



Threats, lies and censorship: Media in Venezuela

This is a joint report published by International Media Support, Open Society Foundations and Article 19.

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Cover photo: Journalists demonstrate on the occasion of World Press Freedom Day in Caracas, Venezuela, 3 May 2016.

Photo: EFE/Miguel Gutierrez Política

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Map sources: ESRI, OCHA, UNCS.
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Executive summary

The present report is the outcome of a joint assessment mission to Venezuela carried out by Article 19, International Media Support, and Open Society Foundations.

Venezuela today is in a deep economic, social and political crisis with severe polarization, hyperinflation, serious shortages on food, medicine, water and electricity, and rampant crime. Discontent with the government has been growing, and on 6 December 2015 the opposition won a parliamentary majority for the first time in seventeen years.

However, rather than opening up for political negotiation, the recent elections seem to have led to a major struggle between the different branches of power. Frustration with the economic crisis and resulting hardship for ordinary Venezuelans is palpable, with frequent demonstrations against the inability of the government to change the situation.

The state of the press in Venezuela expresses that same critical situation. What was, a few years ago, a scene of polarization between heavily biased anti-Chavez and pro-Chavez media, reflecting a divided society, is now one of, direct or indirect, government-control of most of the public discourse.

As a result of the deep economic crisis, access to paper and ink has become very limited and a state-owned company, which has monopoly over both goods, distributes them in a discretionary way benefiting media supportive of the government. The crisis has also increased the media dependency on official, state advertisement, which again leans heavily on the media to align with government official truths. Hundreds of radio and TV stations are pending renewal of their licenses, the decision over which relies on the state-controlled telecommunications body CONATEL. Critical media and journalists are criminalized by the government and suffer institutional violence through criminal and administrative sanctions. Street reporters are harassed or physically assaulted while covering protests and the current food shortage. Access to public information and official sources for independent media is so scarce that informing on public interest matters has become almost an impossible task. Finally, the relatively recent purchase of some of the most influential media of Venezuela by companies close to the government has reduced the channels where opposition voices can be heard. Consequently, independent private newspapers are closing down or are having great difficulty surviving.

However, amidst this desolate panorama for free expression, there are beacons of hope: several new, mostly digital independent media, are determined to challenge all difficulties and tell the story of what is really happening in Venezuela. Their reportages have been finalists or winners of several of the continent's most prestigious journalism awards; one of these precisely documents the purchase of media by government's friends and the consequent change of editorial line that forced many reporters and editors to resign.

This report's final recommendations include a call for an urgent redesign of the legal framework in which the media operates; full access to public information and public officials; and increased support for Venezuelan investigative journalism and independent media to connect with peers on the continent to increase their capacity to report to in a factual manner on the critical situation in the country.

1. Introduction

Background of mission

At the 6 December 2015 elections for the National Assembly, the opposition to president Nicolás Maduro's United Socialist Party of Venezuela (PSUV) won an overwhelming majority after seventeen years of PSUV dominance. With the opposition controlling parliament, it was expected that changes to the legal and economic framework for the media might occur. However, so far, it seems that the polarization between government and opposition has only deepened, and that the government has continued its line of persecution against media that is not openly pro-government. Thus, external engagement may be required in order to assist local media and civil society organisations safeguard freedom of expression, press freedom and the right to information in a very hostile and antagonized environment. Article 19, International Media Support, and Open Society Foundations decided to carry out a joint mission to assess the situation on the ground.

Objective

The overall objective of the fact-finding mission was to assess the current media and freedom of expression environment in Venezuela and identify possible avenues for support.

Methodology

A pre-mission paper was produced based on reports on the media situation in Venezuela from international NGOs such as Human Rights Watch, Amnesty International, Reporters sans Frontières, International Federation of Journalists, Inter-American Press Society, Freedom House and international news outlets as The Economist (UK), New York Times (USA), El País (Spain), El Mundo (Spain), The Guardian (UK), news agencies EFE (Spain), Reuters (UK) and AP (USA), and Venezuelan news outlets as Venevisión, Globovisión, Últimas Noticias, Correo del Orinoco, El Universal, El Nacional, Tal Cual.

During a weeklong visit to Venezuela (Caracas and Maracay) in February-March 2016, the international mission conducted a series of interviews and meetings with a range of local interlocutors. This report is a result of the pre-mission findings and mission interviews.

Repeated requests to meet government press officers, e.g. from the Ministry of Popular Power for Communication and Information (*Ministerio del Poder Popular para la Comunicación y la Información*), and official media such as Correo del Orinoco, VTV or Telesur remained unanswered, and PSUV members of the Media Commission of the National Assembly did not attend the meeting with the mission despite an earlier confirmation of their participation.

The only meeting with a media openly supportive of the government was a local community radio station. As a result, some observations in this report may be affected by the lack of participation and contributions from official side.

Nevertheless, a pattern of observations was confirmed by more or less critical opponents to the government and supported by observations by international human rights and press organisations, underlining the need for support for free and independent media.

2. Political and social context

Background

Following a period of illness, President Hugo Chávez, who had led the Bolivarian Revolution that expelled the traditional parties from power, died of cancer on 5 March 2013. His successor, Nicolás Maduro, won a narrow victory as the PSUV candidate in the April elections the same year. He stood against the united opposition candidate Henrique Capriles Radonski, former member of the Christian Democratic COPEI (Comité de Organización Política Electoral Independiente), who in 2000 co-founded a new party Primero Justicia (Justice First) together with Leopoldo López among others. Maduro won 50.7 percent against Capriles's 49.1 percent.

After previously losing several elections by large margins, the now more empowered opposition staged large demonstrations in February of 2014 under the leadership of Leopoldo López, leading to new violent clashes. According to international media, the death toll rose to 39, with over 600 wounded. The government held López responsible, and he was sentenced to 13 years and 9 months in prison for incitement to violence and terror. López became a symbol for the opposition of the government's unwillingness to respect and accept political and democratic challenges.

The combination of economic hardship and insecurity has fueled widespread discontent with the socialist government, and at the elections for the National Assembly on 6 December 2015 the united opposition umbrella, MUD, won a victory with 56.2 percent of the votes against 40.9 percent to the PSUV. The result translated into 112 seats to the MUD against 55 to the PSUV. It is the first time since 1999 that the Chavistas do not hold the majority in parliament. With an effective two-thirds majority in the Assembly, the opposition can, in theory, block decrees from the President and has wide powers to enact laws. However, in practical terms, the Maduro regime is appealing to alternative "branches of power" and other mechanisms to curtail and restrict the Assembly's power.

Economic collapse and rampant crime

During the last years of Hugo Chávez's presidency and throughout Nicolás Maduro's tenure, oil prices have dropped from a peak of USD 140 a barrel to a record-low USD 30. As oil revenues account for up to 95 percent of Venezuela's export income – and a large part of all its income – the drop in oil prices have had dramatic impact on the economy. Maduro's government has reacted with strict control on currency exchange, price control and subsidized goods. Local enterprises have complained about regulations and limitations which, according to them, make it practically impossible to run a business.

As a result, scarcity of basic goods and food staples is spreading, hoarding and speculation have pushed prices up and inflation runs high. According to the International Monetary Fund, the Venezuelan economy shrunk by 10 percent in 2015 and inflation ran at about 160 percent. At the same time, Venezuela has witnessed a dramatic rise in crime, with a local NGO registering 24,763 homicides in 2013. With 3,946 homicides recorded in Caracas in 2015 (equivalent to nearly 120 per 100,000 residents), the capital was among the most dangerous cities in the world.

Struggle between branches of power

Venezuela has been a traditional democracy with a tri-partition of powers: a strong executive led by the president, a democratically and directly elected legislative National Assembly, and an appointed judiciary. As in the case of the US, it can be argued that the Supreme Court, Tribunal Supremo de Justicia, has developed into a fourth branch, as it is appointed by the president but interferes in legislation. With the new constitution of the Fifth Republic of 1999, Venezuela's official name was changed to the Bolivarian Republic of Venezuela, the National Assembly was changed from a bicameral to a unicameral body, and a division into five power branches was introduced:

1. The executive branch (President)
2. The legislative branch (National Assembly, unicameral)
3. The judicial branch (Judiciary)
4. The electoral branch (poder electoral - "electoral power")
5. The citizens' branch (poder ciudadano - "citizens' power")

The National Election Council – Consejo Nacional Electoral – oversees elections at the national, federal state, regional and local level, including the vote count and it is appointed by the majority of the National Assembly. This construction has led to suspicion and allegations of electoral fraud, though observers from the neighboring countries have called the elections free and fair and Spanish observers also sanctioned the 2013 presidential elections.

After the December 2015 elections, the outgoing PSUV-dominated National Assembly named thirteen new members of the Supreme Court assuring the loyalty of the court towards the government. The clash between the branches of power began already in January 2016, when the Supreme Court annulled all decisions of the National Assembly if it did not exclude the three

members from the state of Amazonas. The Court has also barred the Assembly from governing the ombudsman, the National Electoral Commission, and the judiciary, limiting its control over the executive power and public administration. Moreover, the Court has limited the Assembly's power to control civil public servants, effectively handing control of the armed forces to the president. It has also annulled the Assembly's committee to investigate the appointment of the thirteen new judges after the general elections, and ruled that the Assembly's rejection of the president's economic emergency law was not valid, although the constitution establishes that emergency laws must be approved by parliament. In response to the clash of powers, the National Assembly has declared its intention to ask the Organization of American States to intervene.

Communal powers

In addition to the five abovementioned power branches, there is the popular power (*poder popular*), organized in local communal councils elected in direct elections on a very local level. The goal of the Poder Popular is to engage the people in a process towards democratic socialism based on local participation. The state is transferring power - also economic - to the communal councils as a parallel structure to the municipalities elected in traditional representative secret ballots. The communal councils can also convene the popular assemblies to national referendums on presidential decrees, this way by-passing the National Assembly. The late president Chávez and his successor have defined the National Assembly and the general elections as the remains of the bourgeois state, opposed to the socialist democratic state based on the communal assemblies and communal councils.

Following Maduro's defeat in the vote on his economic emergency law in February 2016, he turned the law into a decree and subjected it to a referendum in the communal assemblies, which approved the decree by an overwhelming majority. Critics of the communal assemblies claim that only members of the PSUV and the supporters of Chavismo participate in the communal assemblies, and that there is no control over the vote in the assemblies.

It is unclear how the communal assemblies may interact with the press, but local community radio stations have a close relationship with the communal councils and in many cases act as a propaganda tool for the councils.

In a similar effort to highlight the revolutionary character of the government, local groups of party-members, known as '*colectivos*', were created to strengthen the grass-root level of the party, organizing cultural, educational and political activities. *Colectivos* were also mobilized to respond to opposition demonstrations with counter-demonstrations. Some *colectivos* are armed and uniformed, which is also the case of the UBCh, *Unidades de Batalla Hugo Chávez*, Hugo Chávez Battle Units.

3. Media Overview

The overall media freedom situation in Venezuela is highly restricted. Although the population enjoys access to large numbers of TV channels, radios and print newspapers, very few outlets are truly independent. Overall, it can be said that both pro-government and pro-opposition media have contributed to the escalating polarization of society. Rather than reporting on the challenges facing Venezuela, many media outlets have become part of the problem instead of the solution.

Concentration of media ownership by business groups favorable to the government or directly by the State has led to high levels of direct and indirect censorship in the newsrooms. On the other hand, a number of outlets are owned by individuals linked to the traditional economic elite, which remains closely connected to the two former ruling parties. Thus, the editorial line of these outlets tends to follow the line of the opposition.

The few independent media challenging Maduro's administration that still survive, most of them being online, suffer from blockages, shortage of paper, and/or administrative constraints. Violence and intimidation to journalists has also been used as a tool to stop the press covering protests and the current shortage of basic goods.

Education

The title of journalist is protected in Venezuela where you have to graduate from a recognized university with a degree in journalism or information. However, the law is not enforced, and most of the so-called social reporters have neither skills nor training, and a great number of local community radios work without any oversight by professional journalists. Universities receive less funding than previously, and salaries for professors have decreased. Universidad Central de Venezuela has been under pressure from military and police on the grounds that it was part of the opposition and incited students to protest against the government. As a consequence, access to its campus has been blocked on several occasions. Critics believe that the new generation of journalists lack basic skills and ethics as well as the necessary curiosity to become good reporters.

Attacks, harassment, exclusion, censorship and self-censorship

All media outlets and organisations visited by the mission offered stories about threats to the freedom of the media. Since 2004, the Colegio Nacional de Periodistas has registered 57 lawsuits against journalists by the government or members of the ruling PSUV, most of them during the last three years. Civil and criminal judicial demands have been used to intimidate journalists and media by public officials. The Venezuelan NGO IPYS (Instituto Prensa y Sociedad) has registered eleven arbitrary arrests just this year. The toughest

judicial decision has been to the director of El Correo del Caroni , who was sentenced to four years in prison for offences of defamation and insult after revealing cases of corruption in a state-owned company CVG Ferrominera Orinoco.

According to the syndicate of media workers, Sindicato Nacional de Trabajadores de la Prensa, SNTP, 700 journalists have been arrested, attacked or robbed while covering the lines outside food stores since November 2015. Crowds are incited by colectivos to attack cameramen and journalists. According to the Colegio Nacional de Periodistas, 37 percent of journalists believe they have exercised self-censorship for fear of persecution or retribution.

Lack of access to decision-makers and to information generally is also an issue. The National Guard – Guardia Nacional – and other security forces often bar known opposition media or journalists access to press conferences and official functions. Sometimes colectivos do the same. Ministers and officials habitually decline to talk to opposition media, and even media generally considered favourable to the government are often denied access. Unión Radio has chosen to employ anchors close to the ruling PSUV to get interviews from top officials and ministers. Websites of official institutions, like state oil producer PDVSA, provide very little or no information at all about production, employees, etc.



"Al Son del 23" community radio station in Caracas. Photo: Andreas Sugar/IMS.

Newspapers complain that they are unable to properly cover many issues, as they cannot obtain relevant information from government sources and therefore have to rely on statements from TV or radio interviews. Issues of a military nature are particularly hard to cover, as neither the Minister of Defence nor generals give interviews. Further, it is not allowed to interview people in exile, as well as ex-ministers, ex-politicians and public servants.

Some interlocutors noted that there are signs of change in the wake of the December elections; calls from ministers and top officials demanding access to broadcast media have ceased, and some have agreed to giving interviews. Some fear, however, that renewal of licenses for broadcast and electronic media may depend on satisfaction with the coverage. According to Globovisión, PSUV boycotts the network effectively, and president Maduro has threatened the channel directly in one of his speeches. Shortly after, CONATEL showed up for a five-day inspection of Globovisión's headquarters without any legal basis, such as a court order.

Television

Television is by far the most important media platform on a national level, reaching up to 95 percent of households through five state-owned and a number of private channels, both airborne and cable. The major players are all based in Caracas. The state-owned VTV and private Globovisión are the only channels dedicated to news programmes, political debates and opinion. Furthermore, the state runs ViVe which is based on local news collected by correspondents in the federal states.

President Chávez was extremely aware of the importance of TV. Already in 1992, after his coup attempt, his condition for giving up arms was to do it directly on live TV, which came to be his first political speech on national TV and turned him into a household name in Venezuela. In 2001, he launched the weekly TV-show *Aló Presidente*, which drew large audiences to his improvised talk show, with Chávez taking phone calls from viewers and speaking about his ideological project, and reading from books by Simón Bolívar, Fidel Castro and American intellectual Noam Chomsky. It is estimated that Hugo Chávez was covered on TV up to 40 hours every week. According to a local NGO, president Maduro has followed this trend.

Under Chávez, allegations of private independent media campaigning against the government became a favorite topic of the president. The allegations intensified after the 2002 coup attempt. According to observers, some of the news programmes on independent media were more propagandistic than journalistic. The response from the government came in 2007 when the prorogation of license to broadcast was denied to RCTV – Radio Caracas

Televisión – although the channel mainly broadcast entertainment. The government argued that RCTV had sided with the coup-mongers in 2002. RCTV is now available as a pay channel on cable.

Later, the government targeted private news broadcaster Globovisión, which had played a major role in supporting the failed coup against the president. Armed members of colectivos and the UBCh on motorcycles often circled the headquarters and studios of Globovisión to intimidate both employees and visitors. In 2007, the minister of information attacked Globovisión for inciting violent opposition against Chávez, while various top politicians were annoyed with the coverage Globovisión gave to the opposition. For its part, the opposition claimed that Globovisión was the only channel reporting their press conferences and political meetings.

In May 2013, the share majority in Globovisión was sold to three business people, and the takeover led to editorial changes. Several key journalists and anchors consequently resigned. A conflict about a political talk show provoked the resignation of one of the three owners in August 2013. Since the change of owners, the opposition has complained about a new editorial line. The two-time presidential candidate Henrique Capriles complained that the channel had stopped broadcasting his speeches live, and that important parts of his political message were cut out of re-transmissions. The change in staff at Globovisión also led to allegations of widespread self-censorship. A former news anchor told CNN-Spanish and a Venezuelan newspaper that he had resigned due to censorship by the editors. Human rights groups have pointed out that the censorship is not limited to political criticism. Reports on crime and food shortages are also blacklisted, and TV camera men are often attacked by colectivos and equipment confiscated by the police while trying to film queues outside food stores.

However, since the parliamentary elections in 2015, Globovisión's editorial line has changed. The TV channel surprisingly broadcast the inauguration of the new Assembly chaired by opposition leaders, and has since been covering sessions live. Globovisión's license has expired and it fears that the government is not renewing it in order to keep it in line.

Radio

Venezuela has a large number of radio stations, both FM and AM, and draw huge audiences on a national level, although mostly for music programmes. The state-run Radio Nacional de Venezuela is one of the most important stations, and the government also controls some regional and local stations. The main private network on a national level is Unión Radio, which has correspondents in all the important federal states. There is also a system of community run stations (described separately in a section below).

Newspapers

There are currently 83 newspapers in Venezuela; 72 are published in various federal states while eleven are published in Caracas. Two papers are entirely dedicated to sports. The most important newspapers at the national level are Correo del Orinoco (state-owned), and privately owned Últimas Noticias, El Universal, El Nacional and Tal Cual.

Newspapers are mostly read by the urban elites, and circulation numbers are very low compared to the size of the population, especially outside the big cities. Statistics on sales are generally not available, but El Nacional had a daily sale of around 80,000 copies in 2014, and Correo del Orinoco runs in 50,000 copies. The government has also launched a series of free newspapers handed out in the larger cities, such as Ciudad CCS in Caracas and Ciudad VLC in Valencia.

The deep economic crisis in Venezuela has produced a very particular problem for the printed press, namely the limited access to printing paper. The government controls a state company that provides state-owned press organisations with all basic material for the graphic industry, including paper, printing plates and ink. Since 2013, this company, Complejo Editorial Alfredo Maneiro, S.A. (CEAM) has practical monopoly over these products, as the access to currency for importing is restricted by the government. According to various interlocutors, CEAM has continued to provide material to state-run newspapers and producers of propaganda content for PSUV, while private papers have been constrained to limit their circulation in different ways, as mentioned in a previous section. Despite having received donations of paper from media in Colombia, El Nacional newspaper has reduced its daily circulation from 100,000 to 30,000, partly due to lack of paper.

At times, imported paper is available from other sources, but the price is usually about five times the cost of paper purchased from CEAM, and acquiring hard currency to pay for the paper remains a problem. Another financial challenge is the fact that the government is a major advertiser in newspapers, but has directed its advertisements to media supportive of the government. As an example, three major advertisers – Banco de Venezuela, Cantv and Electricidad de Caracas – stopped advertising in Tal Cual newspaper after they were nationalized.

At the time of the mission, several daily newspapers had been constrained to cut the number of pages in their daily issues, cancel Sunday supplements, or become weekly publications. One regional newspaper, El Carabobeño, went out of circulation in March 2016 after 82 years of business. Paper shortage also forced daily Tal Cual to limit its printed version to a weekly edition. Until very recently, this newspaper ran a daily opinion piece on its front page by leftist ex-presidential candidate Teodoro Petkoff, who usually criticized the Chavistas. Coming from the left, his criticisms were particularly damaging for them. Now the paper is trying to strengthen its online version. This trend seems to be spreading, although, like everywhere in the world, many newspapers have problems generating money from their online editions.



Newsstand in central Caracas. Photo: Andreas Sugar/IMS.

For the past few years and in particular since Maduro took over the presidency, several media in Venezuela have changed ownership leading to drastic changes in their editorial line. According to IPYS, 25 media outlets across the country have changed hands. Grupo Ultimas Noticias, owner of the major daily Ultimas Noticias and the largest editorial media group in the country, was officially bought in 2013 by Latam Media Holding, a British investor group. A former state governor of Anzoategui and a politician close to the government was appointed as the new manager. Since then, critical journalists have been silenced. As shown in the IPYS report, the publisher's office started to intervene in the headlines of the newspapers and journalists were highly censored. Similarly, El Universal was bought in 2014 by the Spanish firm Epalisticia. The new president of the newspaper also represents the company Tuncan Petroleum Services of Venezuela, which appears to be a contractor of the Venezuelan government. Journalists there were asked to report "in a more balanced way," which in practice meant overlooking violent events and scandals related to politicians close to the government. As a result, many journalists have been fired and others have resigned, trying to find other spaces where critical voices are allowed.

According to the press organisations Colegio Nacional de Periodistas and SNTP, self-censorship is spreading in newspapers for a number of reasons. Journalists are afraid to be singled out by editors as "troublemakers" when criticizing the government; a fear that is exacerbated by the many staff cuts in newspapers. In some cases, journalists are also afraid of being targeted by the colectivos or politicians going directly after critics.

Internet access and social media

Internet access is increasing rapidly in Venezuela. According to the Ministry of Popular Power for Communication and Information, 61.62 percent of the population has access to the internet. Mobile phone use is growing and almost 3,000 wi-fi spots have been set up to provide free internet access for the population. Nevertheless, broadband is not available all over the country, and the government definition of broadband is quite restrictive. According to a local NGO, only 0.2 percent of the population has access to at least 10 Mb/sec. Access is also very unevenly distributed in the country. According to the Ministry, penetration in the capital area is 102.67 percent (meaning that many have access both by fibre at home and on their mobile devices), while it is 20.78 percent in the state of Amazonas, and 29.7 percent in the state of Apure. In the majority of federal states, penetration is lower than 50 percent.

The government considers the internet a battlefield of interests, and according to the PSUV political program Plan for the Fatherland ("Plan de la Patria") the government attempts to diminish the access and influence of communication networks and news sites "dominated by the neocolonial powers". According to Acceso Libre, the government also used the spy software FinFisher to surveil the opposition, and sees this as a reason for at least seven arrests of owners of Twitter accounts after the 2014 riots.

There is an estimated 11 million Facebook users in Venezuela (out of a population of 30 million), and perhaps as many on Twitter. Various interviewees believed that Venezuela was the Latin American country with the most widespread use of Twitter. The opposition suspects that the ruling party uses robots to produce tweets and resend them endlessly to accumulate hits (e.g. under the hashtag #maduroelmejor) after demonstrations or political debates deemed unfavourable for the government. Different Twitter accounts and blogs have been targeted by the government.

Online media

In view of the restrictions and obstacles facing traditional media, many independent journalists have set up their own independent news sites. Some of them, like Efecto Cocuyo, Poderopedia, Rurun.es and Armando.info, among others, are doing independent and often investigative journalism, with fact-based reporting, documenting their findings with hard evidence. Despite competing with each other in a difficult market, sometimes they join forces to produce difficult investigations. In the last few years, Venezuelan journalists from these new digital enterprises have been awarded several international journalistic prizes.

CONATEL, which regulates all telecommunications, has occasionally shut down the oppositional Runrun.es, while it is common for public officials to attack journalists from some of the outlets, insulting them by name to intimidate them.

The government has also blocked the access to foreign news sites such as "Diario de Cuba" and the Argentinian Infobae.com, which are critical of the Maduro government. The Colombian news network, NTN24, with an upfront opposition editorial line, which has been banned from the cable network services in Venezuela, is also being blocked on the internet. Nevertheless, these sites can be accessed through two private internet providers that operate primarily in the capital and have a low market share.

Local and federal state media

As international attention and the presence of media and human rights organisations in Caracas may temper some of challenges described above, media in the federal states are suffering the same problems as media in the capital but are unprotected from attacks from local politicians and colectivos. One interlocutor believed that media in the provinces, above all radio and TV, are more challenged than media in the capital, as it is harder to purchase equipment locally and access foreign currency required to run a business. Meetings with local journalists and editors in the city of Maracay in the state of Aragua seemed to confirm these trends.

Self-censorship is particularly widespread in smaller communities where the local press tends to avoid issues perceived to be sensitive, such as crime, demonstrations, riots, or lines at supermarkets. In Maracay, the funeral of a leading drug lord practically shut down a large part of this city of 1.8 million inhabitants, but went largely unreported by local media. Articles on crime are generally not attributed to the reporters out of fear of retribution.

While local newspapers have had to cut pages and circulation, the national newspaper *Últimas Noticias* has opened an editorial office in Maracay with extra pages for coverage of Aragua for the federal edition. This seem to confirm the suspicion of local reporters of a connection between *Últimas Noticias* and the government. The official free daily newspaper *El Aragüeño* is still in circulation with no apparent paper supply problem. Another – unconfirmed – rumour is that governor of the state Aragua Tareck el Aissami is suspected to be the owner of newspapers *Universal* and *Últimas Noticias* as a stooge of the government.

State-owned media

Sistema Bolivariano de Comunicación e Información (SiBCI) – the Bolivarian System of Communication and Information – under the Ministry of Popular Power for Communication and Information is the entity controlling all state media. The state controls five TV channels, of which two are news channels. Of these, *TeleSur* is co-owned by other member states of the political-economical alliance ALBA (“Alianza Bolivariana para los Pueblos de Nuestra América”, Bolivarian Alliance for the Peoples of Our America), which consists of Argentina, Bolivia, Cuba, Ecuador, Nicaragua, Uruguay, and Venezuela. After the recent elections in Argentina, the new right-wing government decided to withdraw from *TeleSur* in March 2016.

The state also controls one national newspaper, *El Correo del Orinoco*, founded in 2009. In contrast to most other newspapers, it does not suffer lack of printing paper or other material. The state also controls seven local newspapers, many of which are free handouts.

There are three national state radio networks: *Circuito Radio Nacional de Venezuela*, *Sistema Radio Mundial*, *Circuito Radial PDVSA* (run by state oil-producer PDVSA). The most important government online media outlet is “*Misión Verdad*”, which runs commentaries and analyses of national and international current affairs. It is evidently based on government ideology and very critical of the Anglo-Saxon news agenda and Western policies. Part of the *Misión Verdad* website is dedicated to contradict and defame news from independent media. On this site, the president and other government officials have identified both media outlets and individual journalists by name as enemies of the revolution, thus pointing them out as targets for social media attacks, threats and direct aggressions while working in the field.

The National Assembly also has a TV channel, Canal de la Asamblea Nacional, which transmits directly from sessions in the parliament. After the elections in December, all the equipment belonging to the channel disappeared, and opposition parties accuse supporters of the PSUV and president Maduro of stealing the equipment to obstruct the coverage of the sessions, now that the opposition is in the majority.

In addition to controlling the content of the state media, the government has the right to five minutes daily advertisement space for free on all license-holding TV and radio channels, enforced by the Ministry of Information. It also distributes a "Fatherlands News" program ("Noticiero de la Patria") with a duration of 10-15 minutes, two to three times a week, which all license holders must broadcast. In addition, the president may make use of the so-called 'cadenas', by which he can interfere in the programming simultaneously on all broadcast media to address the nation as long as he pleases. In February 2016, Maduro went on air for more than five hours when announcing a rise in petrol prices and devaluation of the currency. As the cadenas may not be interrupted by commercial breaks, they mean a loss of income for the broadcasters. Critics also claim that state media receive indirect support through official advertisement from the state, while it has put pressure on opposition media by avoiding to buy advertisements in TV, radio and newspapers.

Community media

To counterbalance local commercial radios, Chávez encouraged the creation of communal radio stations, which today are organized under a government umbrella, Circuito Nacional de Emisoras Comunitarias. The community radios are generally run by local activists from the Communal Power councils, and professional journalists are usually not recruited for the work. Instead, the reporters are called 'social communicators', and through the law for social communication the government supports the work of these non-professional, untrained journalists. As the community radios are closely linked to the Poder Popular, their strongholds are in poor and low income neighbourhoods where support for Chavismo is widespread. There are more than 150 community radios in Venezuela and, according to opposition media, they often operate without the necessary licenses and even sell commercial spaces in competition with licensed media. The programming on the community radios span from political speeches, quizzes and local news to sports, music and church services. Educational programmes have a special position on community radios, but in many cases the educational focus is politicized in favour of the PSUV.

4. Regulatory and legal framework for the press

Legal framework

The ruling PSUV has pursued a policy on press and the right to information called "Hegemonía comunicacional" – communicational hegemony, the goal of which it is to avoid criticism of the revolution and to seek a revolutionary consensus as a basis for all information. PSUV sees Venezuela as a victim of a media war ("guerra mediática"), i.e. a conspiracy of privately owned national media, international media outlets, transnational companies and the local business community orchestrating a negative campaign against Chavismo. However, according to some interlocutors – including people close to chavismo – Chávez's concept of the "media war" is not real, as very few media (besides Tal Cuál and El Nacional) are truly critical, and those that are reach limited audiences.

Three laws are used by the government to control the press:

- Ley Resorte (i.e. Ley de Responsabilidad Social de Radio y Televisión)
- Ley de Telecomunicación
- Ley de Código Penal

The Ley Resorte (meaning social responsibility law for radio and TV) has provoked much debate in Venezuela. At its adoption in 2004, the government stated that the goal was to protect citizens from explicit images of assassinations, accidents and violent crime. The law also limits the foreign investment in media and underlines the obligation to broadcast programs and messages from the government. According to the journalists' organization SNTP, the law is an instrument of the government to criminalize certain information and persecute independent news media. Violations of the law can be sanctioned with a 72-hour closure of the offending broadcaster. Furthermore, the law obliges all TV channels to dedicate at least half of the broadcasting time to Venezuelan productions. The telecommunications law has unified all internet access in Venezuela to the state phone company, enabling the government to block access to websites that promote crime, violence and racial hatred, or undermine the legal authorities. The new majority in the National Assembly has stated its intention to modify the Ley Resorte, proposing that media owners, organisations of journalists and editors form the future leadership of the CONATEL, National Telecommunications Committee, and appoint its president.

The Telecommunications Law regulates licenses and company constructions for the telecommunications area as a whole. The law also gives the government the power to revoke renewals of broadcast concessions, as was the case with the private station Radio Caracas TV, and assign the channel for other uses.

Ley de Código Penal – the penal law – is mostly used by individual officials and politicians against journalists and editors accused of slander and defamation. In one high-profile case, the former president of the National Assembly, Diosdado Cabello, has accused the editors of three government-critical

newspapers of reproducing a news piece from a Spanish newspaper, which claimed that he was a central figure in a drug cartel. While the case is ongoing, the editors are prohibited by court order from leaving Venezuela. In another case, Tal Cual newspaper was fined USD 100,000 for publishing an article on the life of the daughter of president Chávez.

One improvement in the area of press freedom since the December 2015 elections is the return of the opposition press to the press section of the National Assembly, from which independent media had been banned for years. Besides the proposal to change the Ley Resorte, the new majority in the National Assembly has stated its intention to push for changes to the communications law and the adoption of a new law regulating the president's access to use cadenas.

Authorities overseeing the media

CONATEL (Comisión Nacional de Telecomunicaciones) regulates all electronic media and the internet. The board is appointed by the Minister of Information and also counts five vice-ministers for Communication and Information, Television, Radio, Printed Media, and Internet. CONATEL is also responsible for the controlling that media comply with the Ley Resorte. As an example, according to IPYS, CONATEL prohibited a series depicting drug-traffickers on network TV in February 2016.

The new media committee of the National Assembly (overseeing media legislation and appointed by the political parties according to their representation, thus giving the majority in the committee to the opposition) has already taken up the case of the Colombian news channel NTN24, which was cut off the cable TV network in Venezuela by the government for broadcasting from the February 2014 protests. NTN24 claims that its website with live-news streaming in Venezuela has been hacked, and many Venezuelans resort to YouTube to watch the news from NTN24, as that service is not blocked.

The government also regulates the permission of any company to advertise in TV or radio as part of the company's budget through the law for expenditure in the industry, Ley de Precios y Costos, which the committee members mention as another way of putting pressure on critical media. For instance, a car brand may not be allowed to buy advertising time on Globovisión if the TV station broadcasts news critical of the government. CANTV (Compañía Anónima Nacional Teléfonos de Venezuela), the national phone company, also has the responsibility for all telecommunications, cable and internet connections in the country. Originally, it was a state-owned company, which was privatized in 1991 and re-nationalized by Chávez in 2007. Several critics claim that CANTV has installed spyware that was allegedly used after the 2014 riots. CANTV has also blocked several national and international news outlets from the internet in Venezuela.

Professional associations

The main organisations for the publishers are the Bloque de Prensa de Venezuela, an independent publishers' association, and the Asociación Venezolana de Periódicos which is more friendly towards the government. The Bloque has now created a sister organization for online media, Bloque de Prensa Digital de Venezuela. There is also the Asociación de Periódicos de la Provincia (Provincial Newspapers' Association), which is currently struggling for access to printing materials and paper. The main private newspapers are affiliated with the transcontinental publishers' organization, the Inter-American Press Society (IAPS), which has criticized the government and supported the Venezuelan publishers' call for international intervention in the government's attacks on the press. IAPS also supports the steps by Venezuelan publishers to take specific cases to the Inter American Court on Human Rights. Cámara Venezolana de la Industria de la Radiodifusión is an association of more than 400 privately owned radio stations all over Venezuela.

Colegio Nacional de Periodistas is the professional organization for all journalists with a degree from a recognized university. It has more than 23,000 members nationwide, and defends the right to information and the access for journalists to information. SNTP, Sindicato Nacional de Trabajadores de Prensa, is more like a traditional union, but only has 9,000 members, of which a great part are not journalists. There are an estimated 22,000 employees in the printed press. SNTP fights for the right to organize and negotiate general agreements. It complains that there does not exist any legislation to protect journalists, and the syndicate intends to establish collaboration with journalists in Mexico and Honduras in an effort to improve legal protection for journalists. Espacio Público – Public Space – is an NGO overseeing questions of press freedom and free access to information, and it also collects data on persecuted journalists to protect them if targeted.



Political murals in Caracas. Photo: Andreas Sugar/IMS.

5. Observations and recommendations

Expressed call for external support

During the mission, practically all interlocutors stressed the need for external support to help address the enormous challenges facing the media sector in Venezuela, not least the issue of polarization. The critical press freedom situation requires more international exposure so as to put pressure on Maduro's administration. At the same time, many interlocutors and organisations appeared rather confrontational and uncompromising. It will take some effort to convince opposition media and NGOs and government representatives and media to engage in a constructive manner.

As no one from the government, PSUV or state media received the mission, it is difficult to determine their position on these issues. Even so, it is fair to assume that the ruling party would be skeptical of any foreign intervention in the areas of freedom of expression and media rights. These sentiments should be considered before deciding whether or how to implement media support activities in the country.



Journalists at work at the National Assembly (Asamblea Nacional). Photo: Andreas Sugar/IMS.

Efforts by other organisations

The Carter Center may be the international NGO that has been most active in Venezuela, with efforts including a few media projects. However, the Center is no longer working in the country.

Reporter sans Frontières is following the situation in Venezuela closely, but as the organization has received funding from the US, RSF is considered an enemy by the government, leaving practically no room for intervention.

The Committee to Protect Journalists also follows developments in Venezuela closely. The same goes for the International Federation of Journalists and the Inter-American Press Association. The Canadian Embassy in Caracas has supported a project aimed at strengthening radio and online reporting.

Possible counterparts in Venezuela

Possible partners for future engagement could be NGOs working on freedom of expression and freedom of the press, as well as small online news media doing independent journalism. The challenge will be how to approach government agencies or state media considering the political resistance to and distrust in foreign intervention.

Possible areas of intervention

- **Support to develop a digital strategy for print newspapers facing paper shortage**

As print media outlets are facing problems obtaining paper, they are obliged to strengthen their online presence. However, in order to be able to generate revenue, they need assistance in developing strategies and business models. As newspapers are compelled to go online, there is a growing need to strengthen capacity to adjust to the specifics of online reporting, rather than just copying newspaper reporting.

- **Support journalism by independent online news media so that it can have a wider impact**

Efforts could, for example, focus on strengthening their social media skills in reporting. As Twitter and other social media are rapidly growing as a primary news source in Venezuela, serious and fact-checking news producers should enhance their presence on these platforms to compete with and counter much of the biased and unchecked content on social media.

- **Basic ethics and skills training for local and regional journalists, with a particular focus on young reporters**

Many journalists in local and regional media are poorly educated and trained and have few role models in their daily environment. Much could be done to help them improve their professional skills on all media platforms.

- **Organize events for media professionals and owners to review and debate their role in reporting on the many problems Venezuelans face today**

A much needed initiative would be to create spaces for journalists to reflect about and review the role of the media in the current crisis. It would have to involve government friendly and non-friendly reporters and editors, from both private and public media, government officials involved in media regulation, and other actors from the media scene, such as a managers of social media, trade associations and others. The goal would be for them to critically review their coverage of the different problems of the country, the gaps and biases, and how they can improve reporting about what happens in society today.

- **Seminars in universities with participation of international journalists**

Such encounters could serve as inspiration for Venezuelan students who are unable to travel to international events and seminars.

- **Link up investigative reporters with colleagues and networks abroad**

Enhance the links of local investigative reporters with colleagues and organisations across the nation and those abroad, who could foster inspiration, education, information exchange and access to international media. Invite international media, from Latin America and other countries, to partner with local media and journalists to produce stories about the current media situation in Venezuela that could be published nationally and internationally.

- **Assistance and advocacy in support of freedom of expression legislation**

Provide technical assistance and possibly engage in advocacy in relation to key freedom of expression legislation currently under review in Parliament, in particular modifications to Ley Resorte, Ley de Telecomunicacion and theCodigo Penal.

- **Safety training for media workers**

Provide self protection training to journalists and other media workers, allowing them to work with improved safety in relation to physical, legal and cyber threats.



Globovisión TV station. Photo: Andreas Sugar/IMS.

Appendix

List of main media in Venezuela

TV:

Privately owned national TV-channels:

Globovisión	News
Venevisión	Entertainment
Televen	Entertainment
Canal Uno	Entertainment
Meridiano	Sports

Stateowned TV-channels:

VTV	News
TeleSur	News (International, primarily in the ALBA-countries)
ViVe	News based on regional affairs
TVes	Entertainment
Televisora Colombeia	Educational

Radio:

Radio networks owned by the state:

Circuito Radio Nacional de Venezuela
Sistema Radio Mundial
Circuito Radial PDVSA

Most important private radio networks:

Circuito Unión Radio
FM Center
Circuito Éxitos
Circuito Mega
Circuito Onda
Circuito Radio Venezuela

Newspapers:

Newspapers owned by the state:

El Correo de Orinoco	(daily sales around 50.000)
Ciudad CCS (Caracas)	(distributed as free pick-up)
Ciudad VLC (Valencia)	"

Grupo Últimas Noticias (pro-government):

Últimas Noticias	(daily sales not available)
El Mundo, Economía y Negocios	(daily sales not available)

Independent pro-government (communist):

Diario Vea	(daily sales not available)
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Bloque Dearmas:

Diario 2001	(daily sales not available)
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Independent/opposition newspapers:

El Nacional	(daily sales around 80.000, 240.000 on Sundays)
El Nuevo País	(daily sales around 50.000)
El Universal	(daily sales not available)
Tal Cual	(since 28 February 2015 only a weekly, online version)

Social media:

Efecto Cocuyo
Runrun.es
el Estimulo
La Patilla
Prodavinci
Contrapunto
Crónicauno
ElCorreodelOrinoco.com

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