

# WEEKLY ANALYSIS

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## AN ANALYSIS OF THE UNITED STATES' MILITARY ATTACK ON VENEZUELA

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## AN ANALYSIS OF THE UNITED STATES' MILITARY ATTACK ON VENEZUELA

### Introduction

Following the commencement of Donald Trump's second term as President of the United States, U.S. foreign policy has assumed a notably active and confrontational posture, characterized by an increased reliance on military force. According to various reports, during this period, direct military strikes and special operations have been conducted against several countries, including Yemen, Somalia, Iraq, Iran, Nigeria, and Venezuela. These actions have not only altered regional security dynamics but have also raised serious questions from the perspective of international law.

Within this context, on 3 January of the current year, a military operation entitled *Operation Absolute Resolve* was carried out against Venezuela. During the operation, Nicolás Maduro, the President of Venezuela, along with his spouse, Cilia Flores, was detained and transferred to the United States. U.S. authorities have accused Maduro of involvement in international drug trafficking, cocaine exportation, illegal weapons stockpiling, and the possession of hazardous substances. He was presented before a U.S. court on 5 January.

This military action, entailing the arrest of the sitting president of a sovereign state and his forcible transfer to another country, raises profound legal questions concerning state sovereignty, the prohibition on the use of force, the principle of non-intervention, and the scope of international criminal jurisdiction. Accordingly, this article seeks to examine the legal legitimacy of the United States' military action against Venezuela from the standpoint of international law, to assess the reactions of the international community, and to analyze its potential implications for the future of international peace and security.

### BACKGROUND OF THE TENSE RELATIONS BETWEEN THE UNITED STATES AND VENEZUELA

The roots of Venezuela's political developments and the deterioration of its relations with the United States can be traced back to the period of Hugo Chávez's rule. Chávez, who pursued socialist policies grounded in the ideology of the "Bolivarian Revolution," established close political, economic, and strategic ties with China, Russia, and Iran, while openly adopting an anti-U.S. stance. From the perspective of U.S. foreign policy, these policies positioned Venezuela as a hostile and challenging state.

Following the death of Hugo Chávez in 2013, Nicolás Maduro assumed power in accordance with Chávez's political legacy. Maduro continued his predecessor's domestic and foreign policies, including a confrontational posture toward the United States, the maintenance of strategic partnerships with non-Western powers, and an economic system based on extensive state control. In response, the United States imposed wide-ranging economic and financial



sanctions on Venezuela, including the freezing of Venezuelan assets held in U.S. financial institutions and restrictions on the country's oil exports.

These sanctions had a severe impact on Venezuela's economy. The oil sector—the country's primary source of national revenue—faced a profound crisis, shortages of essential goods became widespread, and the resulting economic collapse forced approximately seven million Venezuelan citizens to leave the country. International humanitarian organizations have described this situation as one of the largest migration crises of the contemporary era.

In 2025, the United States began monitoring certain Venezuelan oil tankers, claiming that these vessels were involved in drug trafficking. Many analysts argue that such measures are not purely security-driven but are also closely linked to strategic energy interests. Venezuela possesses some of the world's largest proven oil reserves, estimated at approximately 303 billion barrels—figures that reportedly exceed even those of Saudi Arabia.

Owing to this strategic significance, Operation Absolute Resolve was reportedly carried out by the United States following several months of planning, intelligence preparation, and military exercises. It has been reported that during these exercises, facilities resembling Maduro's residence were constructed and used for training purposes. It has also been alleged that full details of the operation were not disclosed to the U.S. Congress, a matter that has sparked constitutional debates within the United States regarding the limits of authority between the executive and legislative branches.

According to available reports, the operation commenced at night and lasted approximately two hours and twenty minutes, involving coordinated participation by air, naval, and ground forces. While the high level of operational coordination and the use of advanced military technology demonstrate the United States' military superiority, they simultaneously raise serious questions, from the perspective of international law, regarding the operation's legality and legitimacy.

### **VIOLATION OF INTERNATIONAL LAW**

All Member States of the United Nations are bound by the provisions of the UN Charter and are obligated to conduct their domestic and foreign actions in accordance with its principles. The Charter of the United Nations is recognized as the foundational instrument of the contemporary international legal order, with the prohibition of the use of force, respect for state sovereignty, and the maintenance of international peace and security among its core objectives. In practice, however, it is often observed that certain powerful states depart from these fundamental principles in pursuit of their strategic and political interests. The military



action undertaken by the United States against Venezuela falls within this category of legal violations.

The U.S. attack on Venezuela is manifestly inconsistent with several key principles of international law, the most significant of which are outlined below:

**a) Violation of Article 2(4) of the United Nations Charter**

Article 2(4) of the UN Charter explicitly prohibits states from threatening or using force against the territorial integrity or political independence of any other state. The military action carried out by the United States against Venezuela, undertaken without the consent or formal invitation of the Venezuelan government, constitutes a clear example of the unlawful use of force. Although the Charter recognizes limited exceptions to this prohibition, such exceptions are permissible only in two circumstances;

First, in the exercise of the inherent right of self-defense under Article 51 of the Charter, and Second, pursuant to authorization by the UN Security Council under Chapter VII of the Charter.

To date, no credible evidence has been presented to demonstrate that Venezuela has carried out, or intended to carry out, an armed attack against the United States that would justify the invocation of self-defense. Moreover, the UN Security Council has not adopted any resolution or issued any statement authorizing the use of force against Venezuela. Consequently, this military action cannot be legally justified under international law and constitutes a clear violation of the UN Charter.

**b) Violation of the Principle of State Sovereignty and the Principle of Non-Intervention**

The principles of state sovereignty and non-intervention in the internal affairs of states are regarded as fundamental norms of customary international law. Under these principles, each state has the exclusive right to exercise supreme political, legal, and administrative authority within its own territory. The entry of foreign armed forces into the territory of a state and the arrest of its highest-ranking official, therefore, represent a serious infringement of state sovereignty. Furthermore, the organization of a political system and the determination of senior state officials fall squarely within a state's domestic jurisdiction. Accordingly, political and legal interventions by foreign states—particularly the United States—regarding the legitimacy of Venezuela's president amount to a manifest violation of the principle of non-intervention.

**c) The Crime of Aggression**

Under the Rome Statute of the International Criminal Court, the planning, preparation, initiation, or execution of an armed attack against the sovereignty, territorial integrity, or



political independence of another state constitutes the crime of aggression. When the U.S. military action against Venezuela is assessed in light of this definition, it appears to satisfy the legal elements of the crime of aggression.

Although the exercise of jurisdiction by the International Criminal Court is subject to specific legal conditions, from a doctrinal perspective, such conduct gives rise to international responsibility under international law. In accordance with the principles governing the international responsibility of states, the responsible state is obliged to cease the internationally wrongful act immediately, provide assurances and guarantees of non-repetition, and make full reparation for the injury caused. Reparation may take the form of restitution, such as the release of the Venezuelan president and his return to his country, or compensation for material damage, as well as an official apology in respect of moral injury.

In addition, the government of Venezuela may bring a claim before the International Court of Justice (ICJ) concerning the unlawful detention of its state officials. International conventions adopted in 1973, together with principles of customary international law, confer international immunities upon high-ranking state officials. As the President of Venezuela constitutes the highest representative of the state, his arrest and prosecution are clearly incompatible with the principle of personal immunity under international law.

### **REACTIONS OF STATES AND INTERNATIONAL ORGANIZATIONS**

Following the United States' military action against Venezuela and the arrest of the country's president, Nicolás Maduro, a range of states and international organizations expressed divergent reactions. These responses provide a clear illustration of existing alliances, strategic relationships, and competing interests in international politics. The European Union adopted a cautious position, calling for restraint and de-escalation and emphasizing that any transfer of power in Venezuela should occur through peaceful and political means. At the same time, however, the EU expressed doubts regarding Maduro's legitimacy, reflecting a degree of inconsistency in its stance toward the principle of non-intervention under international law.

In contrast, Russia characterized the action as a clear act of armed aggression and stressed that no legal or political justification for the use of force could be accepted. China likewise condemned the U.S. attack on Venezuela and called for Maduro's unconditional release, a position consistent with the principles of state sovereignty and non-intervention. Iran also denounced the military operation as a violation of all fundamental principles of international law and described it as a direct assault on Venezuela's national sovereignty.

Reactions within Latin America were not uniform. Some regional states, such as Argentina, welcomed Maduro's arrest and viewed it as an opportunity for political change, while others



regarded the action as a source of regional instability. These divergent responses reflect the deep political and ideological divisions among Latin American countries.

International organizations also responded to the attack. The Secretary-General of the United Nations condemned the action and called for respect for international law. Amnesty International, in its official statement, emphasized that the operation constituted a serious violation of international law, particularly the UN Charter. The organization further noted that any attempt to control or manage Venezuela's natural resources, especially oil, would be incompatible with international legal principles and the doctrine of permanent sovereignty of peoples over their natural resources.

Within this framework, condemnation by international organizations is significant in terms of drawing global attention; however, these bodies face serious limitations in their enforcement capacity. In particular, the United Nations is constrained by the structure of the Security Council, where permanent members, including the United States, possess veto power and can block any binding measures directed against themselves.

In addition to international reactions, criticism also emerged within the United States. The Mayor of New York, Zohran Mamdani, described the operation as contrary to international law and a violation of Venezuela's national sovereignty. Similarly, Senator Bernie Sanders of Vermont stated in a forceful response:

"Donald Trump has once again demonstrated his disregard for the Constitution and the rule of law. The President of the United States cannot unilaterally take the country to war, even if the issue involves Maduro. The United States does not have the right to govern Venezuela. It is Congress that must decide on war powers to put an end to such illegal operations."

These domestic objections indicate that even within the United States, the legal and constitutional legitimacy of the military action has been called into question. The principle of freedom of expression in the United States allows public officials and ordinary citizens alike to freely voice their views on major foreign policy decisions—an attribute widely regarded as a defining feature of a democratic system.

### **ASSESSING THE IMPLICATIONS FOR THE INTERNATIONAL ORDER**

Since the end of the Second World War, the international community has experienced nearly eight decades without the outbreak of a third world war, enjoying a degree of relative stability. This stability has been largely sustained by an international order grounded in international law, the United Nations Charter, and norms restricting the use of force. Historically, the interval between the First and Second World Wars was relatively short,



whereas after 1945, the establishment of international institutions helped prevent direct armed conflict among major powers.

The U.S. military action against Venezuela constitutes a serious challenge to this treaty-based and rule-governed international order. It conveys a message to great powers that they may use force to change opposing governments, arrest national leaders, and pursue political objectives on the basis of military superiority. If such conduct is met with silence or insufficient response from the international community, it is likely to have profound negative consequences for the future of the international system.

Under such conditions, competition among states may increasingly be shaped not by legal principles but by power, military capabilities, and strategic alliances. As a result, the rule of law would gradually erode, and the international system could shift from a rule-based order toward a power-based order. This transformation would be particularly dangerous for small and weak states, which lack sufficient means to resist pressure and intervention by major powers.

Moreover, if international institutions, sovereign states, and global public opinion remain silent in the face of such actions, the likelihood of similar military operations being repeated elsewhere will increase. Such silence not only undermines the legitimacy of international law but also reinforces the perception that international rules apply only to weaker states, not to powerful ones.

For this reason, the events in Venezuela should not be viewed merely as a domestic or regional issue. Rather, they represent a critical test in the twenty-first century of the durability, credibility, and trustworthiness of the international order. The outcome of this test will determine whether the global system continues to rest on shared rules, rights, and responsibilities, or gradually reverts to a system based on force, coercion, and rivalry.

## CONCLUSION

The United States' military action against Venezuela and the unlawful detention of the country's president, Nicolás Maduro, and his spouse constitute, from the perspective of international law, a clear violation of the fundamental provisions of the Charter of the United Nations. This action infringes upon the principles of state sovereignty, the prohibition of the use of force, and non-intervention, and further represents a breach of core norms of international human rights law and international humanitarian law. Under existing legal frameworks, no credible or legally sustainable exception can be identified that would render this military action lawful or justifiable.



In accordance with the principles governing the international responsibility of states, the obligation to make reparation for the material and moral damage resulting from this attack rests with the United States. Fulfilment of this responsibility requires the immediate cessation of the internationally wrongful act, the provision of guarantees of non-repetition, and full reparation for the harm caused. Should such actions go unanswered or be repeated in the future, the international legal order would face serious erosion, and the global system would gradually move toward disorder and instability. In such circumstances, states would prioritize the expansion of military capabilities over adherence to the rule of law, leading to the militarization of international competition and the weakening of the legitimacy of international law.

Many political and legal analysts argue that this U.S. action is not purely security-driven but is also closely linked to strategic energy objectives and ideological calculations. In this context, control over Venezuela's vast oil reserves and the weakening of the country's socialist system are widely regarded as potential underlying objectives of U.S. foreign policy.

#### **RECOMMENDATIONS**

1. The United Nations, and in particular the Security Council, should adopt a clear and practical stance against regime change through the use of force, attacks on national political leaders, and acts amounting to hostage-taking, and should activate effective accountability mechanisms to address violations of international law.
2. The international community should place greater emphasis on political, legal, and diplomatic solutions to international disputes and support dialogue, mediation, and peaceful means of conflict resolution instead of military intervention, as the use of force undermines the international order and exacerbates global instability.
3. Sovereign states should prioritize the strengthening of regional and international cooperation to protect their national interests, natural resources, and political independence, thereby enhancing their capacity to resist unilateral pressure and unlawful interventions by major powers.
4. Academic and legal institutions should undertake more extensive research on the consequences of the use of force in international relations and develop practical recommendations aimed at reinforcing the rule of international law, the principle of sovereign equality of states, and the stability of the global order.



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**Contact Us:**

Email: [info@csrsaf.org](mailto:info@csrsaf.org)

Website: [www.csrsaf.org](http://www.csrsaf.org)

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Phone & WhatsApp: +93780618000

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[www.csrsaf.org](http://www.csrsaf.org)



[info@csrsaf.org](mailto:info@csrsaf.org)