

New Legislation Outlaws Dissenters in Venezuela



Venezuela's legislative National Assembly approves the Bolivar law to punish with unprecedented severity those who support or facilitate punitive measures against the country. Credit: AN

WASHINGTON, Dec 18 2024 (IPS) - In Venezuela you can no longer say in public that the economic sanctions applied by the United States and other countries are appropriate, or even be suspected of considering any of the authorities illegitimate, because you can be sentenced to up to 30 years in prison and lose all your assets.

In late November, the ruling National Assembly passed the Simon Bolivar Organic Law (of superior rank) against the imperialist blockade and in defence of the Republic, the latest in a regulatory padlock closing civic space, according to human rights organisations.

“We see a process of authoritarian learning. When we look at democratic setbacks, we see things that are repeated as patterns, such as the closure of civic space, of civil organisations, of journalism, of democratic political parties”: Carolina Jiménez Sandoval.

The powers of the Venezuelan state thus responded to United States’ and the European Union’s sanctions, and to the protests and denunciations of opponents and American and European governments, to the effect that a gigantic fraud was committed in the presidential election of 28 July this year.

The ruling Nicolás Maduro was proclaimed by the electoral and judicial powers as re-elected president for a third six-year term beginning on 10 January 2025, even though the opposition claims, by showing voting records, that it was their candidate Edmundo González who won, with at least 67% of the vote.

Speaking to IPS, several human rights defenders agreed that the country is following the example of Nicaragua, where laws and measures are driving hundreds of opponents into prison and exile,

stripping them of their nationality and property, and suppressing critical voices by shutting down thousands of civil, religious and educational organisations.

“A red line has been crossed and the Nicaraguan path has been taken. Arbitrariness has been put in writing, in black and white, the repressive reality of the Venezuelan state, something even the military despots of the past did not do,” said lawyer Alí Daniels, director of the organisation [Acceso a la Justicia](#), from Caracas.

The law adopted its long name as an indignant response to the US Bolivar Act, an acronym for Banning Operations and Leases with the Illegitimate Venezuelan Authoritarian Regime, designed to block most of that country’s business dealings with Venezuela.

The president of the non-governmental [Washington Office on Latin America](#) (Wola), Carolina Jiménez Sandoval, observed that “the closer we get to 10 January, the day when whoever won the 28 July election must be sworn in, we see more and more laws meant to stifling civic space.”

Other laws along these lines include: one to punish behaviour or messages deemed to incite hatred; another “against fascism, neo-fascism and similar expressions”; a reform to promptly elect 30,000 justices of the peace; and a law to control non-governmental organisations.



Demonstration in Caracas demanding respect for human rights. Credit: Civilis

Mere suspicion is enough

The Venezuelan Bolivar act considers that sanctions and other restrictive measures against the country “constitute a crime against humanity”, and lists conduct and actions that put the nation and its population at risk.

These include promoting, requesting or supporting punitive measures by foreign states or corporations, and “disregarding the public powers legitimately established in the Republic, their acts or their authorities.”

Those who have at any time “promoted, instigated, requested, invoked, favoured, supported or participated in the adoption or execution of measures” deemed harmful to the population or the authorities, will be barred from running for elected office for up to 60 years.

Any person who “promotes, instigates, solicits, invokes, favours, facilitates, supports or participates in the adoption or execution of unilateral coercive measures” against the population or the powers

in Venezuela will be punished with 25 to 30 years in prison and fines equivalent to between US\$100,000 and one million.

In the case of media and digital platforms, the punishment will be a heavy fine and the closure or denial of permits to operate.

The law highlights the creation of “a register that will include the identification of natural and legal persons, national or foreign, with respect to whom there is good reason to consider that they are involved in any of the actions contrary to the values and inalienable rights of the state.”

This registry is created to “impose restrictive, temporary economic measures of an administrative nature, aimed at mitigating the damage that their actions cause against the Bolivarian Republic of Venezuela and its population.”

Daniels tells IPS that “this means that a mere suspicion on the part of an official, with good reason to believe that a sanction is supported, is sufficient for a preventive freezing of a person’s assets, prohibiting them from buying, selling or acting in a money-making business.”

“Without prior trial, by an official’s decision, without knowing where to appeal against the entry in that register, the person is stripped of means of livelihood. Civil death returns,” he added.



Archive image of a national meeting of human rights defenders. Credit: Civicus

Other laws

The “anti-hate law” – without defining what is meant by it – has since 2018 prosecuted protesters, journalists, firefighters, political activists and human rights defenders on charges of directing messages inciting hatred towards the authorities.

This year, the state endowed itself with a law to punish fascism and similar expressions, a broad arc because it considers that “racism, chauvinism, classism, moral conservatism, neoliberalism and misogyny are common features of this stance.”

It has also reformed the justice of the peace law to promote the popular election of 30,000 local judges, under criticism from human rights organisations that see the process as a mechanism for the

control of communities by pro-government activists and the promotion of informing on neighbours.

And, while the Bolívar act was being passed, the law on the control of NGOs and similar organisations was published, which NGOs have labelled an “anti-society law”, as it contains provisions that easily nullify their capacity for action and their very existence.

The law establishes a new registry with some 30 requirements, which are difficult for NGOs to meet, but they can only operate if authorised by the government, which can suspend them from operating or sanction them with fines in amounts that in practice are confiscatory.

“I think the application of the Bolívar law is going to be very discretionary, and if Maduro is sworn in again on Jan. 10, civic space will be almost completely closed and the social and democratic leadership will have to work underground,” sociologist Rafael Uzcátegui, director of the Venezuelan [Laboratorio de Paz](#), which operates in Caracas, told IPS.



The president of Nicaragua, Daniel Ortega, and his wife and vice-president, Rosario Murillo, have taken measures against dissent that are models of authoritarianism in the region. Human rights activists believe that in countries such as Venezuela and El Salvador their strategies and norms are being replicated by those who seek to remain in power indefinitely. Credit: Presidency of Nicaragua

The Nicaraguan path

Daniels also argues that with the Bolívar law, the government “is going back 160 years, when the Venezuelan Constitution after the Federal War (1859-1863) abolished the death penalty and life sentences. A punishment that lasts 60 years in practice is in perpetuity, exceeding the average life expectancy of an adult in Venezuela.”

Along with this, “although without going to the Nicaraguan extreme of stripping the alleged culprits of their nationality, punishments are imposed that can turn people into civilian zombies, driven into exile. As in Nicaragua”.

For Jiménez Sandoval “there are similarities with Nicaragua, a harsh and consolidated case. It has cancelled the legal personality of more than 3,000 organisations, including humanitarian entities, national and international human rights organisations and universities, through the application of very strict laws.”

“In these cases... we see a process of authoritarian learning. When we look at democratic setbacks, we see things that are repeated as patterns, such as the closure of civic space, of civil organisations, of journalism, of democratic political parties,” she told IPS.

To achieve this, “they use different strategies, such as co-opting legislatures to make laws that allow them to imprison and silence those who think differently, to avoid any kind of criticism, because, at the end of the day, the ultimate goal of authoritarianism is to remain in power indefinitely”, concluded Jiménez Sandoval.