



Security Council

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Letter dated 19 February 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the Security Council

I have the honour to write to you in the context of alerting you to the fact that the Governments of both the United States of America and Colombia are carrying out a campaign of diplomatic, economic and military accusations that are putting the peace and stability of the Bolivarian Republic of Venezuela and the region at risk. All is taking place in a context of disinformation that seeks to place responsibility on the Government of Venezuela, in the event that a false flag operation takes place, in order to justify the use of military force against my country, under the false premise that Venezuela represents a threat to regional peace and security.

We denounce the fact that a theatre of operations is being fabricated in order to attack Venezuela with the use of armed force, placing the peace and security of our nation and of the entire region at risk. Below we present, along with a timeline (see annex), the most important evidence that supports the current complaint.

The Governments of both the United States of America and Colombia have promoted a destabilization agenda at the international level that has included holding meetings with countries of the region in order to define joint actions against Venezuela, supported by fabricated evidence. This has included the carrying out of multinational military exercises^{1,2} and military intimidation operations, even to the extent of violating the limits of our territorial integrity; activities that correspond to the statements by United States Admiral Craig Faller, in relation to Venezuela, issued last August, in which he stated:

I won't speak to details of what we're planning and what we're doing, but we remain ready to implement policy decisions and we remain on the balls of our feet (...) The United States Navy is the most powerful navy in the world. If a policy decision is made to deploy the Navy, I'm convinced that we'll be able to do what needs to be done.³

The use of misinformation operations is not a new element in the context of the Colombian Government's propaganda campaign. On 25 September 2019, during the general debate of the United Nations General Assembly, Members of the United

¹ www.southcom.mil/News/PressReleases/Article/2060728/southcom-announces-upcoming-airborne-exercise-with-colombia-us-army-south-and-8/.

² For more, see: www.c-span.org/video/?468720-1/us-africa-southern-command-operations&live=#start=5415.

³ www.presstv.com/Detail/2019/08/20/603991/US-ready-for-mission-in-Venezuela-Top-commander.



Nations witnessed Iván Duque's speech, in which he presented a series of photographs with the intention of accusing Venezuela of supposedly supporting armed groups in Venezuelan territory; photographs that, days later, were discredited by international media, after it was confirmed that they were fake.⁴

On 20 November 2019, a recording leaked to the press showed a conversation between the then Ambassador of the Republic of Colombia, Francisco Santos Calderón and his Foreign Minister, Mrs. Claudia Blum, which showed the sustained work carried out by the Colombian Government in order to promote the execution of violent undercover actions with the purpose of provoking military intervention in my country by the Government of President Donald Trump. During the recording, the claims made by the Colombian Ambassador can be heard: "I can only see it with undercover actions over there, to generate noise, and support the opposition, which is very lonely over there," to which Foreign Minister Blum responded: "Colombia has to risk it because, as it is, we're behind on Venezuela. People no longer believe; they don't believe what the Government did. That humanitarian aid was a total fiasco. So there, a strategy must be thought about."⁵

The misinformation campaign of these Governments against Venezuela has increased during 2020. On 20 January last, in the context of the third Hemispheric Ministerial Conference to Combat Terrorism, which took place in Bogotá, the Bolivarian Government of Venezuela was once again accused by the Government of Colombia of harbouring terrorist groups, without providing international public opinion with evidence to support such a serious claim. It was on the basis of these false assumptions that President Iván Duque called upon the international community to apply illegal unilateral coercive measures and, even more, he asked that the Venezuelan Government be characterized as a State sponsor of terrorism,⁶ with the very serious consequences that this would bring about if such manipulation were to be successful.

On 8 February 2020, in the context of the joint press conference between the United States Secretary of Defense, Mark Esper, and Colombia's Defence Minister, Carlos Holmes Trujillo, the latter stated the following:

On the regional front, Secretary Esper and I just spoke about the challenges posed by Venezuela and our shared desire for a rapid transition to democracy by the Venezuelan people. We also reaffirmed our joint commitment to counterattack the illegitimate Maduro regime's harbouring of terrorist groups such as the ELN, the FARC and others such as Hizbullah.⁷

In this regard, it is necessary to point out that the concepts employed by the Governments of both Colombia and the United States in their narrative against our country and in relation to the supposed presence of "terrorist groups" contain no empirical basis that validates such claims. On the contrary, the few details that have come up to light publicly have all ended up being false.

In addition to the facts described above, during the State of the Union address on 4 February 2020, President Donald Trump stated that "Maduro's grip on tyranny will be smashed and broken,"^{8,9} terms that add to and define the violent nature of the

⁴ www.batimes.com.ar/news/latin-america/colombian-intelligence-leader-leaves-office-after-delivering-false-documents-to-the-united-nations.phtml.

⁵ www.miamiherald.com/news/nation-world/world/americas/colombia/article237641414.html.

⁶ For more information, see video from 7'30 at www.facebook.com/Infobae/videos/1382197165292157/.

⁷ www.defense.gov/Newsroom/Transcripts/Transcript/Article/2078339/remarks-by-secretary-esper-in-a-joint-press-briefing-with-colombian-minister-of/.

⁸ www.youtube.com/watch?v=kKhq_U_7uac.

⁹ www.whitehouse.gov/briefings-statements/remarks-president-trump-state-union-address-3/.

intentions and actions promoted from this country against Venezuela. This has deepened the line established by President Trump on 11 August 2017, when he affirmed that the United States has “many options for Venezuela, including a possible military option, if necessary”.¹⁰

As indicated in the letter addressed to the Security Council (S/2019/641) last August, during the first semester of 2019 alone, the United States Southern Command carried out 55 illegal incursions into Venezuela’s flight information region, disregarding international regulations, all with the purpose of spying, reconnaissance and electronic interception; a situation that has been exacerbated by the inadvertent and hostile presence of United States military vessels that have illegally entered the waters of the Bolivarian Republic of Venezuela, with the purpose of collecting military intelligence data, as has been admitted by the authorities of the United States Southern Command.

Manipulating as a legal framework a regional military agreement that originated in the Cold War, and of which Venezuela is not a member, the so-called Rio Treaty, the Governments of both the United States of America and Colombia promote the use of armed force against my country. Evoking the Rio Treaty constitutes a violation of the right to peace and security of the Venezuelan people in so much as it disregards the authority of the Security Council to determine what constitutes a threat to international peace and security, as well as to authorize the legitimate use of armed force.

It was denounced as such by our United Nations delegation in letter S/2019/765, dated 20 September 20 2019, in which we explained legally and empirically the impropriety of this pretension to justify the armed force aggression against Venezuela. All of the States Members of the United Nations, including the members of the Rio Treaty, convened to accept and enforce the obligations of the Charter of the United Nations. In this regard, Article 103 establishes that:

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

On 3 December 2019, during the last meeting held by the Organ of Consultation of the Rio Treaty, President Iván Duque claimed: “Nicolas Maduro’s dictatorship has dedicated itself to promoting; supporting, sponsoring illegal armed groups that, from their territory (...) intend to attack the Colombian population.”¹¹ These words prove the dangerous combination of the political motives of Colombia’s President to change the constitutional Government of Venezuela, with a militarist narrative that falsely ties the idea of self-defence against an imaginary armed attack; all within the context of a regional military treaty. We denounce the fact that the Governments of both the United States and Colombia are activating a regional military treaty under false information and the objective of promoting armed aggression against Venezuela without authorization by the Security Council.

All of the statements and actions by the Governments of both the United States and Colombia implemented unilaterally or through the Rio Treaty are intended to

¹⁰ www.cnbc.com/2017/08/11/trump-on-venezuela-im-not-going-to-rule-out-a-military-option.html.

¹¹ During the closing of the Thirtieth Meeting of Consultations of Ministers of Foreign Affairs, pursuant to the Inter-American Treaty of Reciprocal Assistance, held in Bogotá on 3 December 2019, President Iván Duque went on to say: “Nicolas Maduro’s dictatorship has dedicated itself to promoting, supporting, sponsoring illegal armed groups that, from their territory and with their consent, intend to attack the Colombian population” See <https://id.presidencia.gov.co/Paginas/prensa/2019/Presidente-Duque-pide-a-paises-America-que-cerco-diplomatico-contra-dictadura-venezolana-profundice-y-que-sanciones-191203.aspx>.

open up a front of inadmissible violence through a previously announced illegal military attack against Venezuela, using the excuse of a non-existent previous armed attack, or, even more confusingly, the excuse of the imminence of an armed attack that is impossible to prove. This is the manner in which it is intended to deceitfully implement Article 51 of the Charter of the United Nations, which establishes the inherent right to legitimate defence:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

The application of Article 51 of the Charter requires, along with other conditions, the existence or the proved imminence of an armed attack. What is astonishing about the current situation is that the only existing evidence of the preparation of an armed attack are the threats issued by the highest civil and military authorities of the Governments of both the United States and Colombia against Venezuela, which prove the intention of the use of armed force in the immediate future. The deceit consists in characterizing the beginning of the military aggression against Venezuela not as a first action, but as a counterattack, that is to say as a reaction in the face of the first threat or attack that these Governments are announcing. It is a giant military propaganda operation.

The recent experience of the practices of the United States Government with regard to the interpretation of the imminence of an armed attack as sufficient reason to use armed force in self-defence leaves much to be desired. The current United States Government simply disregards armed attack or its imminence as a reason to act, turning its practice to punitive action, which is very distant from the meaning of the inherent right to self-defence established by Article 51 of the Charter.

The Government of the United States constantly distances itself further from international law. Currently, it considers that a simple national statement aimed against a sovereign State accusing it of sponsoring terrorist activities, with neither grounds nor evidence, is reason enough to begin military aggression against that State. This concept violates the Charter of the United Nations and the norms of international law, placing international peace and security at risk. In the case of the Bolivarian Republic of Venezuela, the threat of an armed attack by the United States increases that possibility when the Ambassador of the United States to Venezuela claims, from Colombia, that his Government is about to unilaterally designate Venezuela as a State that sponsors terrorism.¹² The Security Council has the obligation to investigate the legal capacity of the United States to give itself licence to militarily attack a United Nations Member State without the authorization of the Council.

The systematic threat of the use of force on various grounds by the Governments of both the United States and Colombia proves the willingness of these Governments to put the peace of the Venezuelan nation at risk, as well as the infringement of their international obligations, in particular, those related to Article 2.4 of the Charter, which establishes that:

¹² <https://presidencialeve.com/en/international/james-story-compared-the-actions-of-the-faes-to-terrorist-organizations/>.

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

Article 34 of the Charter of the United Nations states that:

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

In this regard, one of the most important aspects that we must highlight is the reluctance of the Governments of both the United States and Colombia to present their case to the Security Council. While the campaign is moving forward through public opinion and in a select group of countries allied with the United States, the bodies legally constituted to deal with this serious situation are being deliberately ignored.

For the aforementioned reasons I respectfully request the Security Council to investigate the empirical grounds for the threat of the use of force and the misleading use of the principle of self-defence provided for in Article 51 of the Charter of the United Nations by the Governments of both the United States and Colombia against the Bolivarian Republic of Venezuela, which are intended to justify the use of armed force against my country. Thus, once the falsehood of the evidence presented by those Governments has been determined, the Security Council will be able to establish that we are in the presence of the preparation of a crime of aggression against the Venezuelan people.

I should be grateful if you would have the present letter and its annex circulated to the members of the Security Council and published as a document of the Council.

(Signed) **Samuel Moncada**
Ambassador
Permanent Representative of the
Bolivarian Republic of Venezuela to the United Nations

Annex to the letter dated 19 February 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the Security Council

Timeline

<i>Date</i>	<i>Events</i>
17 August 2017	President Donald Trump said to journalists from New Jersey: “We have many options for Venezuela, including a possible military option, if necessary (...) We didn’t talk about it, but a military operation, a military option, is certainly something that we could pursue.”
9 August 2019	In letter S/2019/641 , addressed to the Security Council, Venezuela denounced different actions that took place in July of 2019: the threat by the President of the United States of America, Donald Trump, in relation to the imminent imposition of an illegal naval blockade and quarantine against Venezuela; second, the hostile and illegal incursions of United States military aircraft into Venezuela’s flight information region; and thirdly, the illegal incursion of a military vessel of the United States into the jurisdictional waters of the Bolivarian Republic of Venezuela.
20 August 2019	During the opening of the Annual US-South American Allied Exercise (UNITAS) 2019 military exercises in Brazil, the Chief of the Southern Command, Craig Faller, declared that the United States Navy would be ready “to do what it had to do” in Venezuela. “I won’t talk about the details of what we plan and what we do, but we are still ready to apply the political decisions and we are still standing”, he said to journalists.
23 September 2019	In letter S/2019/765 , addressed to the Security Council, Venezuela denounced the decision of the Permanent Council of the Organization of American States of 11 September 2019, under which 11 American countries (Argentina, Brazil, Chile, Colombia, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Paraguay and the United States) resolved to convene a meeting of the Organ of Consultations of the Rio Treaty, on the basis that the situation in Venezuela had a “destabilizing impact” and presented a “threat to peace and security in the Hemisphere”.
30 September 2019	The head of Colombia’s military intelligence resigned after his office included false photographs in a report presented by President Iván Duque to the United Nations on the supposed presence of Colombian guerrillas in Venezuela.
20 November 2019	The digital outlet <i>Publimetro</i> published a 24-minute audio of the conversation between the Ambassador of Colombia to the United States, Francisco Santos, and Colombia’s Foreign Minister, Claudia Blum, recorded in a Washington, D.C., coffee shop, where they stated that the United States State Department was “destroyed” and that the initiative supported by Washington to force humanitarian aid to Venezuela at the beginning of 2019 had been “a fiasco”.
3 December 2019	At the closing of the Thirtieth Meeting of Consultation of Ministers of Foreign Affairs of the Rio Treaty, held in Bogotá on 3 December 2019, President Iván Duque said: “Nicolas Maduro’s dictatorship has dedicated itself to promoting; supporting, sponsoring illegal armed groups that, from their territory and with their consent, intend to attack the Colombian population”.

Date	Events
20 January 2020	During the third Hemispheric Ministerial Conference to Combat Terrorism, held in Bogotá, the Government of Colombia accused the Government of the Bolivarian Republic of Venezuela of harbouring terrorist groups without providing any evidence to international public opinion. At the same event, President Iván Duque called upon the international community to apply illegal unilateral coercive measures and asked for the Venezuelan Government to be characterized as a State sponsor of terrorism.
23 January 2020	United States-Colombia: armed forces of both countries carried out an air assault exercise (insertion of airborne training with Hercules C-130 airplanes from the United States and Colombia).
30 January 2020	The Chief of the United States Southern Command, Admiral Craig Faller, during his participation in a hearing of the Senate Defense Committee, claimed that the destroyer <i>USS Detroit</i> had been gathering intelligence information in a liberty of navigation operation off the Venezuelan coast in waters claimed by Venezuela as its own.
4 January 2020	Donald Trump, during his State of the Union address, claimed that Maduro's "tyranny will be squashed" and called Juan Guaidó the legitimate President of Venezuela.
8 February 2020	In a joint press conference between the United States Secretary of Defense, Mark Esper, and Colombia's Defence Minister, Carlos Holmes Trujillo, the latter stated: "On the regional front, Secretary Esper and I just spoke about the challenges posed by Venezuela, and our shared desire for a rapid transition to democracy for the Venezuelan people. We also reaffirmed our joint commitment to counterattack the illegitimate Maduro regime's harbouring of terrorist groups such as the ELN, the FARC and others such as Hizbullah".