



LUND UNIVERSITY

‘Western’ values and civilizing
movement in the contemporary
international society

A qualitative idea analysis on U.S. foreign policy intervention
in Venezuela during the Maduro regime

Abstract

This bachelor's thesis studies modern civilization movement and 'Western' values through the case of U.S. foreign policy intervention in Venezuela after its 2013 election. The purpose is to shed a more nuanced light on the interpretation of Western countries' foreign policy intervention in non-Western countries, and to describe the factors of considerable relevance when determining its outcome as well as motives. Studying this, idea analysis is used as the method to examine the U.S. foreign policy material on Venezuela. The theoretical framework guiding the analysis of the material is the standard of civilization together with the cognitive images of political psychology. Further, the results show that U.S. foreign policy intervention and U.S.-Venezuelan relations can to a great extent be understood through this theoretical framework - presenting proclaimed Western superiority to be a considerable factor determining U.S. foreign policy, and framing U.S. policy as a modern civilizing mission. My concluding interpretation argues for the importance of considering the West's influence in contemporary international society, although it is not the only factor worth considering.

Keywords: the standard of civilization, political psychology, cognitive images, Venezuela, the United States, foreign policy, modern civilizing missions.

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1 Introduction

The international society is constantly evolving, and so is our perception and interpretation of it. How is the international society constructed? What hierarchies exist? How does this affect foreign policy, and what norms and values influence the government's foreign policy decision-making? This paper is based on the debate about Western norms and values that arguably dominate and shape Western countries' foreign policy in non-Western countries, based on the interpretation of the standard of civilization theory. Andrew Linklater argues that “[s]uffice it to add that Western endeavours to reconstruct failed states, to support ‘democracy promotion’, to defend universal human rights and to advance global ‘market civilisation’ indicate how the ‘standard of civilisation’ survives in the contemporary era in tandem with the long-standing conviction that the modern Western state remains the key to a ‘civilised’ existence[...]” (2016). The West stressing such norms and values internationally can be claimed to be a modern civilizing mission, by using these norms and values to determine which countries are deserving of inclusion in the international society.

To examine how international hierarchies, general norms, and values of the international society affect foreign policy, this study will focus on a current foreign policy intervention in a Western-non-Western country context, namely the U.S. and Venezuela. The U.S. foreign policy intervention in Venezuela gained new impetus after Nicolás Maduro’s election in 2013. The intervention was generally framed through the U.S. opposition to the Maduro regime and the overall situation developing in Venezuela as a result of this. This paper thereby aims to provide a deeper analysis of the intervention's motives, through a combined theoretical framework. The framework consists of the theory of the standard of civilization and the political psychology theory of cognitive images, used to examine why the U.S. acts as they do in Venezuela, given the context presented above through Linklater.

1.1 Purpose and Research Question

The purpose of this study is to examine and shed a more nuanced light on U.S. foreign policy intervention in Venezuela through the lens of proclaimed Western superiority and modern civilizing mission. Primarily, this is important to study

because a truthful interpretation of foreign politics requires a multifaceted understanding of the international society structures that influence it, and how it is perceived. Moreover, it is motivated by the ongoing debate currently conducted on the contemporary existence of imperialism and civilizing missions, as well as the values connected to it. This paper therefore aims to contribute to creating a more nuanced perspective on these questions. Through the exploration of the factor of Western superiority, one may be able to understand U.S. foreign policy in Venezuela to a greater extent and hopefully be able to interpret its effects in a new way. This study is also made interesting by its focus on the examination of the powerful position held by the United States - being regarded as a hegemonic power with extensive influence over the rest of the world. With this as a starting point, the research question reads as follows:

How can U.S. foreign policy intervention in Venezuela after the 2013 election be understood in the light of the standard of civilization theory and political psychology?

1.2 Previous Research

It is crucial to acknowledge the debate on whether the values promoted by the standard of civilization (such as democracy, human rights, free markets - will be described more thoroughly further on) are to be called universal or inherently Western. This debate is extensive, so I will only touch on it briefly here. Francis Fukuyama launched the (normative) claim that “Western liberal democracy [is] the final form of human government” in his article “The End of History?” (1989). Thus, Fukuyama argues that liberal democracy is the best regime and most successful way to organize a society, looking towards countries such as the U.S. - a claim that somewhat stresses the existence of universal values, and that these values are considered such. Samuel Huntington, on the other hand, claimed that “[t]he very notion that there could be a "universal civilization" is a Western idea”, and that “[t]he West in effect is using international institutions, military power and economic resources to run the world in ways that will maintain Western predominance, protect Western interests and promote Western political and economic values”. Thereby, when discussing the universal good for the international society, the universal values promoted are inherently Western, stemming from Western development processes (1993, pp. 40-41).

Referring to Gerrit Gong, he states that “there are no value-free models of development” (1984, pp. 8). Further, Barry Hindess presents the importance of

balance when discussing the Wests' imperialist influence on the international society as well as its democratic influence - to "[t]o focus only on the former is to ignore the realities of Western exploitation, yet to focus only on the latter is to deny the commitment of the international agencies and the major Western powers to the expansion of democracy and human rights" (2006, pp. 34). The standard of civilization theory primarily claims these values inherently Western, although I believe it to be important to bring forward the discussion behind it.

Moreover, Timothy M. Gill has specialized in U.S. politics in Venezuela. He comes to the conclusion that the U.S. strategy shifted from a hard-power-interventionist one to a soft-power strategy using agencies like National Endowment for Democracy (NED), United States Agency for International Development (USAID), Office for Transition Initiatives (OTI) and Bureau of Democracy, Human Rights, and Labor (DRL) as well as through support to opposition groups during the twenty-first century (2018). The consistent goal of the U.S. has been to destabilize the far-left government, but what Gill highlights is the failure to reach this goal, particularly in the light of Nicolás Maduro being elected president in 2013. It is also stated that these strategies have generated a strong U.S. opposition in Venezuela. The same pattern is unraveled more thoroughly by Gill presenting a U.S. focus on pressuring the supreme court, working with the opposition, preventing domestic legislation and preventing international leadership positions for Venezuela in order to stifle the political development (2019).

1.3 Method and Material

1.3.1 Philosophy of Science

The hermeneutical research perspective is crucial to address, given that it greatly affects the direction in which this study is conducted. The hermeneutical perspective has an interpreting relationship to science, and takes off from the position that the researcher themselves possesses an understanding and relation to the research and information, that affects the possessed viewpoint and thereby also the outcome of the study (Teorell and Svensson 2007, pp. 25). With this said, this will not be a normative study in any sense, but I believe that it is important to acknowledge that the researcher always holds a certain personal bias.

1.3.2 Idea analysis

Idea analysis is defined as the systematic analysis of political texts and messages. Bergström and Boréus describe the functional idea analysis where the idea itself is used as an independent variable, in order to examine to which extent an idea has influenced a certain event (2012, pp. 147). Foreign politics are a complex matter, and I therefore acknowledge that there is a broad range of factors that can influence it other than the prevalence of claimed Western superiority. From this, the method is used in order to examine the standard of civilization as an idea, and its influence on U.S. foreign politics in Venezuela. Beckman describes how the analysis can take different forms, whereby I aim to use it in a describing way - since I do not aim to *explain* U.S. policy but rather to *describe* it from the theoretical framework and thereby try to *understand* it. Further, the goal with this approach is for the researcher to uncover a message in the text that the text itself might not clearly state, and to carry out this uncovering through analytical reading (2007, pp. 49). This analysis tool then assists the researcher in asking themselves whether the generally accepted interpretation of a phenomenon is correct.

1.3.3 Material and Selection

Examination of a government's understanding of an issue can be done using several different types of material depending on the direction of the study and its purpose. The material relevant for this study is official policy material, and more specifically U.S. executive orders and public law concerning Venezuela after 2013. I motivate this decision by the fact that I aim to analyze the official position brought forward by the U.S. government, and I hope to find their motivation behind the policy implementation. By studying how the government formulates this in their policy material, it is possible to identify certain key concepts and terms which may lend insight into the way the U.S. wishes the situation in Venezuela to unfold. Another possible way to conduct this study would be to look at material like media communication, speeches or public statements. I aim to research the government's official stance presented in the executive orders and public law, rather than how the politicians express the position in the media. Thereby, this study aims to analyze the reflection of the standard of civilization in actual policies.

Moving on to the selection, Venezuela is an interesting country to analyze when it comes to U.S. foreign policy - primarily since the relations between the two have intensified since 1999 when former president Hugo Chávez was elected. Since then, Venezuela has expressed strong anti-U.S. sentiments, and both Chávez and Maduro have several times claimed U.S. policy intervention to be imperial (Rampton and Mason 2015). Furthermore, it is a non-Western country, which is relevant for the standard of civilization used as a theoretical framework. Another

part lies within the great international interest and involvement in the current situation in Venezuela. In addition - if the results show a degree of consistency regarding U.S. foreign policy in Venezuela throughout the two U.S. presidential administrations that have ran during this period - then this might be able to say something about the Biden administration's foreign policy strategy towards Venezuela. With a third administration approaching, the results of this study can hopefully provide an opportunity to examine whether the standard of civilization mentality and strategy outlives the former governments and lives on into the future. Regarding the time period 2013-2019, extensive research has already been conducted on Venezuela under the rule of Chávez, and it is therefore more pertinent to focus on the current regime instead.

Important to acknowledge is that what is said in the U.S. policy material might not always be what later on is performed, given the possibility of hidden meanings in texts, unofficial meetings or agreements and so on. Therefore, this study will only consider the official material to be found in the U.S. Department of State website.

2 Background and Theory

2.1 Venezuela, the 2013 election and U.S. relation

Venezuela is a federal presidential republic in the north of Latin America. The country is in large part marked by its socialist arrangement that took form under the rule of late president Hugo Chávez during 1999-2013. Under what came to be called 'twenty-first century socialism', Chávez centralized factories, issued a decree on land to regulate private property and redistributed the oil wealth of the country in order to reduce inequality (Forero 2005; BBC News 2019; Specia 2019). After the passing of Chávez, his former vice president Nicolás Maduro was elected in 2013. This election sparked some national critique where the opposition party claimed an illegitimate voting process (Lopez and Watts 2013; Ore and Ellsworth 2013). In 2018, Maduro was reelected - an election that was internationally denounced after the uncovered exclusion of the political opposition from the election and voter fraud (BBC News 2018; Phillips 2018; Charner, Newton, Gallón 2018). Thereby, in early 2019, opposition leader Juan Guaidó declares himself the interim president of Venezuela - a decision that came to be endorsed by over fifty countries, including

the U.S. (CIA World Factbook). Maduro is still hampering the transition process, leaving the Venezuelan political situation in a continuing limbo. This development has affected Venezuela in several ways, and one of them being the suspension from the South American trade bloc Mercosur in 2017 (Mercosur 2017). The situation has furthermore had a negative impact on the economy of the country. In 2017, inflation exceeded 2000 %, resulting in widespread scarcity of consumer goods and medicine. Moreover, the decline in oil prices have had extensive negative effects - with oil being the primary export good for Venezuela. Since the 2013 election, an increased state control over the economy has been noted as a response to the economic crisis (CIA World Factbook). The economic situation has stabilized to some extent since 2019. Alongside this development, several international media channels have reported on the worsened humanitarian situation in Venezuela. According to reports from UNHCR, the outflow of migrants from the country has reached 5.4 million as of November 2020 due to “violence, insecurity and threats as well as lack of food, medicine and essential services” (UNHCR). The situation has sparked several protests, and Human Rights Watch, among others, reported in 2018 that over 12 500 people have been arrested in connection to these protests since 2014 (HRW 2019).

Concerning the U.S.-Venezuelan relations, the long and complex history will be described briefly here. On the Venezuelan side, vocal anti-U.S. sentiment has been expressed since Chávez and up until today, where Maduro blames the current situation of the country on U.S. sanctions. The recent reason for the U.S. intervention is connected to the 2013 election. Moreover, they have described the current regime as “Maduro, who was not reelected via free and fair elections, clings to power through the use of force. His policies are marked by authoritarianism, intolerance for dissent, and violent and systematic repression of human rights and fundamental freedoms – including the use of torture, arbitrary detentions, extrajudicial killings, and the holding of more than 400 prisoners of conscience.” (U.S. Department of State 2020). It is equally crucial to acknowledge oil as an important factor in the U.S.-Venezuela relationship. Oil is the primary source of income for Venezuela, and the U.S. is their biggest export partner, while Venezuela is the fourth largest supplier of crude oil to the U.S. (Rampton and Mason 2015).

Historically, it is also important to consider the U.S.-Venezuela relationship in terms of the Cold War, Latin America’s relationship with the U.S.S.R and the Truman doctrine. Latin America has in general had a strong bond to the U.S.S.R, even though Venezuela’s relationship in particular has not been as strong, limited to some diplomatic exchanges and Soviet aspirations to strengthen the economic relation with the country (Blasier 1987, pp. 19-22). Today, the relationship is stronger. Venezuela, being a part of The Bolivarian Alliance for the Peoples of Our America (ALBA), are considered one of ALBAs seven “unconditional allies in the

[Latin American] region” of Russia, since they “[...]share Russia’s perception of the United States as an imperialist nation bent on dominating and interfering with the sovereignty of others that must be suppressed.” (Farah and Reyes 2016, pp. 103).

2.2 Theoretical framework

This study is theory-using, rather than theory-developing. The points defined and brought forward by the theoretical framework presented below will thereby be the filter through which I analyze the U.S. foreign policy material, in order to examine if the perception described through this material can be considered aligning along these points.

2.2.1 Standard of Civilization

Gerrit Gong is a central figure in defining and examining the concept of the standard of civilization. The standard of civilization is in general terms defined as an “[...] expression of the assumptions, tactic and explicit, used to distinguish those that belong to a particular society from those that do not” (1984, pp. 3). The society in purview is the international society. Historically, the concept emerged due to two aspects: protecting Europe from hostile non-European countries; and defining the boundaries of international law and the countries that deserve “legal recognition and legal personality in it” (ibid., pp. 24). Several researchers have interpreted this primarily as being used as a motivation for civilizing missions, imperialism and colonization during the nineteenth and twentieth century (Linklater 2016; Bowden 2009; Bowden and Seabrooke 2006). Gong presents the standard as embodying the norms and values of liberal European civilization, and the following five requirements for distinguishing between states evolved from this:

1. “a ‘civilized’ state guarantees basic rights, i.e. life, dignity, and property; freedom of travel, commerce, and religion, especially that of foreign nationals.
2. a ‘civilized’ state exists as an organized political bureaucracy with some efficiency in running the state machinery, and with some capacity to organize for self-defense;
3. a ‘civilized’ state adheres to generally accepted international law, including the laws of war; it also maintains a domestic system of courts, codes, and published laws which

guarantee legal justice for all within its jurisdiction, foreigners and native citizens alike;

4. a ‘civilized’ state fulfils the obligations of the international system by maintaining adequate and permanent avenues for diplomatic interchange and communication.

5. a ‘civilized’ state by and large conforms to the accepted norms and practices of the ‘civilized’ international society, e.g., suttee, polygamy, and slavery were considered ‘uncivilized’, and therefore unacceptable.” (Gong 1984, pp. 14-15).

At the end of the nineteenth century, the standard was articulated as an explicitly legal concept through international law and as the international society grew increasingly global, these values and norms ingrained in it remained European (ibid., pp. 35, 38). Expanding upon Gong’s work, Bowden and Seabrooke bring the application of the concept from the international legal framework of the nineteenth century into a contemporary context. Here, the perspective shifted from this civilizing process being of European origin to Western origin, along with increased globalization (2006, pp. 5). Building off the work of Gong, Bowden and Seabrooke describe the modern version of the standard as:

“In the twenty-first century the world continues to be divided according to states’ capacities for socio-political organization or systems of government, and still in accordance with Western standards of ‘good governance’. Today states are not often explicitly characterized as civilized or uncivilized: rather, distinctions are now drawn between states that are increasingly referred to as well-ordered or not well-ordered; civic or predatory; post-modern, modern, or pre-modern; legitimate or rouge; and in the extreme, good or evil. [...] Hence follows the argument that human rights and democracy combined with policies that promote neo-liberal economic globalization are the appropriate standard for the globalized and independent world of the twenty-first century.” (ibid., pp. 7).

The process of the civilizing movements today is therefore revolving around “[...] non-Western states’ capacity to self-govern in a manner that allows them to engage with the West (through trade etc.) in adherence to international law and custom” (ibid., pp. 7). Still, traces of it can be found in international law as in the Statute of International Court of Justice, article 38;1c: “1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it,

shall apply: c. the general principles of law recognized by civilized nations” (ICJ). The contemporary process of categorizing among non-Western states, according to Barry Hindess, mainly revolves around which states are to be accepted within international agreements such as The Organisation for Economic Co-operation and Development (OECD), The General Agreement on Tariffs and Trade (GATT), The World Trade Organization (WTO) and the European Union (2006, pp. 37). Related to this is the note taken by Bowden and Seabrooke that this process of categorizing can be said to have no real effect, though one should acknowledge that it still privileges some states while others are disadvantaged and exposed to high entrance thresholds to be able to be included in the international society (2006, pp. 7).

According to Bowden and Seabrooke, “[c]entral to the ideal of civilization are its tripartite components: economic civilization, social civilization, and legal civilization”, and together these three parts result in the ability of socio-political organization (2006, pp. 6). Regarding the economic aspect, Bowden refers to Mozaffari stating that capitalism and liberalism equal today’s global civilization, and commerce is addressed as an important factor in the civilization process (in Bowden 2006, pp. 29, 32). Linklater also stresses the stretch of the standard into modern times, stressing that the ideals by which the Western states are defined still remain as the core of a ‘civilized existence’. The social aspect to this hereby contains the West’s aim to reconstruct failed states, where ‘democracy promotion’ and defending ‘universal’ human rights are the central aspects. Another part is the social, as well as legal aspect of human rights in Western civilization. Buzan states that human rights are a crucial part of the new standard of civilization since it e.g. suspends “the right of non-intervention that states enjoy as a corollary of sovereignty” (2014, pp. 587). Gong links the new suggested standard of human rights (or non-discrimination) to the old standard by the fact that “they share a common concern for fundamental rights of life, liberty, property, and individual dignity, though in various forms depending on one’s politics” (1984, pp. 91-93).

2.2.2 Political Psychology

As a tool to help understand and interpret the standard of civilization theory, I will use political psychology. Political psychology is an extensive interdisciplinary research field focusing on cognitive frameworks when analyzing, examining and trying to understand political actions and political decision-making. Martha L. Cottam is in her book *Images and Interventions: U.S. Policies in Latin America* (1994) focused on U.S. foreign policy decision-making in Latin America during the Cold War. The main focus lies on the concept of images. Cottam defines the concept of images as clustering objects, people or countries together in order to

organize and simplify the understanding of them, since they are perceived as similar. This is a concept based on the psychological assumption that “people’s preferred mode is to categorize others whenever possible” (pp. 18-19). These images are further on ascribed different attributes, as presented below. The core factors mentioned to influence the creation of an image are the following: perceiving intention, power, culture, the role of affect as well as the self-image of the observer (ibid., pp. 21-25). During the Cold War, the self-image of the U.S. was positive according to Cottam, and included a strong perception of being able to determine the future for Latin America (pp. 31).

The primary images influencing U.S. policy in Latin America are *the dependent* and *the enemy* (pp. 18). The dependent image is described in terms of weakness, childlikeness, inferiority and being led by a small often corrupt elite. The dependent is not perceived as an equal and is thereby also not treated as one, nor does it pose a threat towards the observer (pp. 25). The enemy is an image connected to a big threat, a country driven by the primary goal to damage the other country. They are similar in strength and are each other's cultural equals, although their values are perceived as rotten and evil (pp. 26). As I mention in chapter 2.1, the U.S.-Venezuela relationship historically have been greatly influenced by the Cold War and Latin America’s relationship to the U.S.S.R - and regarding the enemy image, Cottam claims that the “enemy image of the U.S.S.R. had a tremendous impact on U.S. policy and on the tactics used in Latin America” (pp. 18).

The usage of this book although requires some acknowledgements. However, it is important to note that the political landscape has undergone significant changes since the Cold War. With that said, the cognitive framework presented can still be claimed to have remained largely the same. Cottam’s interpretation of political psychology in the U.S.-Latin America relations is still used (see e.g. Mintz and DeRouen 2010) and the images created tend to persist, and therefore I believe that they still can be applicable today. Cottam also notes that “worldview images cannot be inferred solely on the basis of verbal evidence” (pp. 187), and with this I address the importance of considering any difference in action and statement regarding foreign policy, as well as that a complete and correct interpretation need to consider more than just verbal evidence. Lastly, I acknowledge the somewhat problematic perspective presented by Cottam when addressing Latin America as one unit, not acknowledging the diversity within the continent - especially when put in relation to the one country of the U.S.

2.3 Definitions

- **Western and non-Western countries:** I am aware that this wording can be considered problematic, working from the premise of the West as the norm, and forcing the rest of the world to be determined only in relation to it. I also argue that the usage of this terminology may be very damaging when used without a deeper understanding of the term's etymology. This is connected to the fact that it embodies an inherently one-sided power perspective, being a Western-centered approach to the international society. Although, considering that this is a study examining terminology and a possible international power structure, I believe that the usage of these terms is legitimate to accentuate the power imbalance and general approach.
- **Civilization:** There is an extensive debate on the definition of civilization, and there is no place to delve into it more thoroughly in this paper. To be concise, the term civilization first and foremost developed from a context where it aimed to distinguish itself from its counterpart. Historically, it has been used to distinguish the 'civilized' from the 'uncivilized/barbarians/savages' (Huntington 1993; Hobson 2012; Bowden 2016). Bowden addresses the question if there's a normative component to the word (2006, pp. 19), correlating with Gong's previously mentioned statement that there exist no value-free models of development. There is also a less normative component to the term when discussing civilization in terms of "the culture, society, and way of life of a particular country, region, epoch, or group" (OED 2020). Bowden (2016) refers to R.G. Collingwood, defining: "Civilization is something which happens to a community.... Civilization is a process of approximation to an ideal state", and this will be the main definition considered.
- **International society:** I choose to endorse the definition presented by Hedley Bull and Adam Watson, which reads as follows: "a group of states (or, more generally, a group of independents political communities) which not merely form a system, in the sense that the behaviour of each is a necessary factor in the calculations of the others, but also have established by dialogue and consent common rules and institutions for the conduct of their relations, and recognise their common interest in maintaining these arrangements" (1985, pp. 1).

3 Analysis

3.1 Executive Orders and Public Law

3.1.1 Public Law 113-278 (2014)

The public law 113-278 from 2014 is called the “Venezuela Defense of Human Rights and Civil Society Act of 2014”. The act opens with ‘findings’ in section 2, (see appendix A) stating that the inflation rate, scarcity index and violent crime rate has reached high levels in Venezuela (points 1, 3, 4). It is further stated that the Venezuelan government has contributed to making the economic situation worse by currency regulations (point 2). Moreover, current president Nicolás Maduro along with former president Hugo Chávez are said to have “enabled the government to intimidate, censor, and prosecute its critics” (point 5). Point 6 addresses the judiciary, claiming that the government has both oppressed and used the judiciary to suppress government critics. Further, the government is said to have oppressed international journalists and has had a negative impact on the media climate (point 7). Point 8-12 highlights the violent responses towards and killings of anti-government protesters and opposition claims that “not a single member of the public security forces” has been held accountable for this.

Section 3 addresses the U.S. aspiration to have a relationship with Venezuela based on “respect for human rights and the rule of law” and “public security, including counternarcotics and counterterrorism” (point 1). Furthermore, Venezuela is named one of “the most violent and corrupt” countries in the world due to failing in providing public security (point 4), and point 3 states the “chronic mismanagement” of the economy. Moreover, it is addressed that Venezuela has the support of the U.S. when striving to “realize their full economic potential and to advance representative democracy, human rights, and the rule of law within their country” (point 2). Section 4 and 5 touches on the U.S. policy in regards to the findings presented above. Section 4, point 1-4 stresses the U.S. aim to continuously support the Venezuelan people in their striving towards democracy, the processes of developing of “democratic political processes and independent civil society”, as well as ensure a peaceful resolution of the current situation. Thereby, sanctions will be imposed (presented in section 5a) towards anyone connected to the Venezuelan government that has been connected to the acts of violence or arrests/prosecutions in relation to the anti-government protests. Section 5b describes the sanctions to be in the form of asset blocking and “exclusion from the United States and revocation of visa or other documentation” (U.S. Congress 1a).

This act was extended in 2016 under the Venezuela Defense of Human Rights and Civil Society Extension Act of 2016. It reads as follows: “(Sec. 2) This bill amends the Venezuela Defense of Human Rights and Civil Society Act of 2014 to

extend through December 31, 2019, provisions requiring the President to impose sanctions against individuals in Venezuela who are responsible for human rights violations.” (U.S. Congress 1b).

3.1.2 EO 13692 (2015)

EO 13692 (2015) *Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela* (see appendix B) initially presents the reasons behind the declaration of a national emergency caused by “unusual and extraordinary threat to the national security and foreign policy of the United States”. The reasons behind this declaration read as follows (section 1a):

“[...] Venezuela's erosion of human rights guarantees, persecution of political opponents, curtailment of press freedoms, use of violence and human rights violations and abuses in response to antigovernment protests, and arbitrary arrests and detention of antigovernment protestors, as well as the exacerbating presence of significant public corruption [...]”

In response to this, the executive order blocks all U.S. related property or interests in property owned by any person involved in or responsible for the findings presented in the public law 113-278 (2014). Moreover, under section 2, any person that meets any of the criteria under section 1(a) is prohibited from entering the U.S. as an immigrant or nonimmigrant (U.S. Department of the Treasury).

3.1.3 EO 13808 (2017)

This EO 13808 (2017) *Imposing Additional Sanctions With Respect to the Situation in Venezuela* (see appendix C) adds to EO 13692 declaring national emergency. The main focus is laid on the following:

“[...] recent actions and policies of the Government of Venezuela, including serious abuses of human rights and fundamental freedoms; responsibility for the deepening humanitarian crisis in Venezuela; establishment of an illegitimate Constituent Assembly, which has usurped the power of the democratically elected National Assembly and other branches of the Government of Venezuela; rampant public corruption; and ongoing repression and persecution of, and violence toward, the political opposition [...]”

The EO prohibits transactions “by a United States person or within the United States” related to new debt of Petroleos de Venezuela, S.A. (PDVSA) or the Venezuelan government, existing Venezuela government bonds and payments related to the Venezuelan government. The EO also prohibits the purchase by a U.S. person from the Venezuelan government (U.S. Department of the Treasury).

3.1.4 EO 13827 (2018)

Moving forward to the first EO of 2018, numbered 13827, *Taking Additional Steps to Address the Situation in Venezuela* (see appendix D). As the prior EO, it builds onto the declaration of national emergency. This EO prohibits any “digital currency, digital coin, or digital token that was issued by, for, or on behalf of the Government of Venezuela” - given the fact that the Maduro regime launched a digital currency in order to “circumvent U.S. sanctions”. A further motivation behind this prohibition is the fact that the Venezuelan National Assembly ruled it unlawful (U.S. Department of the Treasury).

3.1.5 EO 13835 (2018)

The second EO of 2018, numbered 13835 and called *Prohibiting Certain Additional Transactions With Respect to Venezuela* (see appendix E) motivates further economic sanctions due to the following:

“[...] recent activities of the Maduro regime, including endemic economic mis-management and public corruption at the expense of the Venezuelan people and their prosperity, and ongoing repression of the political opposition; attempts to undermine democratic order by holding snap elections that are neither free nor fair; and the regime’s responsibility for the deepening humanitarian and public health crisis in Venezuela [...]”

The economic sanctions are defined in terms of prohibiting transactions by a United States person related to purchase of Venezuelan government debt, including the PDVSA (U.S. Department of the Treasury).

3.1.6 EO 13850 (2018)

In November, the third EO of 2018 was issued, numbered 13850 and called *Blocking Property of Additional Persons Contributing to the Situation in Venezuela* (see appendix F). The EO orders the blockade of all U.S. property or interests for certain persons connected to the current deleterious situation in Venezuela. The motives behind this read as follows:

“[...] in light of actions by the Maduro regime and associated persons to plunder Venezuela's wealth for their own corrupt purposes, degrade Venezuela's infrastructure and natural environment through economic mismanagement and confiscatory mining and industrial practices, and catalyze a regional migration crisis by neglecting the basic needs of the Venezuelan people [...].”

In addition to this, persons who meet one or several criteria under section 1(a) of this EO are claimed to be “detrimental to the interests” of the U.S. and are therefore suspended from entering the country (U.S. Department of the Treasury).

3.1.7 EO 13857 (2019)

Proceeding to 2019, the following EO, called 13857 *Taking Additional Steps To Address the National Emergency With Respect to Venezuela*, is the first out of two EO:s published in 2019 (see appendix G). The aim of this EO is to amend the previous definition of “Government of Venezuela” stated in the previous EO:s to more precisely be able to target the Marudo regime throughout the sanctions, as well as officially recognize interim president Juan Guaidó (U.S. Department of the Treasury).

3.1.8 EO 13884 (2019)

The last executive order available is from 2019, numbered 13884 and called *Blocking Property of the Government of Venezuela* (see appendix H). Here, the following is stated as a motivation to block “[a]ll property or interests in property of the Government of Venezuela that are in the United States”, as well as suspending the unrestricted immigrant and nonimmigrant entry into the U.S. for people affiliated with the Venezuelan government:

“[...] the continued usurpation of power by Nicolas Maduro and persons affiliated with him, as well as human rights abuses, including arbitrary or unlawful arrest and detention of Venezuelan

citizens, interference with freedom of expression, including for members of the media, and ongoing attempts to undermine Interim President Juan Guaido and the Venezuelan National Assembly's exercise of legitimate authority in Venezuela [...]” (U.S. Department of the Treasury).

3.2 Results

The results of the analysis show that there are eight recurring factors brought forward by the U.S. government. I define these factors as motivations, since they are portrayed as the motivations behind the various sanctions. The most common motivation focuses on the violence, oppression and detentions of political opposition, government critics and protestors. Throughout the material, oppression of those groups is mentioned seven times: two times in the public law and five times in the EOs. Another common motivation focuses on human rights abuses. This is mentioned five times in total - one time in the public law and four times in various EOs. Further, corruption is a common motivation, also being mentioned five times, one time in the public law and four different EOs. Moreover, issues regarding media, press and freedom of speech along with journalists and their work is mentioned four times: one time in the public law and three times in the EOs. The economy and its mismanagement is mentioned one time in the public law and three times in the EOs. Connected to this is the motivation of humanitarian and public health crisis, and worsening of them is blamed on the Venezuelan government. This can further be linked to the sparking of a regional migration crisis, as mentioned in EO 13850 (2018). Another significant motivation lies within the Maduro regime undermining the interim president Juan Guaidó and the National Assembly. This is also connected to the one condemnation of the establishment of an unlawful Constituent Assembly in EO 13808 (2017).

What the U.S. government orders through this material are primarily economic sanctions in the shape of asset and property blocking as well as the prohibition of transactions, targeted towards the Venezuelan government/Maduro regime and persons connected to or acting on behalf of it, as well as persons that have contributed to the current situation in Venezuela. The sanctions also include suspended immigrant and non-immigrant entry to the U.S. and general visa restrictions.

3.3 Discussion

The political psychology perspective and concept of cognitive images is helpful when interpreting U.S. foreign policy in Venezuela. Considering Cottam's model of images, it is difficult to understand Venezuela through merely one image category. The dependent - a childlike, weak country, led by a small corrupt elite, unable to organize themselves and in need of a helping hand - correlates to a great extent to how Venezuela is described in the material. When the material highlights corruption, failed political organization, oppression of political opposition and undermining of interim president Guaidó, it can be translated as a form of political immaturity and low level of political organizational development, corresponding to the childlikeness described by Cottam. The description of the dependent to some extent also corresponds with the standard of civilization theory stressing that the West perceives non-Western countries as in need of their guidance in order to be a legitimate party of the international society. Regarding the enemy image, the material to some extent can be interpreted as the U.S. perceiving Venezuela more as a threat, and thereby more dangerous than the dependent image. The actions taken by the U.S. through the EO:s are more hard-power than soft-power, such as extensive economic sanctions, and can possibly be interpreted as reactions to a perceived threat. This differs from what Gill states, looking at chapter 1.2 - that the U.S. turned to a more soft-power strategy during the twenty-first century. Moreover, the U.S. regarding Venezuela as a threat can be interpreted in a range of ways. Venezuela's relationship with Russia is worth addressing. As mentioned by Cottam, the Latin America-U.S.S.R relation during the Cold War had a great impact on the U.S. perception of Latin America as an enemy image. Linking this to chapter 2.1 and the fact that Venezuela's contemporary relationship with Russia has grown stronger through the parties' shared dislike of the U.S, it would not be a far stretch to posit that the U.S. still perceives them as an enemy. Related to this, another way is to look at the socialist rule in Venezuela. Even though Gill's claim on hard-/soft-power does not correspond with the material, he presents the idea that the U.S. overreaching goal is to destabilize the far-left in Venezuela. Through the perspective of the standard of civilization, the destabilization of the far-left can mainly be motivated by the fact that the norms and values of the far-left are opposing the political norms of the standard of civilization, such as liberal democracy and free markets. On a broader level, it can be understood as conflicting with the general Western values in contemporary international society, such as human rights and freedom of expression. The executive orders present human rights abuses, a turn towards a more corrupt, authoritarian regime that oppresses as well as detains government protesters and opposition parties, and suppresses the freedom of

the media. Thus, U.S. intervention from this perspective can be defined as an intervention that propagates Western values in general, and in this case, an intervention on socialism in particular.

Further on, Cottam mentions the self-image as the 'final ingredient' when looking at the images forming worldview, since "others are assessed in contexts that include perceptions of self" (1994, pp. 24). As mentioned in chapter 2.3, the U.S. self-image was very positive during the Cold War, where it perceived itself as able to determine the future for Latin America. This relates to the standard of civilization, suggesting that the self-image of the West often has been strong and positive and therefore able to guide non-Western countries in their development processes. This confidence can arguably stem from the colonial and imperial times as well as Western industrialization, where the West experienced great development and power over others. Although, Cottam's definition of the U.S. self-image as positive emerges from the Cold War period. However, considering that the status and influence of the U.S. in the international community has not seriously diminished since the Cold War, it would be imprudent to overlook the potential accuracy of Cottam's findings when applied to a contemporary context. Thereby, a strong and positive U.S. self-image is expected - embodying a similar perceived ability to determine the future for Latin American countries such as Venezuela.

Moreover, it is crucial to refer back to Gong and the standard as being the measurement to distinguish "those that belong to a particular society from those that do not" (1984, pp. 3) and Bowden and Seabrooke defining it as a measurement of "non-Western states' capacity to self-govern in a manner that allows them to engage with the West (through trade etc.) in adherence to international law and custom" (2006, pp. 7). This suggests that the U.S. wants to influence Venezuela for the sake of the international society and make them engage with the Western countries, for the sake of the international economy and markets. Hindess gives the examples of OECD, GATT and WTO. The majority of the U.S. executive orders result in extensive economic sanctions and this might not be interpreted as excluding Venezuela from participating in the international society due to its bilateral nature. Although, it is crucial to keep in mind that the United States is the major export partner of Venezuela, and it is likely that the economic consequences of this have been just as severe. Not only have the oil prices descended in general, but Venezuela's major export partner has withdrawn from their economic relations. The U.S. restricting economic relations with Venezuela still cuts Venezuela off from a significant part of the international market. It is also important to keep in mind that by imposing such economic sanctions, the U.S. may possibly set an international precedent, which influences how other countries deal with Venezuela. The fact that Venezuela was excluded from the trade bloc Mercosur in 2017 might be an example of that.

In addition, a more extensive discussion of the executive orders and public law is required in relation to the research question. Bowden and Seabrooke state that “central to the ideal of civilization are its tripartite components: economic civilization, social civilization, and legal civilization”, and together these three parts result in the ability of socio-political organization (2006, pp. 6). Turning to the material, the main factors stressed as reasons for U.S. foreign policy intervention are: human rights abuses, oppression and detention of political opposition and protestors, restriction of the freedom of expression, public corruption, economic mismanagement, humanitarian and public health crisis, a regional migration wave (EO 13850), as well as the undermining of interim president Guaidó and the National Assembly. These factors can be interpreted through the three different perspectives.

On the economic level, the U.S. stresses the Venezuelan government's mismanagement of the economy, for example in EO 13835 and 13850. More thoroughly, the Western ideal proposed by the standard is characterized by a free market, liberal economy and commerce. Bowden and Seabrooke argue that policies to promote neo-liberal economic globalization are the appropriate contemporary standard. What economic mismanagement means is not thoroughly described in the material, but with regards to the fact that Venezuela has had a socialist government since 1999, a more non-liberal economic strategy such as regulated markets, limited competition and restricted trade is to be expected. What is clear is that the EOs not are detailed enough to be able to find the explanation behind some of the motivations. On the legal level, the issues of not being able to “respect judicial independence” and the government using “the judiciary to intimidate and selectively prosecute” different groups opposing the government are brought forward by the public law 113-278. Moreover, arbitrary arrests and detention of anti-government protestors, human rights abuses as well as public corruption, mentioned in e.g. EO 13692 and 13808, can be connected to the sphere of legal civilization. Gong, presenting the old standard of civilization, declared that “A ‘civilized’ state adheres to generally accepted international law, including the laws of war; it also maintains a domestic system of courts, codes, and published laws which guarantee legal justice for all within its jurisdiction, foreigners and native citizens alike” (1984, pp. 14-15). Moreover, section 3 of the public law states that the U.S. aspires to have a relationship with Venezuela based on “respect for human rights and the rule of law”. Both Gong and Buzan, as mentioned in chapter 2.2.1, addresses human rights as central to the modern standard of civilization. The social level of civilization contains the Wests’ aim to reconstruct failed states through ‘democracy promotion’ and human rights. These are overall common concepts mentioned in the U.S. policy material, by e.g. the U.S. aspiration presented in the public law to have a relationship with Venezuela based on “respect for human rights

and the rule of law”, and the U.S. supporting the processes developing “democratic political processes and independent civil society”.

Nevertheless, it is important to consider the possibility of other factors affecting the U.S. policy in Venezuela. As stated in chapter 2.1, oil is a central part of the relationship between the two countries. Venezuela is the fourth biggest provider of oil and petroleum products to the U.S. Seeing a more authoritarian rule developing under Maduro might be viewed as a risk for the U.S. access to oil if the Maduro regime proceeds towards a more closed market strategy through their socialist rule. As previously mentioned, it is important to keep in mind that Venezuela is highly dependent on their export of oil to the U.S. (with them being the biggest export partner), and failing export agreements will on the other hand pose a high risk of economic decline in Venezuela. Another possible factor, addressed in chapter 2.1, is the Venezuela-Russia relationship. This relationship has grown stronger since the Cold War and the parties are connected through their shared anti-U.S. sentiment, perceiving them as an imperialist nation according to Farah and Reyes. Given the historic perspective of the Truman doctrine as well as the current complicated U.S.-Russia relationship, an improved Venezuelan-Russia relation might be interpreted as a threat by the U.S. government. As previously mentioned, the enemy image of Russia as well as of Venezuela still endures, and therefore to a great extent endorses this possible additional factor behind U.S. foreign policy intervention in Venezuela. A third possible additional factor is suggested by globalization. One could argue that the rise of contemporary globalization has resulted in a growing international interdependence among countries, beyond continents and cultures. Countries of the contemporary world are more interconnected than ever through factors such as various international trade agreements, and a critical development in one country thereby affects more than just the one specific country itself, but the whole international society. Thus, one country’s interest in other countries' nature and condition can be expected. Given this, the U.S. foreign policy intervention in Venezuela could be understood through globalization rather than civilization, especially given the parties’ trade interconnectedness through oil. All of these three perspectives present valid additional interpretations to U.S. foreign policy intervention in Venezuela crucial to consider. Without necessarily explaining the U.S. actions through the perspective of proclaimed Western superiority, these viewpoints present complementary factors affecting the nature of U.S. foreign policy in Venezuela.

4 Conclusion

To conclude, the United States frames its foreign policy in Venezuela through terms corresponding to the perspectives suggested by the theoretical framework. Through the method of idea analysis, the idea of Western superiority in the international society suggested by the standard of civilization sheds a nuanced light on the foreign policy material, uncovering motives and structures not evidently visible at first sight. As presented in the introduction, the combination of the standard of civilization theory and political psychology theory of cognitive images has, in conclusion, proved to be fruitful. The perceptions and cognitive images influencing political decision-making are born from the mindset of perceived western superiority and standard of civilization.

Referring back to the research question - how can U.S. foreign policy intervention in Venezuela after the 2013 election be understood in the light of the standard of civilization theory and political psychology? Through the theoretical framework, U.S. foreign policy in Venezuela can be understood to primarily be driven by a proclaimed Western superiority operating to develop Venezuela along with Western norms and values, and thus conferring the opportunity to be included in the international society. Considering the standard of civilization theory, the inherently Western norms and values - e.g. democracy promotion, human rights, freedom of expression as well as national adherence to international law - are addressed throughout the U.S. policy material. Moreover, Cottam's images of the dependent and the enemy image can to different extents assist in understanding the cases of the study. The cognitive framework categorizing Venezuela as a dependent can be claimed to be connected to perceived Western superiority, creating an image of non-Western countries embodying attributes/values/norms *opposing* those of the West. Western superiority can hereby be seen as ingrained in the image creation presented by Cottam, and to the attributes that the U.S. ascribes to a non-Western country such as Venezuela in the name of modern civilizing mission and the standard of civilization.

The combination of the two theories suggests that Western countries' perceptions of the non-Western are determined by the international power hierarchy. Even if the U.S., would manage to stifle a detrimental developing situation in Venezuela - which is putting a lot of people's lives at risk and resulting in a regional migration wave - one should acknowledge that the standard of civilization, promoted by the U.S., still privileges some states while others are disadvantaged and exposed to high entrance thresholds to be able to be included in the international society, as argued by Bowden and Seabrooke.

The U.S. foreign policy strategy can moreover be interpreted in two different ways, where one is achieving 'civilization' in Venezuela, and the other focused on stifling the current situation in the country. What the standard of civilization theory proposes here is that a bigger goal always exists, rather than simply curtailing a

specific situation. The underlying goal is instead, as previously mentioned, to develop non-Western countries along the Western lines.

As a final conclusion, I argue that the theoretical framework of the standard of civilization and cognitive images highlight important perspectives on foreign policy intervention in general, although it does not present the complete picture but rather one part of the picture. Along the final paragraph of the discussion section, there are other crucial perspectives worthy of consideration when analyzing the case. Factors such as oil trade, the Venezuela-Russia relationship and the influence of globalization present valid points of inquiry - given the complexity of foreign policy. Therefore, the theoretical framework of this paper can be considered complementary to the broad range of theoretical perspectives that may be used to analyze the case in question.

4.1 Suggestions for Further Research

One suggestion for future research on this subject is to commit to a more thorough examination of the alternative perspectives addressed in the final paragraph of the discussion in relation to this paper's theoretical framework, since the scope of this paper does not permit an extended discussion of the aforementioned perspectives. Another suggestion would be to conduct more research based on the combination of the theoretical framework of political psychology/cognitive images and the standard of civilization. Although Cottam addresses the importance of self-image in the process of image creation, the stance in her research is not explicitly taken from the power hierarchy of the West v. 'the rest'. Thus, a combination of political psychology and the standard of civilization can be fruitful in a case such as this. Lastly, research including more cases can be interesting for the sake of exploring a bigger pattern of proclaimed Western superiority and its values, and thereby make the results more generalizable.

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Appendices

Appendix A



Public Law 113-278
113th Congress

An Act

To impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes.

Dec. 18, 2014
[S. 2142]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Venezuela Defense of Human Rights and Civil Society Act of 2014”.

Venezuela
Defense of
Human Rights
and Civil Society
Act of 2014.
50 USC 1701
note.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Central Bank of Venezuela and the National Statistical Institute of Venezuela stated that the annual inflation rate in Venezuela in 2013 was 56.30, the highest level of inflation in the Western Hemisphere and the third highest level of inflation in the world behind South Sudan and Syria.

(2) The Central Bank of Venezuela and the Government of Venezuela have imposed a series of currency controls that has exacerbated economic problems and, according to the World Economic Forum, has become the most problematic factor for doing business in Venezuela.

(3) The Central Bank of Venezuela declared that the scarcity index of Venezuela reached 29.4 percent in March 2014, which signifies that fewer than one in 4 basic goods is unavailable at any given time. The Central Bank has not released any information on the scarcity index since that time.

(4) Since 1999, violent crime in Venezuela has risen sharply and the Venezuelan Violence Observatory, an independent nongovernmental organization, found the national per capita murder rate to be 79 per 100,000 people in 2013.

(5) The international nongovernmental organization Human Rights Watch recently stated, “Under the leadership of President Chávez and now President Maduro, the accumulation of power in the executive branch and the erosion of human rights guarantees have enabled the government to intimidate, censor, and prosecute its critics.”.

(6) The Country Reports on Human Rights Practices for 2013 of the Department of State maintained that in Venezuela “the government did not respect judicial independence or permit judges to act according to the law without fear of retaliation” and “the government used the judiciary to intimidate and selectively prosecute political, union, business, and civil society leaders who were critical of government policies or actions”.

(7) The Government of Venezuela has detained foreign journalists and threatened and expelled international media outlets operating in Venezuela, and the international non-governmental organization Freedom House declared that Venezuela’s “media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric by the government is common”.

(8) Since February 4, 2014, the Government of Venezuela has responded to antigovernment protests with violence and killings perpetrated by its public security forces.

(9) In May 2014, Human Rights Watch found that the unlawful use of force perpetrated against antigovernment protesters was “part of a systematic practice by the Venezuelan security forces”.

(10) As of September 1, 2014, 41 people had been killed, approximately 3,000 had been arrested unjustly, and more than 150 remained in prison and faced criminal charges as a result of antigovernment demonstrations throughout Venezuela.

(11) Opposition leader Leopoldo Lopez was arrested on February 18, 2014, in relation to the protests and was unjustly charged with criminal incitement, conspiracy, arson, and property damage. Since his arrest, Lopez has been held in solitary confinement and has been denied 58 out of 60 of his proposed witnesses at his ongoing trial.

(12) As of September 1, 2014, not a single member of the public security forces of the Government of Venezuela had been held accountable for acts of violence perpetrated against antigovernment protesters.

SEC. 3. SENSE OF CONGRESS REGARDING ANTIGOVERNMENT PROTESTS IN VENEZUELA AND THE NEED TO PREVENT FURTHER VIOLENCE IN VENEZUELA.

It is the sense of Congress that—

(1) the United States aspires to a mutually beneficial relationship with Venezuela based on respect for human rights and the rule of law and a functional and productive relationship on issues of public security, including counternarcotics and counterterrorism;

(2) the United States supports the people of Venezuela in their efforts to realize their full economic potential and to advance representative democracy, human rights, and the rule of law within their country;

(3) the chronic mismanagement by the Government of Venezuela of its economy has produced conditions of economic hardship and scarcity of basic goods and foodstuffs for the people of Venezuela;

(4) the failure of the Government of Venezuela to guarantee minimal standards of public security for its citizens has led the country to become one of the most violent and corrupt in the world;

(5) the Government of Venezuela continues to take steps to remove checks and balances on the executive, politicize the judiciary, undermine the independence of the legislature through use of executive decree powers, persecute and prosecute its political opponents, curtail freedom of the press, and limit the free expression of its citizens;

(6) Venezuelans, responding to ongoing economic hardship, high levels of crime and violence, and the lack of basic political rights and individual freedoms, have turned out in demonstrations in Caracas and throughout the country to protest the failure of the Government of Venezuela to protect the political and economic well-being of its citizens; and

(7) the repeated use of violence perpetrated by the National Guard and security personnel of Venezuela, as well as persons acting on behalf of the Government of Venezuela, against antigovernment protesters that began on February 4, 2014, is intolerable and the use of unprovoked violence by protesters is also a matter of serious concern.

SEC. 4. UNITED STATES POLICY TOWARD VENEZUELA.

It is the policy of the United States—

(1) to support the people of Venezuela in their aspiration to live under conditions of peace and representative democracy as defined by the Inter-American Democratic Charter of the Organization of American States;

(2) to work in concert with the other member states within the Organization of American States, as well as the countries of the European Union, to ensure the peaceful resolution of the current situation in Venezuela and the immediate cessation of violence against antigovernment protesters;

(3) to hold accountable government and security officials in Venezuela responsible for or complicit in the use of force in relation to antigovernment protests and similar future acts of violence; and

(4) to continue to support the development of democratic political processes and independent civil society in Venezuela.

SEC. 5. SANCTIONS ON PERSONS RESPONSIBLE FOR VIOLENCE IN VENEZUELA.

President.
Determination.

(a) **IN GENERAL.**—The President shall impose the sanctions described in subsection (b) with respect to any foreign person, including any current or former official of the Government of Venezuela or any person acting on behalf of that Government, that the President determines—

(1) has perpetrated, or is responsible for ordering or otherwise directing, significant acts of violence or serious human rights abuses in Venezuela against persons associated with the antigovernment protests in Venezuela that began on February 4, 2014;

(2) has ordered or otherwise directed the arrest or prosecution of a person in Venezuela primarily because of the person's legitimate exercise of freedom of expression or assembly; or

(3) has knowingly materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services in support of, the commission of acts described in paragraph (1) or (2).

(b) **SANCTIONS DESCRIBED.**—

(1) **IN GENERAL.**—The sanctions described in this subsection are the following:

(A) **ASSET BLOCKING.**—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by

the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(e) TERMINATION.—The requirement to impose sanctions under this section shall terminate on December 31, 2016.

(f) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL INSTITUTION.—The term “financial institution” has the meaning given that term in section 5312 of title 31, United States Code.

Deadline.
Notification.

(3) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(4) GOOD.—The term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(5) KNOWINGLY.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) MATERIALLY ASSISTED.—The term “materially assisted” means the provision of assistance that is significant and of a kind directly relevant to acts described in paragraph (1) or (2) of subsection (a).

(7) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 6. REPORT ON BROADCASTING, INFORMATION DISTRIBUTION, AND CIRCUMVENTION TECHNOLOGY DISTRIBUTION IN VENEZUELA.

Assessment.
Recommendations.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors (in this section referred to as the “Board”) shall submit to Congress a report that includes—

(1) a thorough evaluation of the governmental, political, and technological obstacles faced by the people of Venezuela in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs;

Evaluation.

(2) an assessment of current efforts relating to broadcasting, information distribution, and circumvention technology distribution in Venezuela, by the United States Government and otherwise; and

(3) a strategy for expanding such efforts in Venezuela, including recommendations for additional measures to expand upon current efforts.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the current level of Federal funding dedicated to broadcasting, information distribution, and circumvention technology distribution in Venezuela by the Board before the date of the enactment of this Act;

(2) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Venezuela; and

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PUBLIC LAW 113-278—DEC. 18, 2014

(3) recommendations for increasing broadcasting, information distribution, and circumvention technology distribution in Venezuela.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2142:

SENATE REPORTS: No. 113-175 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 160 (2014):

Dec. 8, considered and passed Senate.

Dec. 10, considered and passed House.

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Appendix B

Presidential Documents

Title 3—

Executive Order 13692 of March 8, 2015

The President

Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278) (the “Venezuela Defense of Human Rights Act”) (the “Act”), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)) (INA), and section 301 of title 3, United States Code,

I, BARACK OBAMA, President of the United States of America, find that the situation in Venezuela, including the Government of Venezuela’s erosion of human rights guarantees, persecution of political opponents, curtailment of press freedoms, use of violence and human rights violations and abuses in response to antigovernment protests, and arbitrary arrest and detention of antigovernment protestors, as well as the exacerbating presence of significant public corruption, constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States, and I hereby declare a national emergency to deal with that threat. I hereby order:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(i) the persons listed in the Annex to this order; and

(ii) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(A) to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have participated in, directly or indirectly, any of the following in or in relation to Venezuela:

(1) actions or policies that undermine democratic processes or institutions;

(2) significant acts of violence or conduct that constitutes a serious abuse or violation of human rights, including against persons involved in antigovernment protests in Venezuela in or since February 2014;

(3) actions that prohibit, limit, or penalize the exercise of freedom of expression or peaceful assembly; or

(4) public corruption by senior officials within the Government of Venezuela;

(B) to be a current or former leader of an entity that has, or whose members have, engaged in any activity described in subsection (a)(ii)(A) of this section or of an entity whose property and interests in property are blocked pursuant to this order;

(C) to be a current or former official of the Government of Venezuela; or

(D) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of:

(1) a person whose property and interests in property are blocked pursuant to this order; or

(2) an activity described in subsection (a)(ii)(A) of this section; or

(E) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order.

Sec. 2. I hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in subsection 1(a) of this order would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants or nonimmigrants, of such persons, except where the Secretary of State determines that the person's entry is in the national interest of the United States. This section shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or other applicable international obligations.

Sec. 3. I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 4. The prohibitions in section 1 of this order include but are not limited to:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States;

(d) the term "Government of Venezuela" means the Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela, and any person owned or controlled by, or acting for or on behalf of, the Government of Venezuela.

Sec. 7. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing

the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and section 5 of the Venezuela Defense of Human Rights Act, other than the authorities contained in sections 5(b)(1)(B) and 5(c) of that Act, as may be necessary to carry out the purposes of this order, with the exception of section 2 of this order, and the relevant provisions of section 5 of that Act. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 9. The Secretary of State is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, the INA, and section 5 of the Venezuela Defense of Human Rights Act, including the authorities set forth in sections 5(b)(1)(B), 5(c), and 5(d) of that Act, as may be necessary to carry out section 2 of this order and the relevant provisions of section 5 of that Act. The Secretary of State may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law.

Sec. 10. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to determine that circumstances no longer warrant the blocking of the property and interests in property of a person listed in the Annex to this order, and to take necessary action to give effect to that determination.

Sec. 11. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

Sec. 12. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 13. This order is effective at 12:01 a.m. eastern daylight time on March 9, 2015.



THE WHITE HOUSE,
March 8, 2015.

Billing Code 3295-F5-P

Appendix C

Presidential Documents

Title 3—

Executive Order 13808 of August 24, 2017

The President**Imposing Additional Sanctions With Respect to the Situation in Venezuela**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and particularly in light of recent actions and policies of the Government of Venezuela, including serious abuses of human rights and fundamental freedoms; responsibility for the deepening humanitarian crisis in Venezuela; establishment of an illegitimate Constituent Assembly, which has usurped the power of the democratically elected National Assembly and other branches of the Government of Venezuela; rampant public corruption; and ongoing repression and persecution of, and violence toward, the political opposition, hereby order as follows:

Section 1. (a) All transactions related to, provision of financing for, and other dealings in the following by a United States person or within the United States are prohibited:

(i) new debt with a maturity of greater than 90 days of Petroleos de Venezuela, S.A. (PdVSA);

(ii) new debt with a maturity of greater than 30 days, or new equity, of the Government of Venezuela, other than debt of PdVSA covered by subsection (a)(i) of this section;

(iii) bonds issued by the Government of Venezuela prior to the effective date of this order; or

(iv) dividend payments or other distributions of profits to the Government of Venezuela from any entity owned or controlled, directly or indirectly, by the Government of Venezuela.

(b) The purchase, directly or indirectly, by a United States person or within the United States, of securities from the Government of Venezuela, other than securities qualifying as new debt with a maturity of less than or equal to 90 or 30 days as covered by subsections (a)(i) or (a)(ii) of this section, respectively, is prohibited.

(c) The prohibitions in subsections (a) and (b) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the effective date of this order.

Sec. 2. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. For the purposes of this order:

(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

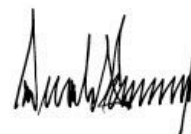
(d) the term “Government of Venezuela” means the Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and PdVSA, and any person owned or controlled by, or acting for or on behalf of, the Government of Venezuela.

Sec. 4. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including promulgating rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions to other officers and executive departments and agencies of the United States Government. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 5. For those persons whose property or interests in property are affected by this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13692, there need be no prior notice of a listing or determination made pursuant to this order.

Sec. 6. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 7. This order is effective at 12:01 a.m. eastern daylight time on August 25, 2017.



THE WHITE HOUSE,
August 24, 2017.

[FR Doc. 2017-18468
Filed 8-28-17; 11:15 am]
Billing code 3295-F7-P

Appendix D

Presidential Documents

Title 3—

Executive Order 13827 of March 19, 2018

The President**Taking Additional Steps to Address the Situation in Venezuela**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017, and in light of recent actions taken by the Maduro regime to attempt to circumvent U.S. sanctions by issuing a digital currency in a process that Venezuela's democratically elected National Assembly has denounced as unlawful, hereby order as follows:

Section 1. (a) All transactions related to, provision of financing for, and other dealings in, by a United States person or within the United States, any digital currency, digital coin, or digital token, that was issued by, for, or on behalf of the Government of Venezuela on or after January 9, 2018, are prohibited as of the effective date of this order.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the effective date of this order.

Sec. 2. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches of such entities), or any person within the United States; and

(d) the term "Government of Venezuela" means the Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petroleos de Venezuela, S.A. (PdVSA), and any person owned or controlled by, or acting for or on behalf of, the Government of Venezuela.

Sec. 4. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including promulgating rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions to other officers and executive departments and agencies of the

United States Government. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 5. For those persons whose property and interests in property are affected by this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13692, there need be no prior notice given for implementation of this order.

Sec. 6. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 7. This order is effective at 12:15 p.m. eastern daylight time on March 19, 2018.



THE WHITE HOUSE,
March 19, 2018.

[FR Doc. 2018-05916
3-20-18; 11:15 am]
Billing code 3295-F8-P

Presidential Documents

Title 3—

Executive Order 13835 of May 21, 2018

The President**Prohibiting Certain Additional Transactions With Respect to Venezuela**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code, I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017 and Executive Order 13827 of March 19, 2018, particularly in light of the recent activities of the Maduro regime, including endemic economic mismanagement and public corruption at the expense of the Venezuelan people and their prosperity, and ongoing repression of the political opposition; attempts to undermine democratic order by holding snap elections that are neither free nor fair; and the regime's responsibility for the deepening humanitarian and public health crisis in Venezuela, hereby order as follows:

Section 1. (a) All transactions related to, provision of financing for, and other dealings in the following by a United States person or within the United States are prohibited:

(i) the purchase of any debt owed to the Government of Venezuela, including accounts receivable;

(ii) any debt owed to the Government of Venezuela that is pledged as collateral after the effective date of this order, including accounts receivable; and

(iii) the sale, transfer, assignment, or pledging as collateral by the Government of Venezuela of any equity interest in any entity in which the Government of Venezuela has a 50 percent or greater ownership interest.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the effective date of this order.

Sec. 2. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. For the purposes of this order:

(a) The term "person" means an individual or entity;

(b) The term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches of such entities), or any person within the United States; and

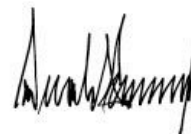
(d) the term "Government of Venezuela" means the Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petroleos de Venezuela, S.A. (PdVSA),

and any person owned or controlled by, or acting for or on behalf of, the Government of Venezuela.

Sec. 4. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including promulgating rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, re-delegate any of these functions to other officers and executive departments and agencies of the United States Government. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 5. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 6. This order is effective at 12:30 p.m. eastern daylight time on May 21, 2018.



THE WHITE HOUSE,
May 21, 2018.

[FR Doc. 2018-11335
Filed 5-23-18; 8:45 am]
Billing code 3295-F8-P

Appendix F

Presidential Documents

Title 3—

Executive Order 13850 of November 1, 2018

The President**Blocking Property of Additional Persons Contributing to the Situation in Venezuela**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)) (INA), the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278), as amended (the Venezuelan Defense of Human Rights Act), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017, Executive Order 13827 of March 19, 2018, and Executive Order 13835 of May 21, 2018, particularly in light of actions by the Maduro regime and associated persons to plunder Venezuela's wealth for their own corrupt purposes, degrade Venezuela's infrastructure and natural environment through economic mismanagement and confiscatory mining and industrial practices, and catalyze a regional migration crisis by neglecting the basic needs of the Venezuelan people, hereby order as follows:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to operate in the gold sector of the Venezuelan economy or in any other sector of the Venezuelan economy as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State;

(ii) to be responsible for or complicit in, or to have directly or indirectly engaged in, any transaction or series of transactions involving deceptive practices or corruption and the Government of Venezuela or projects or programs administered by the Government of Venezuela, or to be an immediate adult family member of such a person;

(iii) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity or transaction described in subsection (a)(ii) of this section, or any person whose property and interests in property are blocked pursuant to this order; or

(iv) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

Sec. 2. The unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in subsection 1(a) of this order would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is therefore hereby suspended. Such persons shall be treated as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 3. I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13692, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 4. The prohibitions in section 1 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term "United States person" means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States;

(d) the term "Government of Venezuela" means the Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela, and any person owned or controlled by, or acting for or on behalf of, the Government of Venezuela.

Sec. 7. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons or to the Government of Venezuela of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13692, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including promulgating rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 9. The Secretary of State is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, the INA, and section 5 of the

Venezuela Defense of Human Rights Act, including the authorities set forth in sections 5(b)(1)(B), 5(c), and 5(d) of that Act, as may be necessary to carry out section 2 of this order and the relevant provisions of section 5 of that Act. The Secretary of State may, consistent with applicable law, redelegate any of these functions within the Department of State.

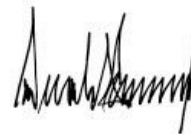
Sec. 10. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
November 1, 2018.

[FR Doc. 2018-24254
Filed 11-1-18; 2:00 pm]
Billing code 3295-F9-P

Presidential Documents

Title 3—

Executive Order 13857 of January 25, 2019

The President**Taking Additional Steps To Address the National Emergency With Respect to Venezuela**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017, Executive Order 13827 of March 19, 2018, Executive Order 13835 of May 21, 2018, and Executive Order 13850 of November 1, 2018, particularly in light of actions by persons affiliated with the illegitimate Maduro regime, including human rights violations and abuses in response to anti-Maduro protests, arbitrary arrest and detention of anti-Maduro protestors, curtailment of press freedom, harassment of political opponents, and continued attempts to undermine the Interim President of Venezuela and undermine the National Assembly, the only legitimate branch of government duly elected by the Venezuelan people, and to prevent the Interim President and the National Assembly from exercising legitimate authority in Venezuela, hereby order:

Section 1. (a) Subsection (d) of section 6 of Executive Order 13692, subsection (d) of section 3 of Executive Order 13808, subsection (d) of section 3 of Executive Order 13827, subsection (d) of section 3 of Executive Order 13835, and subsection (d) of section 6 of Executive Order 13850, are hereby amended to read as follows:

“(d) the term “Government of Venezuela” includes the state and Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petroleos de Venezuela, S.A. (PDVSA), any person owned or controlled, directly or indirectly, by the foregoing, and any person who has acted or purported to act directly or indirectly for or on behalf of, any of the foregoing, including as a member of the Maduro regime.”

Sec. 2. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be the signature of Donald Trump, located to the right of the main text block.

THE WHITE HOUSE,
January 25, 2019.

[FR Doc. 2019-00615
Filed 1-29-19; 11:15 am]
Billing code 3295-F9-P

Appendix H

Presidential Documents

Title 3—

Executive Order 13884 of August 5, 2019

The President**Blocking Property of the Government of Venezuela**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015 (Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela), as amended, as relied upon for additional steps taken in subsequent Executive Orders, and in light of the continued usurpation of power by Nicolas Maduro and persons affiliated with him, as well as human rights abuses, including arbitrary or unlawful arrest and detention of Venezuelan citizens, interference with freedom of expression, including for members of the media, and ongoing attempts to undermine Interim President Juan Guaido and the Venezuelan National Assembly's exercise of legitimate authority in Venezuela, hereby order:

Section 1. (a) All property and interests in property of the Government of Venezuela that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in.

(b) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person included on the list of Specially Designated Nationals and Blocked Persons maintained by the Office of Foreign Assets Control whose property and interests in property are blocked pursuant to this order; or

(ii) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(c) The prohibitions in subsections (a)–(b) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order.

Sec. 2. The unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in section 1(b) of this order would be detrimental to the interests of the United States, and entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended, except when the Secretary of State determines that the person's entry would not be contrary to the interests of

the United States, including when the Secretary so determines, based on a recommendation of the Attorney General, that the person's entry would further important United States law enforcement objectives. In exercising this responsibility, the Secretary of State shall consult the Secretary of Homeland Security on matters related to admissibility or inadmissibility within the authority of the Secretary of Homeland Security. Such persons shall be treated in the same manner as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions). The Secretary of State shall have the responsibility for implementing this section pursuant to such conditions and procedures as the Secretary has established or may establish pursuant to Proclamation 8693.

Sec. 3. The prohibitions in section 1 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 5. Nothing in this order shall prohibit:

(a) transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof; or

(b) transactions related to the provision of articles such as food, clothing, and medicine intended to be used to relieve human suffering.

Sec. 6. For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(d) the term "Government of Venezuela" includes the state and Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petroleos de Venezuela, S.A. (PdVSA), any person owned or controlled, directly or indirectly, by the foregoing, and any person who has acted or purported to act directly or indirectly for or on behalf of, any of the foregoing, including as a member of the Maduro regime. For the purposes of section 2 of this order, the term "Government of Venezuela" shall not include any United States citizen, any permanent resident alien of the United States, any alien lawfully admitted to the United States, or any alien holding a valid United States visa.

Sec. 7. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13692, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including promulgating

rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 9. (a) Nothing in this order shall be construed to impair or otherwise affect:

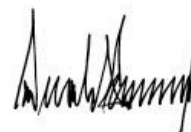
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 10. This order is effective at 9:00 a.m. eastern daylight time on August 5, 2019.



THE WHITE HOUSE,
August 5, 2019.

[FR Doc. 2019-17052
Filed 8-6-19; 11:15 am]
Billing code 3295-F9-P