



# General Assembly

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## Seventy-fourth session

Agenda item 31

### Prevention of armed conflict

#### **Letter dated 20 September 2019 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General**

I have the honour to write to you to denounce several dangerous actions that threaten the peace and security of Venezuela and the Latin American and Caribbean region as a whole, of which I have informed the Security Council today.

In a previous communication, a letter dated 8 August 2019 ([A/73/983](#)), we informed you of the threats made by the President of the United States of America, Donald Trump, to commit an act of war by imposing a naval blockade against Venezuela. We note with concern a new attempt to fabricate an excuse for aggression using the Inter-American Treaty of Reciprocal Assistance, to which our country is not a party.

On 11 September 2019, 11 countries in the Americas (Argentina, Brazil, Chile, Colombia, El Salvador, United States, Guatemala, Haiti, Honduras, Paraguay, Dominican Republic) resolved to convene a meeting of the Organ of Consultation of the Inter-American Treaty of Reciprocal Assistance, on the grounds that the current situation in Venezuela has a “destabilizing impact” and poses a “threat to peace and security in the Hemisphere”, as may be seen from Organization of American States resolution CP/RES. 1137 (2245/19).<sup>1</sup>

The Inter-American Treaty of Reciprocal Assistance, signed in 1947 and since then never activated, is an instrument associated with the cold war, the division of the world into ideological blocs and the use of military force to maintain the hegemony of the Government of the United States of America in Latin America and the Caribbean. It is a legal expression of the colonialist Monroe Doctrine proposed in 1823, which condemns the Americas to subordinate themselves to the primary power in the continent.

Although, geographically, the intention is for the Inter-American Treaty of Reciprocal Assistance to cover the 35 countries of the Americas, only 18 countries have ratified it, 12 countries never joined it and 5 countries have denounced it, the Treaty ceasing to have effect for those States. These include the Bolivarian Republic of Venezuela, which, on 14 May 2013, invoked article 25 of the Treaty to denounce it.

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<sup>1</sup> See [S/2019/765](#), annex.



As a result of the decision to convene the Organ of Consultation of the Inter-American Treaty of Reciprocal Assistance, the remaining States of the Americas that are not parties to the instrument (17 States) are excluded from participating in regional affairs while plans are being made to engage in military aggression against a non-signatory State: the Bolivarian Republic of Venezuela.

The use or threat of use of military force, without authorization from the Security Council of the United Nations, are practices that violate the Charter of the United Nations, the international treaty accepted by 193 countries to govern relations between States and to which all its signatories, including the members of the Inter-American Treaty of Reciprocal Assistance, committed themselves to respect international peace and security. In cases in which regional treaties contravene the Charter, it is clearly established that obligations under the United Nations prevail, not those under any other international agreement:

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 (Art. 103),

The use of the Inter-American Treaty of Reciprocal Assistance, as invoked on 11 September 2019, is a violation of the right to peace and security of the Venezuelan people and the rights of the Bolivarian Republic of Venezuela as a full State Member of the United Nations. It is clear that all States Members of the United Nations should handle their disputes without violating the principles, authority and procedures established in the Charter and the body of international law that derives from its application. The deliberate refusal to do so has serious consequences, as we will see:

In article 8 of the Inter-American Treaty of Reciprocal Assistance, it is stated that:

... the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radiotelegraphic communications; and use of armed force.

It is no coincidence that the President of the United States of America, Donald Trump, on 1 August 2019 announced that he was considering the imposition of a naval blockade against the Bolivarian Republic of Venezuela. The use of the Inter-American Treaty of Reciprocal Assistance as a tool to implement the naval blockade was announced on 17 September 2019 but with the real reason of the act of war being expressed; it is no longer a question of the regional threat, but a coup d'état against the Government of Venezuela.

The United States continues to support interim President Juan Guaidó, the National Assembly, and the Venezuelan people as they seek to restore democracy to their country. To this end, the United States and our partners have invoked the TIAR/Rio Treaty, which facilitates further collective action to confront the threat posed by the former regime of Nicolas Maduro to the Venezuelan people and to the region. We look forward to coming together with regional partners to discuss the multilateral economic and political options we can employ to the threat to the security of the region that Maduro represents.<sup>2</sup>

Now the United States Government is invoking the Treaty for Venezuelan domestic policy reasons that have nothing to do with the maintenance of international

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<sup>2</sup> Press statement of the United States Department of State: <https://www.state.gov/suspension-of-talks-between-venezuelas-interim-government-and-the-former-maduro-regime>.

peace and security. Rather, the use of force is being threatened to overthrow the constitutional Government of Venezuela, in violation of the principles of sovereignty and self-determination of peoples enshrined in the Charter in its Article 2.4:

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.

The Government of the United States of America is being supported in its military interventionism by the Government of Colombia, which intends to militarize its relations with Venezuela by trying to involve our country in its longstanding internal war whose causes are purely endogenous. However, we can find the true motivations for the militaristic rhetoric of the Government of President Iván Duque in the statements by his Minister for Foreign Affairs, Carlos Holmes Trujillo, to the Permanent Council of the Organization of American States when he requested the convocation of the Inter-American Treaty of Reciprocal Assistance Organ of Consultation:

We will maintain our political and diplomatic efforts and continue to make these denunciations, supported by international law and having recourse to existing instruments to establish the conditions that will ultimately allow the brothers and sisters of Venezuela to live once more in democracy and liberty.

Military interventionism appears once again as a tool to force the overthrow of the democratic Government of Venezuela. What authority does the Government of Colombia have to put in place the conditions that would bring about a change of Government in Venezuela? What we have is an unequivocal confession of goals and actions that violate the Charter of the United Nations. The motivations have nothing to do with international peace and security; rather, the aim is to bolster the interests of the Governments of the United States and Colombia as they move to control the Venezuelan political system.

Activation of the Organ of Consultation of the Inter-American Treaty of Reciprocal Assistance for interventionist reasons, on the basis of article 8 of the Treaty, sets the stage for engaging in aggression against Venezuela, aggression being understood as set out in article 1 of resolution [3314 \(XXIX\)](#) of the United Nations General Assembly, of 14 December 1974:

Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations.

The fact that an amendment proposed by the delegation of Costa Rica, aimed at discarding the use of military force from the options to deal with the “situation” of Venezuela was rejected by the countries that adopted the resolution is proof that invoking the Inter-American Treaty of Reciprocal Assistance is an attempt to justify military force against Venezuela.

The 11 States that are threatening to use armed force against Venezuela are manipulating a regional agreement, the Inter-American Treaty of Reciprocal Assistance, to deliberately ignore the authority of the Security Council of the United Nations. Under Article 53 of the Charter, any regional agreements that provide for coercive measures are subject to authorization by the only body legally empowered to apply forcible measures in the world:

The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council ...

It is not possible to use the Inter-American Treaty of Reciprocal Assistance without the express authorization of the Security Council. In the case of Venezuela, that authorization does not exist, nor has it been requested. The United States of America and its accompanying countries are in breach of the Charter when they claim for themselves the power that all States gave to the Security Council alone, as established in Article 24.1:

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

The Government of the United States of America and the Government of Colombia, in invoking the activation of the Inter-American Treaty of Reciprocal Assistance, accuse Venezuela of being a “threat to peace and security in the Hemisphere”. This reckless accusation is wholly unfounded. Moreover, it violates international law, because the United States Government has no authority to call Venezuela a threat that warrants the use of military force. That authority is exclusive to the Security Council, as established in Article 39 of the Charter of the United Nations, which states:

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

In the 70-year history of the Inter-American Treaty of Reciprocal Assistance, the United States has used military force in Latin America and the Caribbean in the following cases: Dominican Republic (1965), Grenada (1983), Nicaragua (1984), Panama (1989) and Haiti (2004). Now it is planning a military aggression against Venezuela. Historical facts show that the Inter-American Treaty of Reciprocal Assistance has failed to maintain peace in the region and has proven useless in preventing the acts of military aggression of the United States of America.

How can the historically most aggressive country in the entire region call Venezuela a threat? How can the Government of the United States of America apply a policy of economic terrorism against Venezuela, with illegal unilateral coercive measures, yet say that Venezuela is a threat? How can Venezuela be called a threat, when it is the President of the United States of America who is making direct and repeated threats to intervene militarily and impose a naval blockade?

There being no legal basis for aggression against Venezuela, we must note that the facts of the situation do not justify action as serious as the use of military force. The Charter of the United Nations sets out two ways in which military force may be used against another State: namely, with the authorization of the Security Council (Art. 42); and by invoking the right of self-defence (Art. 51).

Self-defence is an inherent right justified only in the event of armed attack (Art. 51 of the Charter) or an act of aggression as defined in General Assembly resolution [3314 \(XXIX\)](#) (of 14 December 1974). Neither of these conditions exists in Venezuela, or the region. The notion of self-defence cannot be dragged out to muddle the subjective assessment of supposed potential or latent threats that have no basis in reality.

Absent aggression, the use of armed force constitutes an illegal act of war that gives powerful States the capacity to arbitrarily leverage their military advantages to further their interests at the expense of international peace and security. Article 51 of the Charter establishes the conditions for the application of the principle of self-defence without affecting the authority and responsibility of the Security Council to “take at any time such action as it deems necessary in order to maintain or restore

international peace and security". Therefore, States invoking the Inter-American Treaty of Reciprocal Assistance must show the Security Council evidence of armed attack or aggression to enable it to exercise its authority in a timely manner to prevent the perpetration of an act characteristic of the disastrous doctrine of "preventive war" that has led to so many catastrophic consequences in recent history.

Besides not posing a regional threat, since its independence, two centuries ago, the Bolivarian Republic of Venezuela has never been in an international war nor has it engaged in what could be considered aggression against another country. Consequently, attempts to use the right to self-defence, under the cover of false threats, to justify aggression against Venezuela are unacceptable.

The Bolivarian Republic of Venezuela has shown itself to be a lover and guarantor of peace. Therefore, we are warning against the aggression being planned, in violation of the Charter of the United Nations.

We respectfully encourage you to make a public statement against the militarization of relations among the countries of the region, the abuse or manipulation of regional treaties in attempts to apply them to countries that are not party to them, the bellicose rhetoric used to manufacture excuses to call for acts of war and the wilful ignorance of the authority of the United Nations Security Council as the only body in the world legally authorized to identify threats to peace and security and to take the steps necessary to defend them.

Similarly, we request your good offices to avert a catastrophe that would destroy the region for generations. The peoples of the Americas have a right to peace and it is our obligation to work to defend and protect that right.

I should be grateful if you would have the present letter circulated as a document of the seventy-fourth session of the General Assembly under agenda item 31.

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

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