

NEW ANTI-TERRORISM LAW NO. 21.732 PUBLISHED

On February 12, Law No. 21,732 was published in the Official Gazette, **which determines terrorist conducts, establishes their penalties and repeals Law No. 18,314.** This law establishes a new regulatory framework for determining, penalizing, and prosecuting terrorist acts in Chile, repealing Law No. 18.314, which had regulated the matter until that point.

The enactment of Law No. 21,732 is intended to correct the defects that prevented the State from effectively prosecuting terrorist crimes, through the creation of new crimes, the incorporation of a new definition of terrorist crimes, the establishment of new special investigation techniques, and the establishment of mechanisms that will make the criminal prosecution of terrorist conducts more efficient, such as the obligation of the future Ministry of Public Security to propose to the President of the Republic a National Strategy for the Prevention and Combating of Terrorist Conduct.

A point that must be considered, related to the implementation and updating of the Crime Prevention Models, is that Law No. 21,732 expressly establishes in its Article 26 that references to Article 8 of Law No. 18,314 must be understood to be made to Article 10 of Law No. 21,732.

Therefore, the reference made by Law No. 20,393 on Criminal Liability of Legal Entities to Article 8 of the now repealed Law No. 18,314 must be understood as a reference to Article 10 of Law No. 21,732, which establishes the new crime of financing of terrorism.

Thus, the Crime Prevention Models developed under Law No. 20.393 on the Criminal Liability of Legal Entities (amended by Law No. 21.595 on Economic Crimes), for the purpose of risk analysis and preventive measures related to the potential financing of terrorist activities, **must now consider the definition of terrorist acts established in this new law.**

Authors: Guillermo Acuña; Matías Gatica; Gustavo Herrera

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Carey y Cía. Ltda.
Isidora Goyenechea 2800, 43rd Floor.
Las Condes, Santiago, Chile.
www.carey.cl