

Open Letter to the Honorable Marco Rubio, U.S. Secretary of State

Dear Secretary Rubio:

I am writing to you as Leroy Garrett, a direct survivor of what we have called the “oil holocaust”: the civil strike and oil strike from December 2002 to February 2003, which the Chavista regime labeled “business and oil sabotage” to justify mass layoffs, persecution, property confiscations, and denial of labor rights to thousands of workers who were exercising our constitutional right to peaceful protest.

The recent enactment of the Amnesty Law for Democratic Coexistence (February 19, 2026), signed by acting President Delcy Rodríguez and endorsed by the cabinet, represents an apparent step toward reconciliation. However, as a victim of the political persecution that this law purports to “heal,” I must point out that it maintains and perpetuates a unilateral Chavista narrative that exclusively criminalizes the opposition, without self-criticism or recognition of the serious human rights violations committed by the state over 27 years.

This law grants amnesty for “acts” such as the 2002-2003 oil strike (Article 8, paragraph 2), equating it with a crime of sabotage, while ignoring the context: it was a legitimate civic response to authoritarian drift, and oil workers suffered arbitrary dismissals, confiscation of property, and stigmatization as traitors. There is no mention of state responsibility for these reprisals, nor of the systematic violations documented by international organizations.

Worse still, there is no official mea culpa. No independent truth commission has been created to determine culpability on both sides—neither of the opposition nor, especially, of the ruling party, which flagrantly violated human rights. It excludes serious crimes (Article 9), but does not address the impunity for torture, extrajudicial executions, arbitrary detentions, and state corruption.

This law is dangerously reminiscent of the Full Stop Law (1986) and Due Obedience Law (1987) in Argentina, which attempted to close cases of violations during the military dictatorship, granting selective impunity without truth or justice. Both were declared unconstitutional by the Argentine Supreme Court (2005) and annulled by Congress (2003) for violating international obligations to investigate and punish crimes against humanity, in accordance with rulings such as Barrios Altos by the Inter-American Court of Human Rights. In Venezuela, this law runs a similar risk: it appears to be an “amnesty” but shields official narratives and leaves abuses of power unpunished.

Regarding its possible use against us in US courts and the OFAC:

- It could be invoked to argue that “reconciliation exists” and justify the premature lifting of individual or sectoral sanctions against former Chavista officials involved in corruption or repression, without all political prisoners having been released or confiscated assets returned.
- In human rights litigation or labor claims (such as those of former PDVSA employees in the US), it could be used as “extinction of actions” (Article 10) to dismiss civil or criminal lawsuits against the Venezuelan state, alleging that the acts are “amnestied.”
- For OFAC, it could serve as a pretext to relax sanctions without strict conditions (total release, transitional justice, return of assets), benefiting Chavista beneficiaries while the opposition continues to be persecuted.

Therefore, I urgently propose the formation of a multiparty drafting commission with international oversight, involving:

- The U.S. Ambassador to Venezuela (or representative of the State Department).
- Representatives of the democratic opposition, released political prisoners, exiles (including victims of the oil strike).
- Spokespersons for the interim government.
- Experts in transitional justice (UN, OAS, IACHR).

This commission should draft a fair, viable, and genuine law that includes:

- Submission to real penalties and responsibilities for serious violations (without self-amnesty).
- Indulgences conditional on truth, reparation, and non-repetition.
- Bilateral truth commission.
- Return of confiscated property and restoration of rights.

Secretary Rubio, your leadership has been key in pushing for freedoms in Venezuela. I urge you not to endorse this law as a “solution” without demanding a genuine transitional justice process. True democratic coexistence is not built on unilateral narratives, but on truth, justice, and equity for all victims.

Sincerely,

Leroy Garrett,

Member of the Oil Holocaust

Houston, Texas.

February 23, 2026.