires innovation in early pressure mechanisms. It also demands tighter coordination across international regimes, including human

rights, anti-corruption, finance, labor, and criminal justice. At the same time, it requires greater coherence between mandate and practice.

In this reform process, civil society is not merely a user of the system, but a key actor in pushing it to fulfill its original promise: that human dignity should not depend on the will of states, but on collective vigilance capable of transforming silence into accountability and formal presence into effective protection.