



Freedom of the Press 2015 - Venezuela

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2015 Scores

Press Status: Not Free

Press Freedom Score (0 = best, 100 = worst): 81

Legal Environment (0 = best, 30 = worst): 26

Political Environment (0 = best, 40 = worst): 31

Economic Environment (0 = best, 30 = worst): 24

Press freedom deteriorated in Venezuela in 2014 as journalists were caught up in President Nicolás Maduro's attempts to clamp down on antigovernment demonstrations. The unrest had spread to cities across the country following a harsh government response to student-led protests in February. More than 40 people were killed and at least 900 injured by the time the demonstrations began winding down in June; journalists covering the events were subject to arrests, harassment, and violence. Separately, the July sale of influential newspaper *El Universal* in an opaque transaction, which led to the softening of its critical editorial stance toward the government, was seen as another blow to press freedom after two other major outlets suffered similar fates in 2013. Media independence was also threatened by currency controls that prevented key publishers from acquiring newsprint, rules requiring private media to air state promotional advertisements for free, and the risk of administrative and legal actions against private outlets that anger the government.

Legal Environment

Article 57 of Venezuela's 1999 constitution guarantees freedom of expression, but this right is not respected in practice. Reforms to the penal code in 2005 expanded the scope of defamation as a criminal offense; when directed at the president, it can result in a prison term of up to 30 months. The 2004 Law on Social Responsibility in Radio, Television, and Electronic Media (Resorte Law), amended in 2010, contains vaguely worded restrictions that can be used to severely limit freedom of expression. For example, the law bans content that could "incite or promote hatred," "foment citizens' anxiety or alter public order," "disrespect authorities," "encourage assassinations," or "constitute war propaganda." The government is particularly sensitive about news reports that feature criticism of the Maduro administration or its policies.

Alleging that "democratic security" is at stake, the National Telecommunications Commission (CONATEL) uses the Resorte Law to stifle critical coverage of national and international news, partly by imposing heavy fines on private television and print media. Many outlets have responded by softening their reporting. At the onset of the mass antigovernment demonstrations in February 2014, CONATEL director William Castillo announced that those reporting on violence at the

demonstrations would face sanctions under the Resorte Law. Days later, CONATEL blocked the transmission of a Colombian news channel, NTN24, after it aired footage of a student protester being shot and killed. Similarly, Maduro threatened to expel U.S.-based television network CNN due to its coverage of the protests, calling it "war propaganda."

Over the course of 2014, Maduro used the Resorte Law 103 times to interrupt regular programming on the nation's television and radio stations and deliver live official broadcasts (known as *cadenas*), including announcements of new presidential decrees and attacks on the president's political opponents. The Resorte Law obliges national stations to carry the messages, which the government issues frequently, at random, and without regard for regular programming. The state does not pay for these institutional publicity spots.

The judicial system is highly politicized at all levels, and journalists and private media outlets cannot rely on impartial adjudication of cases involving attacks against the press or violations of press freedom. In May 2014, the Supreme Court rejected the lawsuit of a journalist who claimed that the government violated her right to freedom of expression by prohibiting reporters from entering the National Assembly to cover hearings. In a separate case in November, the Caracas Appeals Court denied a motion to reopen an investigation into attacks by police on journalists from the Cadena Capriles newspaper chain that had occurred while the journalists were covering a 2009 rally against the government.

Article 51 of the constitution guarantees the right of citizens to access public information, but in practice heavy restrictions are placed on freedom of information. Journalists are routinely rebuffed in their efforts to obtain official documents, and the Maduro administration is quick to clamp down on the spread of information that might reflect poorly on its policies. The government's propensity to withhold news of critical national importance was illustrated by Maduro's attempts in September 2014 to quash reports of a possible outbreak of Chikungunya disease in the state of Aragua. The president accused those who attempted to warn the public of practicing "terrorism" and ordered their prosecution.

CONATEL retains broad powers to suspend or revoke licenses at its discretion, and under a 2010 amendment to the Resorte Law, the commission is permitted to regulate internet activity. Although theoretically an autonomous agency, it has largely functioned as a part of the executive branch. In August 2014, CONATEL suspended a program on Radio Caracas Radio (RCR), alleging that it had violated the Resorte Law by speaking ill of Maduro. Days later, CONATEL officials and members of the National Guard entered the studios of Sensacional 94.7 FM and ordered the 22-year-old independent station off the air. Within hours, a new station was broadcasting on the same frequency.

In February 2014, Venezuela's official gazette published governing regulations for a new agency, the Strategic Center for Security and Protection of the Fatherland (CESPPA), which was created by presidential decree in October 2013. The stated goal of the new political-military agency is to unify information on issues of strategic importance for national security and the preservation of public order. In a potential threat to freedom of expression, the agency was given broad, vaguely defined powers, including the ability to monitor communications over the internet and to classify or censor information deemed threatening.

Contrary to norms established by the Inter-American Commission on Human Rights (IACHR), the 1995 Law on the Exercise of Journalism requires journalists to hold journalism degrees and to be members of the National College of Journalists. Those who practice without these credentials can face penalties of three to six months in prison.

Political Environment

Politicization of the press is an ongoing problem. Coverage in state-run media favors the president and his cabinet members, and public outlets adopt a clearly progovernment editorial line in news stories and opinion shows. During the peak months of the political unrest in 2014, state television and radio stations provided scant coverage of the protests, and what little coverage did air had a strong progovernment slant.

Meanwhile, many previously opposition-aligned outlets have altered their editorial stances as a result of direct and indirect pressure from the government. The shadowy sales of critical media outlets to business interests partial to the government have narrowed opportunities for members of the political opposition to reach the public. When the moderate opposition leader Henrique Capriles gave a speech at a rally organized by student protesters in February 2014, no broadcast media covered the event.

At the outset of the Maduro government in early 2013, the private press enjoyed relatively open access to presidential events and press conferences, and some government figures were interviewed on private channels. However, media access to government offices and agencies has been increasingly restricted. Journalists covering the National Assembly are limited to viewing legislative proceedings on a closed-circuit television feed inside the official press room. In March 2014, several journalists were denied access to a Supreme Court hearing. State channels, particularly Venezolana de Televisión (VTV), have consolidated their role as the principal venues for statements by senior government officials, who rarely give press conferences with open question periods.

Censorship and self-censorship are pervasive in radio, television, and print. The nongovernmental media watchdog Press and Society Institute (IPYS) found that in 2014, nearly one-third of the nation's journalists declined to report information of vital public interest in order to protect their personal security, and more than 40 percent reported being pressured by authorities to change their coverage of a story. During the 2014 demonstrations, the government blocked or disabled hundreds of websites and made images of injured protesters inaccessible on Twitter. Mobile-phone applications used by demonstrators to organize, such as Zello and Tunnel Bear, were also blocked. In the interior state of Táchira, CANTV, a state-owned telecommunications company, blocked broadband internet service for 30 hours.

Murders of journalists are relatively rare in Venezuela, and no journalists were killed as a result of their work in 2014. However, IPYS documented 347 attacks on journalists during the year, including arbitrary detentions, harassment, and physical violence against reporters covering the protests. While government security forces were responsible for the bulk of these attacks, including an incident in May in which two journalists were shot while covering a demonstration in Caracas, at least 38 journalists reported being attacked by armed civilian groups. Journalists who criticize the Maduro government or its policies are also subject to smear campaigns, arbitrary arrests, and physical attacks by authorities.

Economic Environment

The Bolivarian Communication and Information System (SIBCI), which manages state-run radio and television outlets, continued to expand rapidly in 2014. Although privately owned newspapers and broadcasters continue to operate alongside state outlets, the overall balance has shifted considerably toward government-aligned voices in recent years. The government officially controls 13 television networks, more than 65 radio outlets, 1 news agency, 5 newspapers, and a magazine. In addition, since 2002 CONATEL has broadened the platform of public and alternative community media outlets to include 235 radio stations, 44 television stations, and 120 community newspapers, which primarily carry government-produced content.

In February 2013, CONATEL initiated the transition to digital broadcasting in urban areas. Although the decree announcing the switch promoted pluralism in the diffusion of ideas and emphasized more efficient use of the broadcast spectrum, 8 of the 11 stations selected for digital transmission are state run. Only two private channels, Venevisión and Televen, were selected for digital transmission, and each focuses more on entertainment than on news programming. Globovisión, long the most vocal opposition-oriented station, was excluded from the transition.

As of 2013, 55 percent of the Venezuelan population had access to the internet. However, low-speed connections make the internet an inefficient news source for many residents, a problem that is more common in smaller cities and rural areas. Venezuelans are very active on social media, particularly Twitter and Facebook, with usage rates among the highest in South America. Mounting pressures on traditional media outlets have fueled the growth of internet-based outlets specializing in investigative journalism, but their audiences are relatively small. International media outlets continue to be a popular alternative to national sources.

In 2013, private business interests linked to the government purchased the Cadena Capriles newspaper conglomerate and Globovisión, two outlets that had carried criticism of the government. Within months of the ownership changes, news coverage and commentary grew more favorable to the authorities, and a number of prominent editors and reporters resigned their positions, alleging editorial pressure. In 2014, the daily *El Universal*, the country's oldest circulating newspaper, likewise underwent a notable change in its editorial line after an undisclosed buyer took control in July. In the months following the sale, more than 25 columnists were dismissed, several journalists resigned over censorship by their editors, and award-winning cartoonist Rayma Suprani claimed she was fired for an illustration that criticized the public health system.

Since 2012, currency controls have made acquiring newsprint difficult. Maduro has exacerbated the problem by centralizing distribution in the government-operated editorial complex where all newspapers, magazines, and books bearing the state's official seal are printed. More than a dozen newspapers have been shuttered, and several others were forced to cut pages or reduce the frequency of circulation as a result of the shortage. However, in September 2014 Maduro announced the launch of two additional state newspapers, prompting journalists to accuse the government of restricting access to newsprint in order to censor critical voices.