

The government is ready to secretly hand over oil and PDVSA by modifying the Organic Hydrocarbons Law

Via [APORREA](#)

Faced with the serious economic crisis that our country is suffering, a product of the government's manifest inability to manage our oil industry, the government has made the delivery of oil and the privatization of PDVSA its political and economic priority, which is why it intends to modify the Organic Hydrocarbons Law, enacted during President Chávez's administration.

As announced in the Energy Commission of the National Assembly itself, the government is ready to approve, using the majority of the PSUV caucus, a bill – still secret – that repeals the current Organic Hydrocarbons Law, as well as the laws enacted by President Hugo Chávez in the development of the Total Oil Sovereignty policy.

These intentions to surrender the government, which we have systematically denounced since 2017 and which have generated all kinds of accusations, legal actions, persecution and exile, are part of the dismantling of the work and legacy of President Chávez, the most important of which is his oil policy, the Total Sovereignty of Oil, which provided the indispensable material basis for sustaining the entire process of economic and social changes that occurred during the period of the Bolivarian Revolution.

The dismantling of Total Sovereignty of Oil has been a permanent goal of Nicolás Maduro's government, who, after dismantling Chavismo within the Ministry of Petroleum and

PDVSA, placed General Manuel Quevedo, a repressive and right-wing military man, at the head of the company, who began the dismantling of the company and the handing over of oil to the private interests of Madurismo.

To do so, they used the Supreme Court of Justice with Judgment 156, through which this body revoked the power to approve the creation of mixed companies – without complying with the mechanisms established in the Organic Hydrocarbons Law – as well as Decree 3,368 where Maduro authorizes the creation of the so-called “Petroleum Services Contracts” – a bad copy of the so-called “Operational Agreements” from the times of the Abertura, illegally handing over our oil production to private factors.

Likewise, as part of the dismantling of our Petroleum Policy, the sale of our participation in the most important joint ventures of the Orinoco Oil Belt has occurred, in violation of the provisions of Decree 5,200 of the Nationalization Law of 2007, and where crude oil production and marketing operations have been ceded, both to transnational oil companies and to all kinds of private agents that support the government, in open violation of the Organic Hydrocarbons Law.

Then, through the National Constituent Assembly, the government began to “legislate” to dismantle the legal framework of our oil industry, passing unconstitutional laws contrary to the country’s sovereignty, demanded by transnational capital and its private agents, such as the Foreign Investment Protection Act of 2017 and the so-called Anti-Blocking Act of 2020.

However, none of this has worked for the government. The privatization trial at PDVSA and the actions of the Alí Rodríguez Araque Commission have been a failure. Today, the oil industry has collapsed. The latest OPEC market monitoring report for August indicates that Venezuela’s production in July 2021 was only 512,000 barrels of oil per day. That is, a

drop of 2.5 million barrels per day compared to our production of 3.5 million barrels per day at the end of 2013. Today's production of 512 MBD of oil is the same as in 1930, representing a 91-year regression.

On the other hand, the national refining system operates at only 10% of its capacity and has not been able to satisfy our country's domestic demand, subjecting our population and the national economy to an acute and sustained shortage of gasoline, diesel and gas.

Following the government's resounding failure to manage the oil industry during the 2015-2021 period and the failure of its privatization policies, Madurism is desperate to hand over oil and the management of oil policy to transnational private capital, as it has done with the rest of the country's economy.

Thus, once it gained control of the National Assembly, the government, in the framework of its goal of reaching a "coexistence agreement" with the traditional opposition and transnational capital, proposed – through the PSUV bench – to modify and repeal the Organic Law on Hydrocarbons and the laws that, in the framework of the Total Oil Sovereignty policy, were enacted by President Chávez. Fulfilling, almost 20 years after the 2002 coup d'état and the 2002-2003 Oil Sabotage, the top demand of the then coup plotters and the Oil People: repeal the Organic Law on Hydrocarbons.

In this way, by handing over the oil, the Maduro government cancels the revolutionary and transformative possibilities of the country and takes away from the Venezuelan people their immense natural resources to hand them over to private capital, depriving them of their only chance to get out of this atrocious crisis created by Madurism itself.

Madurism is unfairly and cunningly ending the cycle of revolutionary transformations, the conquest of sovereignty,

begun by Chávez with the enabling laws of 2001 – among them, the most important, the Organic Law of Hydrocarbons – as well as the revocation of the legal and constitutional scaffolding of Total Petroleum Sovereignty that allowed us To rescue PDVSA, to rescue the oil, the Orinoco Belt and put it at the service of the people, to live well, to build a more just, sovereign, independent country, handing over to private interests what by law and right belongs to all the people: Oil.

A necessary discussion

Beyond the government's intentions, the secret negotiations in Mexico with the opposition, and the demands of multinationals, Venezuelans, workers and the people in general – the immense national majority – inside or outside the homeland, we must overcome the daily chaos in which the government has submerged us, overcome its strategies of distraction and false illusions – such as the regional elections -, leave behind resignation and stop to think, to discuss what is happening in the country, with the economy and the oil, fundamental factors and direct origin of the serious crisis in which we find ourselves, and then mobilize in defense of our collective rights as a society.

We must unmask the true intentions of the five figures who control the country and denounce the personal, economic, and political interests of the elites who govern or are willing to “live with” this situation, who, in order to maintain or benefit their interests, are willing to hand over the oil, sovereignty, the Orinoco, the Essequibo, the National Pantheon, and Chavez and the people for a handful of dollars, all in secret, with their backs to the people.

The intention to hand over the oil is so serious that it is necessary to overcome chaos, division and desperation, to have a great national discussion, beyond differences of any kind, beyond group disputes and elections, to stop in time the

process of auctioning off the country that is tearing the homeland apart and that now intends to hand over the foundation, the pillar of our economy, the only possibility that we have ever had to advance, the oil.

What is intended with the delivery of oil is so definitive for the country that it deserves an open, frank, and responsible discussion.

Beyond the unfounded excuses and accusations of the government and its propaganda apparatus, it is clear that after seven years of acting at will in PDVSA, running the country as it pleases and without accountability to anyone, the Maduro government has failed miserably; above all, in the direction of a sector, the oil sector – PDVSA – that is key to the economy and whose collapse and surrender compromises, as never before, our chances of existence, of development, of moving forward into the future.

If God speaks through mathematics, so does oil. The oil industry and PDVSA's performance are measured by its results. Ours – between 2004-2013 – are published, they have always been exposed to the country, to the scrutiny of the state control organs, they are public domain information; whoever wants to see them, looks for them and finds them, even though today they have been silenced and erased by Madurism, in a "Gobelian operation" of the government's propaganda apparatus, from which not even Chavez's oil speeches have been spared.

But the results and benefits of our oil policy and our management of PDVSA were felt and experienced in a period of progress and well-being (between 2004-2013), of extraordinary political, economic and social transformations in the country.

Therefore, the government and the sectors that support it must be asked: Where are the results of Maduro's leadership of PDVSA and the oil industry? The discussion must start there, with each person assuming their responsibilities before the

country, not on Twitter, not in a cunning attack, not through the abuse of power, not through violence, but before the country, with numbers, results, facts.

The first thing to discuss is whether the country's problem is oil, PDVSA and the Organic Hydrocarbons Law, or whether it is the Maduro government, its policies and inability to manage the economy and the oil industry.

This government has squandered all of Chavez's political capital, all of the country's resources, destroying the pillars of our economy, and now wants to hand it over, so that "someone else" – which is none other than transnational capital – can take charge of the oil, blaming Chavez, us, the Total Oil Sovereignty Policy, and state control over the hydrocarbon sector.

But we all know that this is false, because fortunately we still have very recent experience with President Chávez' government, our oil policy, and the people's PDVSA.

Those of us who lived in the country during the period of President Chávez's rule know that Madurism is blatantly lying.

We all remember and live in a country that, despite our problems and structural deformations in the economy, after the years of political and economic destabilization, the defeat of the coup d'état, the "guarimba" and the Oil Sabotage, and with the birth of the New PDVSA – the people's PDVSA – we were able to put oil, for the first time in a direct way, at the service of the people, and that the development of the policy of Total Sovereignty of Oil and the correct management of PDVSA allowed us to sustain almost 10 uninterrupted years of economic growth and profound social and economic transformations that created the conditions for the sovereign development of the country, which, as Chávez said and Toby Valderrama reminds us in his articles, cannot be anything other than socialist.

All of us who still have the possibility to think about the

country we had, that we had built as a collective fact, remember that our social and economic achievements were the result of Chávez' successful leadership, his commitment to socialism, as well as our Oil Policy and the performance of the New PDVSA, a state-owned oil company, 100% state-owned, with all its production capacity at maximum, producing 3 million barrels per day, refining 1.2 million barrels per day, and generating all the fuels needed by the country, exporting, to bring \$700 billion to the country in the period 2004-2014, with 100. 000 workers, mobilized, working alongside the people, conscious of their social duty, at the service of the country.

If we compare the period of Chávez and PDVSA Roja Rojita with this disaster, we understand that the problem is political, of the management capacity of the type of government.

If we refer again to the numbers, the performance of PDVSA and the situation of the country, we find the disaster resulting from the policies and decisions of Maduro's government: with only 512 MBD of oil production, no gasoline, no diesel, no gas, no oil exports, no oil revenue, in debt, with workers imprisoned, impoverished, without rights of any kind, and with a desperate people, a country dismembered, dismembered, auctioned off by the government, from which 6 million desperate Venezuelans have emerged.

Then we will realize, if we are to be objective, responsible to history and to the country, that the problem is NOT oil, nor PDVSA, much less the Organic Hydrocarbons Law, the problem is Maduro, the problem is in Miraflores.

The government and the different factions of the opposition, all with the support and applause of the oil multinationals and their political representatives in the country, from FEDECÁMARAS to the Venezuelan Hydrocarbons Association, coincide in their goal to hand over oil, PDVSA and repeal Chavez's laws. They are demanding and pressuring a weak

government and a power-hungry opposition to hand over oil, auction off PDVSA, and take the country back to the concession period that was overcome with the nationalization of hydrocarbons.

These deeply anti-national and reluctant elites are hoping that the country, surrendered by chaos and desperation, will hand over to them control of the largest oil reserve on the planet and the assets of our PDVSA – assets that are everyone's patrimony – valued in 2013 at \$231 billion. It will be a monumental plunder of the country's wealth and a gigantic obstacle to our chances of rebuilding it, a stab in the homeland. A throwback to the era of Juan Vicente Gómez.

For this reason, the discussion is secret among the elites, in the midst of the chaos, of desperation, so that no one thinks about what is happening, not the people, the patriotic, revolutionary sectors, nor the workers; and much less the military, to whom they have given their piece of the business with the creation of the Compañía Anónima Militar de Industrias Mineras, Petroleras y de Gas (CAMIMPEG).

Madurism has persecuted Chavismo, persecuted the revolutionary, popular and workers' sectors, demobilized the people, disarticulated Popular Power and transformed the PSUV into an adapted party, in order to commit the greatest crime and crime against our people.

The struggle for the defense of oil, PDVSA and our Policy of Total Sovereignty of Oil, the most important legacy of President Chávez, must constitute an element of unity and battle of the popular, revolutionary movement, of all the sectors that love the country, that love and feel the homeland of Bolívar, because oil – since the Lima Decree of the Liberator Simón Bolívar – belongs by right to the Venezuelan people, for their development and enjoyment through the State, because it is the greatest wealth we have – the only one – that we can and know how to develop and produce, as we have

been doing for more than 100 years.

Even the day after the Madurism problem is solved, after a Patriotic Junta is installed, after the Constitution and popular sovereignty in the conduct of our own affairs are restored, the country will urgently, unquestionably, need oil and its oil industry to get the only resources we can get to start rebuilding it, to solve the enormous social and economic problems generated by this disaster and to begin to rebuild the bases of a sovereign, socialist economy, to recover our economic and social gains, an economy based on labor, to begin to walk again, together with the people, the path of Chávez.