



Venezuela Executes Special Plan for Acting Prosecutors

By Holland & Knight

The Public Prosecutor's Office on Oct. 26, 2021, published Resolution 1953 of 2021 in *Official Gazette* No. 42,241, the legal requirements and other provisions that must be complied with by citizens holding the position of Acting Public Prosecutor to qualify for the position of Tenured Public Prosecutor of the Public Prosecutor's Office.

It is essential to mention that this Resolution was issued on Aug. 5, 2017, considering that the National Constituent Assembly of Venezuela decreed the emergency, and the restructuring and reorganization of all the organs of the citizen's branch. According to the framework of the restructuring and reorganization of the Public Prosecutor's Office, it was necessary to adjust the nature and classification of the new structure of the assigned administrative positions.

In compliance with the framework and implementation of the restructuring and reorganization of the administrative positions assigned to the Public Prosecutor's Office, the national government evidenced that *"there are currently Public Prosecutors with years of service in the Public Prosecutor's Office exercising the position on an acting basis that do not have the security of tenure to perform their duties more effectively."*

For the reasons stated above, the Public Prosecutor's Office executed the Special Plan for the Regularization of Active Acting Prosecutors in Resolution 1951, establishing that prosecutors with acting positions may apply for Tenured Public Prosecutor, provided they meet the following requirements:

1. have Venezuelan nationality
2. be over 25 years of age
3. be a lawyer
4. be of "notorious good conduct and recognized moral solvency"
5. be in the exercise of all civil and political rights
6. not be disqualified for the exercise of public office
7. not be subject to a criminal sanction issued by a final court decision for commissioning a crime
8. have completed a specialization program in a national or foreign duly accredited university
9. have experience as an Acting Prosecutor for a minimum of four years, and
10. pass the corresponding evaluations to be provided by the Public Prosecutor

The National Academy of Public Prosecutors will carry out these evaluations.



In this sense, Acting Public Prosecutors must meet the aforementioned requirements to qualify as Tenured Public Prosecutors.

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