Exploiting Venezuela’s Uncertain Future: Resource Conflicts and the Environment

Bram Ebus

The oil sector greased the wheels of Venezuela’s economy for close to a century. But around 2013, the economic model based on the industry collapsed after many years of severe mismanagement, a lack of maintenance, and corruption in the sector. Looking for new opportunities, the government of Nicolás Maduro decided to bet big on mining. Maduro claims that Venezuela possesses the second biggest gold reserves in the world, but the rapid expansion of mining operations in the country’s south are tainted by human rights violations and illegality.

Gold mining in particular faces increasing international scrutiny. In March 2019, the U.S. Treasury Department’s Office of Foreign Assets Control (OFAC) sanctioned Venezuela’s gold sector. The European Parliament called for a ban on the trade and circulation of Venezuelan gold in July 2020.¹

Meanwhile, armed groups continue to use violence to control Venezuela’s mines. The debate about Venezuela’s conflict gold must be drastically changed for a real impact to be made and to stop the atrocities occurring in the country’s southern mining districts. Sanctions, trade bans, and rhetoric about ‘blood gold’ serve to fuel the black market in minerals and have increased revenues for criminal actors without changing anything on the ground.

The Orinoco Mining Arc

An abundance of minerals and the presence of rare earths enticed chavismo to deepen its rentier economic model, historically based on oil extraction, by adding mining development

¹ European Parliament resolution of July 10, 2020, on the humanitarian situation in Venezuela and the migration and refugee crisis.
to its portfolio. Foreign and national mining companies, nevertheless, had operated in Venezuela since the 19th century. Minerven, a corporation created in 1970 and nationalized four years later, delivered significant amounts of gold to Venezuela’s state coffers, but the mining sector was never as important in revenue terms as it has been, for example, in neighboring Colombia and Brazil.

A 2016 decree aimed at converting mining into a motor of the national economy, designating a 112,000 square kilometer (km²) area—the Orinoco Mining Arc—for mining development. The original plan had been set forth by the late Hugo Chávez Frías in 2011, who spoke about areas of great economic power and potential; Chávez introduced the concept of the Orinoco Mining Arc to increase the production of coltan, diamonds, bauxite, and gold.

After signing the Orinoco Mining Arc decree in 2016, Maduro announced that over 150 corporations headquartered in different countries intended to participate in mining endeavors, but few of them actually capitalized on the opportunity. The economic insecurity, Venezuela’s lack of experience with mining and escalating human rights violations in the mining districts raised too many barriers for reputable foreign investors.

The warnings of environmental experts and human rights organizations about the potential for irreversible environmental damage and violence in mining areas soon proved to be correct. In the five years since the signing of the Orinoco Mining Arc decree, the blatant human rights violations and environmental degradation caused by gold mining have been broadly documented. For example, in a July 2020 report, the UN Office of the High Commissioner for Human Rights denounced the human rights situation in Venezuelan mines.

Despite multiple problems in the sector and the absence of experienced global corporations, mining—and especially gold mining—expanded following the 2016 decree. Numerous new wildcat mines are scattered around south of the Orinoco River and gold mining has become the main economic activity in southern Venezuela. Nevertheless, the legal framework created in 2016 as part of a new economic strategy based on mineral extraction was unrealistic in}

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5 Author’s correspondence with corporate stakeholders, 2017 and 2018.

practice, as criminal elements in alliance with corrupt state officials strengthened their hold over the sector in Venezuela’s south.

**Why is Venezuelan Gold Illegal?**

Venezuela’s gold became toxic in international markets after growing human rights and environmental controversies related to mining and as a result of the March 2019 OFAC sanctions targeting the sector. The U.S. Treasury Department argued that Venezuelan gold “prop[s] up the illegitimate [Maduro] regime.” “We will aggressively pursue those involved with Maduro’s reckless illicit gold trade which is contributing to this financial, humanitarian, and environmental crisis,” said then-Treasury Secretary Steven Mnuchin.8

Most of the mines south of the Orinoco River are run by Venezuelan organized crime groups and Colombian rebel organizations that use violence to control regions rich in natural resources.9 The minerals that are systematically exploited finance these groups and the violence they perpetrate. Hence, the competition among violent groups for access to mineral wealth constitutes a resource conflict.10

There are additional aspects of gold mining in the Orinoco Mining Arc that are illegal. In fact, the opposition-controlled National Assembly repealed the decree in June 2016, citing environmental considerations and the risks of mining in protected areas, such as officially-designated forest reserves and national parks; one prominent example is the Canaima National Park, a UNESCO World Heritage site.11 The National Assembly called attention to the serious contamination, deforestation, and tropical diseases related to the expansion of mining projects and underscored the constitutional obligation of the state to safeguard the environment, protected areas, biological diversity, and genetic resources.12

Despite these and other efforts, Venezuela’s Supreme Tribunal stripped the National Assembly of its powers in 2016 and annulled its decisions.

Other aspects of mining projects have been illegal and unconstitutional. For example, the socio-environmental impact studies prior to building a mine that are required by Article 129 of the Constitution have not been carried out. In addition, Article 120 of the Constitution and Convention 169 of the International Labor Organization require free and prior consultations

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with indigenous populations in order to access indigenous lands. Neither of these provisions has been upheld.

**A Rogue Sector: The Actors in Illegal Mining**

By 2021, most of Venezuela’s areas rich in mineral resources not only count with the presence of non-state armed actors, but these groups also function as the local authorities. They control who enters the area and who does not, at times bring in food and medical supplies, involve themselves in education, and charge taxes and tolls. In these areas, the state has lost its monopoly on violence; illegal groups also carry out rudimentary justice and openly carry weapons, sometimes alongside or in the proximity of state security forces.13

The situation described above is made possible by the tacit alliances between state actors, such as governors, mayors, and army officials, and non-state armed groups. The alliances are often local, mainly profits-based, and, therefore, very volatile. State and criminal groups either collaborate to share illicit rents or compete for them. Outbreaks of violence have occurred in both Amazonas and Bolívar states and are a consequence of competition for control over illicit economies and trafficking routes.14 Now that some of the most powerful non-state armed groups, such as Colombia’s Ejército de Liberación Nacional (ELN), operate with the apparent endorsement of Caracas, criminal elements have no natural enemy in the state.


Colombian Guerrilla Groups

The presence in Venezuela of Colombia’s now largest guerrilla organization, the ELN, dates back four decades. Historically, Colombian rebel groups such as the ELN used the Venezuelan side of the border as a strategic rearguard to move fighters and kidnapping victims, receive medical attention, and avoid law enforcement crackdowns in Colombia.\(^\text{15}\)

The ELN had some presence in Bolivar state at least ten years before the 2016 Orinoco Mining Arc decree.\(^\text{16}\) Nevertheless, the ELN significantly increased its presence in mining areas, particularly in Amazonas and Bolivar, following the signing of the Orinoco Mining Arc decree.

Today the guerrilla group has many Venezuelan recruits and is deeply involved in illegal gold mining. The ELN works to develop its social base throughout Venezuela’s southern and border areas, where it is trying to win the hearts and minds of local—and often indigenous—communities. Regional alliances with other non-state armed groups, criminal organizations, security forces, and politicians are, for the most part, profit-based rather than ideological, making these pacts much more volatile and prone to violence. Although there is more information about the relationship between Colombian guerrilla groups and local government officials in Venezuela, it is clear that tacit relations with national figures in Caracas exist as well.

Colombia’s former largest guerrilla group, the Fuerzas Armadas Revolucionarias de Colombia (FARC), demobilized in 2017 after signing a peace treaty with the Colombian government in 2016. Although most of the rebel fighters laid down their weapons, some rogue elements never participated in the peace deal and/or rearmed after the signing. These dissident groups include many new recruits. Several factions are active in Venezuela, each relating differently to other non-state armed groups and the Venezuelan security forces. Frictions among groups have led to outbursts of violence.\(^\text{17}\)

The best-known FARC dissident group active in illegal gold mining is the Acacio Medina Front, which operates several illegal gold mining projects in Amazonas state and also has a presence in Bolivar state. Local sources report that the FARC dissidents behave with less respect towards indigenous and rural communities than the ELN; in the future, this behavior

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\(^{15}\) International Crisis Group, “\textit{Disorder on the Border: Keeping the Peace between Colombia and Venezuela},” Latin America and Caribbean Report 84, December 14, 2020.

\(^{16}\) Bram Ebus, “\textit{A Rebel Playing Field},” International Crisis Group Commentary, April 28, 2021.

\(^{17}\) FARC dissidents clashed with Venezuelan armed and security forces in the border state of Apure in March 2021. See: Joe Parkin Daniels, \textit{The Guardian}, March 31, 2021; Sulay García, “\textit{Gobernador de Apure: conflicto guerrillero en la frontera amerita una respuesta política},” \textit{Crónica Uno}, January 24, 2022. Prolonged eruptions of violence between a FARC dissident faction and the Venezuelan armed forces shook the border state of Apure in March 2021 and new spats of violence occurred early 2022 when the same dissident faction and the ELN engaged in violent confrontations.
could possibly trigger violent reactions from local communities or other armed groups.\footnote{Bram Ebus, "A Rebel Playing Field."}

**Venezuelan Crime Groups**

Criminal organizations from Bolivar state’s main cities, Puerto Ordaz and Ciudad Bolivar, expanded their activities into the mining areas in the early 2010s. Names often used for these organizations are *pranes* (originating from the prison system) or *sindicatos* (unions from the construction sector that already managed criminal portfolios before getting involved in mining). These terms are fairly and unfairly applied, however. Mining towns and areas under the sway of these groups include Las Claritas and El Dorado.

*Pranes* and *sindicatos* have been armed by government authorities, for example when Rangel Gómez was governor of Bolivar (2004-17); the groups in turn paid quotas in gold to the authorities. The first ruptures in the state-criminal joint venture emerged after the election of Bolivar governor Justo Noguera (2017-21), especially as crime groups became more financially and operationally independent and broke with previous agreements. During this period, government authorities allowed ELN guerrillas to violently displace *sindicatos* from key mining areas.

Eventually, the panorama of armed groups and criminal organizations became more complex as transnational Brazilian crime organizations and other Venezuelan organized crime groups—such as the Tren de Aragua and Tren de Guayana—increased their stakes in the mining districts.

**The Military**

Members of Venezuela’s armed forces have stakes in illegal gold mining projects and gold processing plants and demand illegal payments from mining projects and related sectors. Military officials are directly involved in cross-border gold trafficking, for example, to Colombia and Guyana.\footnote{Bram Ebus and Thomas Martinelli, “Venezuela’s Gold Heist.”} Additionally, Colombian guerrilla groups and other criminal organizations pay quotas in gold to high-ranking military officials. Because of access to these kinds of kickbacks, senior positions in mining areas are in high demand. In turn, officers appointed to mining-rich states such as Bolivar are expected to be loyal to the Maduro government.\footnote{International Crisis Group, “Gold and Grief in Venezuela’s Violent South.”}

The army officially participates in the mining industry; and the Orinoco Mining Arc decree includes a “military economic zone” that has given the armed forces increased control over
mining areas and direct stakes in the sector, including through the state military mining company, CAMIMPEG.\textsuperscript{21} In Bolívar state, the military-run state company, Corporación Venezolana de Minería (CVM), collects “taxes” to be paid in gold in order to use a local airport.\textsuperscript{22}

Despite many rumors, the stakes of government and political elites in illegal mining are difficult to confirm. But their involvement in gold-processing cyanidation plants that process the gold-bearing sands coming from the illegal mines is more apparent. The General Directorate of Military Counterintelligence (DGCIM) is in charge of the security of some of these plants.\textsuperscript{23} The cyanidation plants can extract higher percentages of gold than can be separated using common and more rudimentary methods involving toxic quicksilver mercury in the extraction process.

Several elite police and intelligence units benefit from illegal mining and raid mining projects to control areas rich in minerals, often with fatal consequences.\textsuperscript{24} Criminal groups with ties to government actors subsequently occupy the mines. It is also the case that senior military officials own equipment, such as backhoes or dredging boats called \textit{dragas} or \textit{balsas}, and in exchange receive part of the resulting product.

\textsuperscript{22} Marcos Valverde and Bram Ebus “\textit{La gran barata del oro en el Sur de Venezuela: comprue un gramo y el otro le sale gratis},” Armando Info, May 10, 2020.
\textsuperscript{23} Antonio María Delgado and Nicholas Nehamas, “\textit{Despite U.S. Sanctions, a South Florida businessman is linked to Venezuela's gold industry},” \textit{Miami Herald}, January 28, 2020; “\textit{El capataz que ‘mantiene a Venezuela,’}” Armando Info, July 26, 2020.
\textsuperscript{24} International Crisis Group, “\textit{Gold and Grief in Venezuela’s Violent South}.”
Cross-border Movements of Venezuela’s Gold

The absence of verifiable—or, indeed, any—government data on the mining sector obscures the interests of government representatives in mining enterprises and state companies. Accurate gold production numbers are not only concealed; the government most likely cannot produce them, as they have no fiscal control over the sector. Existing government data demonstrate that Venezuela produced less than one tonne of gold in 2015 and 2016, but the production rose to 8.5 and 10.8 tonnes in 2017 and 2018, after the creation of the Orinoco Mining Arc. Realistically, however, gold production was much higher during these years.

Data from neighboring Aruba and Curaçao show that, in each year between 2014 and 2019, dozens of tonnes of Venezuelan gold were transported by charter jets and commercial flights from Venezuela through the islands. These amounts are in addition to the gold export figures reported by the Venezuelan Central Bank (BCV) and the amount of gold trafficked across land borders to other neighboring countries.

The black market makes it impossible to come up with a credible estimate of Venezuela’s gold production. Nevertheless, the Maduro government hopes to produce about 80 tonnes of gold a year by 2025. In reality, however, production is probably already close to this number, although most of the mining and trade routes are controlled by criminal elements. A 2021 OECD study estimated that Venezuela hypothetically can produce up to 75 tonnes of gold a year, based on processing capacity, although the actual production number is most likely not that high. Venezuela’s illegal gold mining sector is probably larger than Colombia’s total gold production. In 2020, Colombia produced about 48 tonnes, but this number also includes gold that has been trafficked from Venezuela.

Unlike diamonds, gold does not have a traceable DNA. Venezuelan gold can be laundered with bureaucratic chicanery. As long as gold has documentation indicating that it is not of Venezuelan origin, it loses its toxicity in international markets. The precious metal can be refined and combined with gold from different sources. It can be added illegally to the production of another gold mine in any given country. This is exactly what is taking place with Venezuelan gold.

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Illegal Venezuelan gold is trafficked via all neighboring countries, including large quantities through the Amazon rainforest. Its origins are obscured as it is added to the “legal” gold production of, for example, Brazil, Colombia, Guyana and Suriname. Refugees—sometimes under threat—are used as cheap carriers or “mules” in border areas and known migratory

hubs. Small planes use clandestine airstrips to move the precious mineral and small boats carry the gold on jungle rivers.\textsuperscript{28}

Efforts to counter gold trafficking have thus far been unsuccessful. In 2019, Aruba and Curaçao decided to ban the import and transit of Venezuelan gold, citing repression in the mining areas and money laundering via the gold trade. Sources indicate that most of the gold is now trafficked over different routes, but as of 2021, smaller quantities of gold were still being smuggled through the islands.\textsuperscript{29} The governments of Brazil, Colombia, and Guyana have yet to take concrete, serious steps to prevent Venezuelan gold from entering their countries, where it is subsequently laundered into the legal supply chains. Traffickers are thus able to avoid trade bans and sanctions.

Researchers and policymakers in the West frequently blame commercial or geopolitical adversaries such as Turkey, Iran, and the United Arab Emirates for their roles in trafficking Venezuela’s gold. But that gold still shows up in North America and Europe, as traffickers continuously transport gold from Venezuela across the borders of neighboring countries. There, licensed exporters subsequently ship the gold to the world’s most recognized refineries which, knowingly or unknowingly, purchase Venezuelan gold. These refiners then sell gold ingots to multinational corporations, including Apple, Samsung, Sony, and Starbucks.\textsuperscript{30}

**Discussion**

Future scenarios for southern Venezuela are fraught with uncertainty. Illegal armed groups are deeply entrenched in the gold mining sector and many do not have a natural enemy in the state. Any eventual political change in Caracas is likely to be unsettling to these state-criminal alliances. Changing power relations could trigger violent reactions in areas with a significant presence of non-state armed groups, whose territorial presence and control over lucrative illicit economies will be threatened. The current loss of state sovereignty in gold-producing regions will translate into greater problems in the future, as illegal armed groups are likely to violently resist any government attempt to curtail their power.

The case of the ELN is a prime example. Future attempts to dialogue with the ELN about its activities in Venezuela should not be ruled out; but it will be difficult to draw the armed group to the negotiation table when it does not have much to gain from dialogue. This suggests that the involvement of outside countries that could exercise some leverage over the ELN would be important. The guerrilla organization has territorial control, community support, a steady influx of new recruits, and access to natural resources. This contrasts with ELN units within Colombia itself, which are in constant battle with Colombia’s armed forces.\textsuperscript{31}

In the event of a future democratic transition in Venezuela, questions about the role of the military, currently heavily invested in illegal mining and operating in local alliance with non-state armed groups, remain unanswered. Nevertheless, the vested interest of the military in

\textsuperscript{28}“Venezuela: The Smugglers’ Paradise;” “Mercury: Chasing the Quicksilver.”
\textsuperscript{29}Author interviews with sources knowledgeable about the gold sector, 2021.
\textsuperscript{31}Nevertheless, military actions against the ELN in Colombia have thus far failed to eradicate the guerrillas.
legal and illegal economies represents a complicating factor in any transition scenario. The military as an institution should be removed from any involvement in legal mining, natural resource ownership, and management. Accountability for the perpetrators of violence related to controlling and exploiting natural resources is necessary; but more important is that a future security reform design guidelines to exclude the armed forces from exploiting natural resources or participating in state mining companies. Individuals who want to join the armed forces must be required to undergo a vetting procedure to exclude those involved in the illegal exploitation of minerals or enrichment through natural resources.

Should political negotiations between representatives of the Maduro government and opposition parties eventually resume, it is doubtful that the technically complex, politically sensitive issue of resource ownership can be broached early on. That said, conservation, access to natural resources, and management should eventually be discussed. Overarching goals should be to stop irreversible environmental destruction and the disappearance of the nation’s mineral wealth into the hands of criminal elements. An obvious point of departure for considering issues related to natural resources and the environment would be to gather information that is currently lacking. Future on-site environmental assessments are necessary; they could be carried out by officials from the United Nations Environment Programme (UNEP) or other independent experts.

The dramatic increase in mineral production in Venezuela’s south is not primarily driven by increasing international commodity prices, but rather, by the crisis in the country. Since 2013, 5.9 million Venezuelans have fled their country’s economic collapse and humanitarian crisis, although many more have stayed. Many of those unable to make ends meet, including doctors, teachers, and lawyers in urban areas, have headed to the gold mines, where they can pick up grueling—but remunerative—work. Even existing criminal organizations affected by the crisis have branched out to the mining sector, sending gunmen southward to compete for access to mineral-rich regions.

Gold extracted in Venezuela should be classified as conflict gold. It fuels violence, enriches criminal actors, and props up a corrupt government. But combatting conflict gold must be done thoughtfully, in ways that are mindful of unintended consequences. Multiple stakeholders in the underworld of the mineral trade, including gold traffickers

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themselves, have admitted that restrictive measures increase illicit revenues by pushing the trade further into the hands of criminal networks, including those involving state actors.\textsuperscript{34}

Short-term and, on the surface, attractive solutions such as sanctions and trade bans hold little prospect of halting the trade in Venezuelan conflict gold. Decision-makers should avoid pushing the market deeper into the hands of criminal actors. Venezuelan gold will continue to reach international buyers, recognized refiners, and global corporations. In addition, policymakers must acknowledge that many victims of the humanitarian crisis in Venezuela now depend on illegal gold mining. Consequently, blocking the illicit trade would decrease the subsistence levels of tens, if not hundreds of thousands of families.

Combatting illegal economies, in the long term, is only successful when local populations are provided with viable and sustainable alternatives. Many lessons can be learned from the Colombian case, where conflict and the environment are historically related and security campaigns have failed when not accompanied by investments in rural education, public health, and local economic development. Crackdowns in rural areas have generated more social divisions and conflict when the power asymmetries that facilitate environmental crimes remain unaddressed.\textsuperscript{35}

Durable solutions in the gold mining regions must include job creation, environmental protection, and diversified, sustainable economies. Examples such as tourism and ecosystem benefits are not only important opportunities but also ideas that could bring opposing parties together in scenario-building exercises in future dialogues. If subsistence miners in Venezuela have access to economic alternatives, the labor force in the mines would decrease drastically. Protecting the vulnerable ecosystems that are currently being ravaged is also critical. The goal must be to diminish the influx of revenues for non-state armed groups and corrupt military and government officials.

Ultimately, there is no quick fix. Over the long-term, the solution lies with environmental protection and the sustainable development of rural Venezuela. Meanwhile, the heavy investment of the Maduro government in illegal gold mining and other illicit activities constitutes a critical challenge in the search for a peaceful solution to the Venezuelan crisis. But addressing the essential issues of the environment and Venezuela’s south requires that first they become part of the agenda.

\textbf{About the Author}

Bram Ebus has worked on resource conflicts, drug policies, and criminal economies in Latin America since 2010. He is an award-winning investigative journalist, a current fellow at the Pulitzer Center on Crisis Reporting, and a consultant for the International Crisis Group and other non-governmental organizations. Bram holds a Master’s degree from the University of Utrecht in Global Criminology, with a focus on environmental crimes and criminal economies.

\textsuperscript{34} Marcos Valverde and Bram Ebus “\textit{La gran barata del oro en el Sur de Venezuela.}”