Latin American countries call for ICC to probe Venezuela

Five Latin American countries will ask the International Criminal Court to investigate Venezuela’s government for crimes against humanity — an escalation of international pressure against President Nicolás Maduro and a move that could ultimately build a case for intervention.

Argentina, Colombia, Chile, Peru and Paraguay will submit their request on Tuesday evening, officials close to the situation said. Canada is understood to have considered joining too. The request cites multiple alleged cases of human rights abuses, including more than 8,000 extrajudicial executions, and comes as almost 4m people have fled the country in an exodus increasingly compared to the Syria’s. As many as 1.5m Venezuelans are forecast to leave this year to escape an imploding economy, hyperinflation and growing state repression.

“Never before has a country been referred to the ICC by an outside state,” said one diplomat close to the situation. “This is a huge step. It’s historic. ”The move builds on a dossier of alleged human rights abuses already submitted by the Organization of American States, a grouping of 35 independent states of the Americas.

The request could also pave the way for the UN to invoke its “responsibility to protect” — a 2005 pledge endorsed by all UN members to prevent genocide, war crimes, ethnic cleansing and crimes against humanity. The call by Latin American peers further stains Venezuela’s faded public image in the midst of the UN general assembly this week. Mr Maduro, whose government has called the refugee exodus a Pentagon-fed media fabrication, is not going to the meeting attended by world leaders, claiming knowledge of an assassination threat against him.

An alleged attempt to assassinate Mr Maduro using two drones packed with explosives failed last month during a military parade in Caracas.

The five country submission of a case against Venezuela allows ICC chief prosecutor Fatou Bensouda to fast-track such a process if she decides to open the case, but does not automatically trigger an investigation. It also escalates an ICC “preliminary examination” into human rights abuses that the ICC launched in February, alongside one into the Philippines.

“It may be a stretch to say this is the first legal step to some kind of intervention, but at the very least more people will hear more about Venezuela’s situation,” Diego Arria, a former Venezuelan ambassador to the UN said. “It could also set a precedent that applies to other countries.”

Venezuela’s multiple crises and alleged human right abuses, combined with allegations of drug trafficking by senior officials and the refugee crisis, have fed growing calls for tougher action in recent weeks from the US and Latin American countries struggling to absorb Venezuelan refugees.

Luis Almagro, the head of the OAS, said 10 days ago that no option should be ruled out in the search for a resolution of Venezuela’s crises. Mr Almagro later clarified that he was calling for “diplomatic intervention”.US national security adviser John Bolton earlier this month called the ICC “an illegitimate court” in the latest attack by an official from the Trump administration on what it perceives to be constraining international institutions.

“For all intents and purposes, the ICC is already dead to us,” Mr Bolton said.

Other than the US, and key Venezuelan allies Cuba and Nicaragua, all other countries in the hemisphere have signed up to the ICC. China, which remains Venezuela’s most important business ally, is also not a member.