

Jurisprudence

Organic Law of the Liberator Simón Bolívar against the Imperialist Blockade and in Defense of the Bolivarian Republic of Venezuela

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SAVE OR PRINT 

In Official Gazette No. 6,859 Extraordinary of November 29, 2024, the Liberator Simón Bolívar Organic Law against the Imperialist Blockade and in Defense of the Bolivarian Republic of Venezuela (the Law) was published, which aims to sanction the imposition of unilateral coercive measures and other restrictive or punitive measures, as well as actions classified as contrary to the security of

the Nation, sovereignty, nationality, independence, self-determination, territorial integrity, cultural values, national symbols and the interests of the Republic.

- **Public order and interpretation (Article 4)**

The provisions of the Law are of public order. In case of doubt regarding its interpretation, the one that most favors the protection of the human rights of the Venezuelan people, including the right to peace, as well as the attributes of sovereignty, integrity, and independence of the Nation, shall be adopted.

- **Crimes against humanity (Article 6)**

The unilateral coercive measures and other restrictive or punitive measures adopted against the Bolivarian Republic of Venezuela constitute a crime against humanity, within the framework of a systematic and widespread attack against the civilian population.

- **Actions contrary to the values and inalienable rights of the State (Article 7)**

For the purposes of interpreting and applying the Law, the following are considered to be actions and actions that jeopardize the sovereignty, independence, self-determination, and territorial integrity of Venezuela and that violate the values and inalienable rights of the Nation, among others:

1. The promotion, solicitation, or support of the imposition of unilateral coercive measures and other restrictive or punitive measures by foreign states, powers, or corporations.
2. Disregard for the legitimately established public powers of the Bolivarian Republic of Venezuela, their actions, or their authorities, as well as the recognition of illegitimate individuals, groups, or organizations that act by pretending to exercise powers of Venezuelan public powers, their authorities, or decentralized entities, whether territorial or functional.
3. Collaboration with foreign agencies, officials, or officers aimed at imposing

or aggravating unilateral coercive measures or other restrictive or punitive measures, as well as disregarding the powers of the public or their authorities.

4. Direct or indirect participation in the implementation of unilateral coercive measures or other restrictive or punitive measures aimed at preventing free investment in the Republic or creating obstacles to the reception of investment, economic freedom, and free international trade with Venezuela.
5. Participation, profit, or benefit, direct or indirect, in the execution of administrative or judicial measures, in foreign jurisdictions, aimed at the preventive securing, freezing, embargo, auction, or confiscation of the Republic's assets.
6. The promotion, solicitation, or support of armed or forceful actions against the Venezuelan people that affect the sovereignty and territorial integrity of the Bolivarian Republic of Venezuela, its institutions, or authorities, as well as cyberattacks by foreign states, powers, corporations, or individuals.

- **Ineligibility (Article 9)**

Persons who, at any time before the election, are ineligible to run for elected office:

1. They have promoted, instigated, requested, invoked, favored, supported, or participated in the adoption or execution of coercive measures against the Venezuelan population, the Public Powers, or their authorities by a State, group of States, or foreign corporations.
2. Have participated or obtained direct or indirect profit or benefit from the execution of administrative or judicial measures, in foreign jurisdictions, aimed at the preventive securing, freezing, embargo, auctioning, or confiscation of the Republic's assets.
3. Have promoted, instigated, requested, invoked, favored, supported, or participated in armed or forceful actions against the Venezuelan people that affect the sovereignty and territorial integrity of the Bolivarian Republic of Venezuela, its institutions, or authorities, as well as in cyberattacks, by foreign states, powers, corporations, or individuals.

- **Challenge to candidacies (Article 10)**

Any challenge to a candidate's nomination for reasons of ineligibility based on the assumptions provided for in this Law shall be filed directly before the Constitutional Chamber of the Supreme Court of Justice.

- **Participation in unilateral coercive measures (Article 11)**

Any person who promotes, instigates, requests, invokes, favors, facilitates, supports or participates in the adoption or execution of unilateral coercive measures against the Venezuelan population, the Public Powers or their authorities by a State, group of States or foreign corporations, will be punished with imprisonment of 25 to 30 years and a fine in the amount in bolivars equivalent to between 100,000 and 1,000,000 times the exchange rate of the highest value currency published by the BCV.

- **Acts against sovereignty and territorial integrity (Article 12)**

Any person who promotes, instigates, requests, invokes, favors, facilitates, supports, finances or participates in armed or forceful actions, as well as cyber attacks, that threaten the Venezuelan people, the sovereignty and territorial integrity of the Bolivarian Republic of Venezuela or its institutions, by foreign States, powers, corporations or persons will be punished with imprisonment of 25 to 30 years and a fine in bolivars equivalent to between 100,000 and 1,000,000 times the exchange rate of the highest value currency published by the BCV.

- **Political disqualification (Article 13)**

The Judge will impose, in the conviction sentence for the crimes provided for in the Law, the accessory penalty of political disqualification for up to 60 years.

- **Expulsion of foreigners (Article 14)**

Any natural person of foreign nationality who commits any of the actions

contrary to the values and inalienable rights of the State as provided for by law may be subject to the expulsion measure established in immigration laws, as well as a ban on entry into the national territory.

- **Disqualification from holding public office (Article 15)**

It is the responsibility of the Comptroller General of the Republic to order, ex officio or at the request of a party, the disqualification for up to 60 years from the exercise of public functions of natural persons who have committed actions contrary to and provided for in the Law.

Disqualification will be notified through any of the available means. An appeal for reconsideration may be filed against the measure ordered before the authority that issued the act, or an appeal for annulment may be filed before the Administrative Political Chamber of the Supreme Court of Justice.

- **Non-prescription (Article 16)**

Actions to investigate and punish the crimes provided for in the Law shall be imprescriptible, in accordance with the provisions of the CRBV.

- **Inapplicability of alternative formulas (Article 17)**

In criminal proceedings conducted to investigate and punish crimes provided for in the Law, alternative methods of serving sentences shall not be applicable.

- **Forfeiture of ownership (Article 19)**

The conduct provided for and sanctioned in the Law is considered to be illegal activities of organized crime and is subject to the asset forfeiture procedure, in accordance with the law that regulates the matter.

- **Civil liability (Article 20)**

Without prejudice to and regardless of applicable criminal liability, any person who engages in any of the actions contrary to the inalienable values and rights of the State provided for in this Law shall be held civilly liable for the damages caused.

- **Disclosure of messages (Article 21)**

Radio and television service providers who broadcast advertising, propaganda, or messages promoting the imposition of unilateral coercive measures or other restrictive or punitive measures affecting the Bolivarian Republic of Venezuela will be sanctioned with the revocation of their concession and a fine in bolivars equivalent to between 100,000 and 1,000,000 times the exchange rate of the highest value currency published by the BCV.

In the case of broadcast media, electronic media, social media, and print media, a fine will be imposed in the amount in bolivars equivalent to between 100,000 and 1,000,000 times the exchange rate of the highest value currency published by the BVC. In the case of digital platforms, the license to operate in the country may also be revoked or denied.

- **National Registry (Article 23)**

A national Registry is hereby created to include the identification of natural and legal persons, national or foreign, regarding whom there is a well-founded reason to consider that they are involved in any of the actions contrary to the values and inalienable rights of the State, as provided for in this Law, for the purposes of imposing restrictive, temporary and administrative economic measures aimed at mitigating the harm that their actions cause against the Bolivarian Republic of Venezuela and its population.

The organization and operation of the National Registry will be regulated by the regulations of the Law.

- **Repealing Provision (Sole)**

All legal or sub-legal regulations that conflict with the Law are hereby repealed.

- **Final Provision (Sole)**

The Law entered into force on November 29, 2024.