



## **RESOLUTION ON THE SITUATION OF FREEDOM OF EXPRESSION AND PERSECUTION OF JOURNALISTS AND THE MEDIA IN THE BOLIVARIAN REPUBLIC OF VENEZUELA**

In Venezuela, attacks on freedom of expression and journalism persist. The opacity, violence, closure of media and attacks on online information portals, through DNS (Domain Name Systems) blocking, clearly increased during 2017 and have done so far in 2018, originally in the context of the presidential elections of May 2018.<sup>1</sup>

In February and March 2018, PEN International carried out a mission in Venezuela with the objective of providing a general overview of the current freedom of expression situation in that country. The report Venezuela: literature and journalism, an act of resistance, reflects that censorship and the level of restriction for communicators and writers are so high that society or journalists end up experiencing psychological self-censorship similar to a kind of “internal policing”, which controls private conversations and exercises inhibitory pressure over what is written or said. The effects on writers, on the media and on society in general have been devastating.

In Venezuela, a marked historic regression is underway, with regards to freedom of information, in a context of sustained socio-political conflicts which, throughout 2017, restricted Venezuelans’ communication rights, amidst a serious human rights crisis, which affected various sectors of the country.

Abuse of state power, misinformation, opacity, restrictions to digital rights and attacks, alongside the closure and reduction of information and opinion spaces, as well as various forms of censorship, marked out 2017 as the year with the greatest obstacles to journalism in Venezuela, with at least 518 cases which accumulated 1087 violations of freedom of expression.<sup>2</sup>

2017 ended with 8 television channels and 54 broadcasters going off air, and 17 printed media<sup>3</sup> ceasing to circulate due to a lack of paper, six of these indefinitely, while legal proceedings were

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<sup>1</sup> <https://www.ifex.org/venezuela/2018/05/21/presidenciales-2018/es/>

<sup>2</sup> According to Venezuela’s Press and Society Institute (IPYS), the events consisted of 507 assaults and attacks against journalists and the media (including physical assaults, acts of intimidation, closures, suspensions and seizures of media, thefts, attacks on their work tools, physical and online attacks), 283 limitations of access to public information, 250 cases of abuse of state power in communications, 22 cases of administrative legal action, 10 cases of internal censorship, 8 cases of prior censorship, 6 attacks using regulations which hinder freedom of expression, and one case of impunity.

<https://ipysvenezuela.org/2018/02/28/control-remoto-indice-libertades-periodisticas-2017/>

<sup>3</sup> From August 2013 to February 2018, 35 daily newspapers went out of circulation in Venezuela, due to difficulties acquiring paper to print on and other supplies required for news production, sold exclusively by the State. Out of these 35 dailies which closed, 18 left the market indefinitely and the other 16 temporarily suspended their printed editions.

<sup>4</sup> <http://espaciopublico.org/conatel-inicia-procedimiento-sancionatorio-contra-el-nacional-web/#.W2HRC9JKJIU>

brought against news websites, such as El Nacional Web, sanctioned for alleged breach of the Law on Social Responsibility in Radio, Television and Electronic Media.<sup>4</sup> The Government uses institutional violence to censor, using direct or indirect restrictions through state agencies<sup>5</sup>.

The most critical point was reached in 2017 when punishments were established of up to 20 years in prison for those considered guilty of promoting “hate speech”. The sentences can be applied through the “Constitutional Law against Hate, for Peaceful Coexistence and Tolerance”, a law without constitutional status approved on 8 November 2017.<sup>6</sup> The so-called “Law on hate” also involves restrictions to personal freedoms and breach of due process.

**The Assembly of PEN International urges the Venezuelan Government to:**

- Put an end to attacks against journalists, photographers, and press and media workers in general, and guarantee that these attacks will be investigated and that those responsible will be brought to justice;
- Revoke the “Constitutional Law against Hate, for Peaceful Coexistence and Tolerance”, a law without constitutional status, passed in order to persecute dissent and foster fear and self-censorship, as well as the Law on Social Responsibility in Radio, Television and Electronic Media;
- Guarantee conditions allowing freedom of expression through a legal framework in the country, which guarantees the right of access to public information;
- Protect the safety of journalists and defenders of human rights, safeguard the right to protest and honour international commitments;
- Eliminate legal frameworks which work against Venezuelans’ freedom of expression and opinion, violating principles and human rights of online freedom;
- Eradicate practices and laws which result in blocking and censorship of Internet content by the State, suppliers, and Internet communications services management authorities;
- Permit the free acquisition of paper and supplies for printing newspapers;
- Permit media and citizens to access public information without reprisals.

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<sup>5</sup> Information censored by the non-governmental organisation Espacio Público [Public Space]. <http://espaciopublico.org/informe-anual-2017/#.WwLPZ9Uvz5Y>

<sup>6</sup> <https://ipysvenezuela.org/2018/02/28/control-remoto-indice-libertades-periodisticas-2017/>