

Freedom of expression is deteriorating

The Instituto Prensa y Sociedad de Venezuela (IPYS Venezuela) presents an x-ray of the seven months which have gone by in 2016 (January - July), taking into account month-by-month trends as per a structure of categories found in international standards on freedom of expression and access to information, set forth in the Venezuelan constitution

From January 1st to July 31st, 2016, IPYS Venezuela reported 233 cases encompassing 546 freedom of expression violations, including assaults and threats against journalists, attacks to media headquarters, limitations on covering news of public interest due to the hostility of certain groups, arbitrary arrests by security corps, interrogations and surveillance for intimidation purposes, legal decisions deriving in censorship, threats and lawsuits, aggravating declarations by public authorities, the shutdown of printed media, the slashing and suspension of editions due to the lack of paper to print on and assaults and aggressions in the digital arena.

Of the seven months which have gone by in 2016, May was the one with the greatest number of conflicts, with 44 cases tallied by IPYS Venezuela. January, February and March had an approximate number of alerts that was no greater than 35, while in June there were 40 and this figure dropped to 25 in July.

The worst conflicts took place in the metropolitan area of Caracas, with 34 cases, and Bolívar (17), Sucre (16), Táchira (13), Aragua (13), Apure (13), Monagas (11) and Mérida (11) states. Restrictions were also seen in Lara (9), Miranda (9), Zulia (7), Portuguesa (6), Carabobo (6), Falcón (5), Vargas (5), Anzoátegui (5), Barinas (4), Cojedes (4), Delta Amacuro (4), Amazonas (2), Trujillo (3) and Nueva Esparta (1) and 8 decisions had a nationwide scope and 27 took place on the Internet.

During this time period the persons most affected were reporters (164), graphic reporters (53), radio and TV show hosts (11), editors (10), foreign correspondents (8), cameramen (6) and producers (5), the majority from private media (291), independent media (43) and foreign media (23). These professionals of the press were affected by measures and actions undertaken by State victimizers (65%) and non-state victimizers (35%). Among the State victimizers were state security corps (78), ministries and dependencies (64) and official political party supporters (53). Non-state victimizers included unidentified persons (29), media directors (11), subjects practicing criminal acts (9), subjects on motorcycles (5) and persons with hoods or masks on their faces (4).

The media with the greatest number of violations to freedom of expression in the last seven months of the year were the printed media, with a total of 44% (164); in second place were digital media with 25% (93), in third place where television stations with 13% (47) and in fourth place were radio stations with 12% (43). The sources which registered the most number of complaints were the political source (43), the communities source (35), protests (36), events (29), the parliamentary news source (23) and investigation sources (12).

At the Service of Society

Silence is not an option for a journalist. He is called to reveal information of public interest, without distinction as to political party, ethnicity, religion, or any other notion suggesting the idea of putting himself at the service of censorship or self-censorship. IPYS Venezuela urges the State, its instances and other sectors to understand the value of the exercise of journalism for democracy and the construction of a plural, free and diverse society, based on authentic public deliberation; to respect and enforce the right of every journalist to exercise their profession unrestricted and devoid of risks, threats and unjustified processes; to vindicate the necessary warranties for the exercise of freedom of expression and to guarantee the necessary safety measures to combat threats and attacks against social communicators.

The most recent protest of reporters in the city of Caracas, which took place on August 3rd outside the National Service of Forensic Medicine and Sciences (Senamecf), better known as the morgue of Bello Monte, was an action that confirms these arguments. A group of journalists who cover news for [the events source](#) was outside in the vicinity of the morgue with banners rejecting the construction of a metal fence that would hinder their work of informing.

Intolerant arbiter

The year 2016 began with the swearing in of the new national assembly elected on December 6, 2015. For the first time after five years of repetitive restrictions and under official party majority in the house, the journalists and private and public national and international media were able to have access to parliament.

During January, IPYS Venezuela registered 34 alerts accruing 43 violations against freedom of expression. The trend in the 31 days of January focused on the category of abusive use of the State's power (14), where there were four cases of aggravating declarations by public authorities, four arbitrary arrests by state security corps and six cases linked to the foreign exchange function and the regulation of foreign trade, specifically in the supply of printing inputs for the press in Venezuela.

Arbitrary arrests obstructing the work of informing

Affected two reporters, one graphic reporter and an editor of a digital media, in the news sources of politics, events and communities, this latter while covering lines of persons waiting to purchase food. Among the principal victimizers were the National Bolivarian Intelligence Service (SEBIN), the National Bolivarian Guards (GNB), the authorities of Simón Bolívar International Airport (Maiquetía), and policemen of the Barinas Sur police center. Arrests took place in the metropolitan area of Caracas and in Vargas, Barinas and Sucre states.

A matter of concern were interrogations to journalists on their personal information such as their home and work address as well as their accounts and passwords for their social networks, which has become a trend in the past seven months of the year. This is what happened to a graphic reporter of Mundo24 digital media on January 6, 2016, when he was [arbitrarily arrested by officials of the SEBIN](#) when he was taking photographs of the head office in the Helicoid after a press conference called by the Foro Penal Venezolano to be carried out at the doors of the place with the presence of family members of political prisoners to talk about the draft amnesty law.

In January there were also four alerts as a result of the **violent discourse by top public officials**. Two out of four aggravating declarations for intimidation purposes were made by the president of the republic, Nicolás Maduro, against privately-owned television stations. The statements, in which the head of state [attacked the coverage of parliamentary news](#) by Globovisión and Televen specifically, were broadcast two days after the swearing in of the new national assembly on January 5th, 2016. The other two aggravating declarations were uttered by governors Ramón Carrizalez, of Apure, and Yelitze Santaella, of Monagas (both of which are supporters of the official party) after the publication of [information in the events and human rights sources](#) which were bothersome for the official authorities.

Likewise, six of the 14 cases recorded by IPYS in the category of abusive use of the State's power corresponded to the crisis of paper to print on in Sucre, Miranda, Portuguesa, Táchira and Lara states. The denunciations, which led to less number of pages and run, the suspension of editions and changes in format, increased and became constant after Hugo Cabezas, the president of the Alfredo Maneiro Editorial Complex, announced at the end of January 2016 that the allocation of paper would be reduced by 40% which, according to the official information, represented about 400 tons.

In this context 13 physical assaults were also recorded, six of which correspond to intimidation events, five to physical assaults, one to the subcategory of harassment and one to the subcategory of kidnappings; eight limitations accessing public information; five attacks and measures against media involving a robbery, a suspension of a radio program, a suspension of the circulation of a regional printed media and two cyber-assaults and two cases of prior censorship by the executive branch of power in regards to health and politics.

Victimizers of the Executive Branch of Power

Although 33 cases were tallied in February -one less than those registered during January- there were more breaches against freedom of expression (66). The states with the most number of alerts were Monagas (7), Lara (4), the metropolitan area of Caracas (3), Táchira (3), Miranda (3) and Zulia (3), while as per type of person, the media and institutions were largely the most affected, at 59.2%.

The executive branch of power was one hundred percent the principal victimizer by means of indiscriminate actions carried out through ministries and its agencies (19), as well as by State security corps (8), affecting mostly the privately-owned printed media at 62%.

The crisis of paper to print newspapers on got worse during February. There were 19 denunciations received from Monagas, Táchira, Zulia, Falcón and Sucre states due to difficulties acquiring printing inputs which derived in the suspension and temporary or definitive circulation in the more serious cases of the newspapers, as well as the reduction in the number of pages and run and the indefinite shutdown of regional media.

Likewise, during this period **limitations on covering street news** increased due to hostility on the part of the government (5), social groups (4) and criminal groups (1) in the protest (4), events (3), community (2) and judiciary (1) news sources, actions which were accompanied by physical assault, threat of physical assault, intimidation, censorship and attacks and robberies or the theft of work tools.

Robberies and attacks for intimidation purposes by unidentified persons against the headquarters of three privately-owned radio stations in Trujillo state were exacerbated and in Zulia and Monagas, by the organized mafia, as well as the number of cases corresponding to the category of attacks to the physical integrity of the journalists and media employees in the events, protest and community news sources by unidentified persons, official political party supporters, para-state groups and state security corps. During the 29 days of February, IPYS tallied 21 physical assaults encompassing eight intimidation events, seven physical assaults, four attacks against work tools and two threats of physical assault against media employees.

Punishing the media

The trend regarding the number of alerts recorded by IPYS Venezuela in the first two months of 2016 continued in March for an approximate of 30 cases per month. March 2016, same as January 2016, closed with 34 cases encompassing 77 violations to freedom of expression, 11 more than those tallied in February.

The **shutdown of activities in printed media** affected by the lack of paper and other inputs to print their editions continued its trend during March, with a total of 23 cases tallied by IPYS.

Likewise took place with cases in the digital landscape linked to **cyber-assaults** (9) to social network platforms by official political party supporters, affecting the integrity of reporters, radio and TV show hosts and writers of private and independent media.

In March, two other events set a nasty precedent on freedom of expression and appeared in the Venezuelan panorama. The [technical shutdown of El Carabobeño newspaper](#) resulting from the crisis of paper to print on after 82 years in the market and [the sentence issued by the Venezuelan justice system against David Natera Febres](#), director of the Correo del Caroní newspaper in the morning of March del 11, a conviction that derived in censorship while covering corruption cases. These events vulnerated the right of every citizen to be informed freely and in a timely manner as well as the right of every journalist to exercise their profession unrestricted and devoid of risks and threats.

Natera Febres was condemned to four years in prison for the crime of aggravated slander due to covering corruption cases involving state-owned company Ferrominera del Orinoco, after facing a two years and eight months-long lawsuit filed by Yamal Mustafá, the owner of Diario Primicia and a contractor of basic state industries. As of this date there has been no firm sentence issued by Judge Beltrán Javier Lira, which should have been done in a term of 10 business days.

Intimidation events (14), accompanied by physical assault, surveillance, aggravating declarations, cyber-assaults and limitations on covering news due to hostility on the part of the government and criminal groups, as well as **internal censorship actions for fear of official reprisals** (3) on the part of media directors (2) and local government offices and dependencies (1) stood out also during the 31 days in March, affecting journalists of the sources of events, politics, communities and protest in both subcategories, a trend which has continued in the first quarter of 2016.

Violent actions the purpose of which is to silence dissident voices

April was marked by events that jeopardized the physical integrity of communicators while covering street news and investigations revealing possible corruption acts. Seventeen out of 23 alerts against freedom of expression registered by IPYS Venezuela in the four weeks of April were intimidation events; nine were persecutions, eight were physical assaults against reporters, seven were attacks against work tools, four were attacks in the digital arena, there were three robberies and one harassment event.

The work of the media employees was characterized by a hotbed with all sorts of **aggressions, limitations on covering news and the abusive use of the State's power** after the publication of information that produced reactions by media directors, civil servants or public officials, entrepreneurs and social groups, some of whom were official political party supporters.

On at least 12 occasions there was an **abusive use of power by civil servants or public officials**, who prevented reporters from accessing institutions and locations where press conferences had been called.

Of note was an attack against 19 employees of 17 media by PNB and GNB officers, collectives and official party supporters, who broached reporters and opposition party congressmen and women in the vicinity of the José María Vargas building, better known as Edificio de Pajaritos, the administrative headquarters of the National assembly (AN for its acronyms in Spanish) on April 7 and 21. These alerts against the work of reporting by these communicators were evidence of [concrete actions](#) to prevent the coverage of parliamentary news related to the activation of the recall referendum.

During April, the **digital landscape** became the space where for some time now web portals linked directly and indirectly to the national government used to harass reporters, communication media and civil society organizations after the publication of research that criticized persons linked to the government's performance.

Within a term of five days, from April 3rd to 7th, at least seven web portals addressed [berating messages against Venezuelan journalists](#) who participated in the worldwide journalistic investigation called The Panama Papers, which uncovered how millionaires and persons in power use tax havens to avoid paying taxes, and conceal and launder money.

In this context, the web portal of TV show "Con el mazo dando" accused information portals Caraota Digital, Sumarium, Efecto Cocuyo, El Pitazo and Runrunes and organizations that ensure compliance of the constitutional warranties on Freedom of expression in Venezuela such as Espacio Público and the Instituto Prensa y Sociedad de Venezuela (IPYS Venezuela) of [broadcasting violent events](#) perpetrated by alleged paramilitary groups, to set up an opinion matrix that represents the failure of the security policies implemented by the State.

The sociopolitical situation intensifies violations on covering news

May was the month with the most alerts recorded by IPYS Venezuela in the last seven months of the year. 44 cases evidenced sundry violations, prominently 26 limitations accessing public information on privately-owned media including 13 obstructions on

covering news in the streets due to the hostility of military and police groups, and eight due to the hostility of social groups; three limitations accessing a location, one de facto limitation by officials of the National Bolivarian Armed Forces (FANB) and one case in which a civil servant or public official did not give a timely response to a journalist in Lara state.

These actions took place while covering violent events, protests due to the lack of food and the activation of the recall referendum. The victimizers were mostly government supporters and State security corps, that hindered the exercise of journalism by employees of 44 private media, 10 independent media, three foreign press media, two institutions and one community media. There were no attacks against state-owned media.

Among the **limitations accessing news coverage**, journalists and graphic reporters were the victim of actions that breached their constitutional right to exercise their work of informing by means of [arbitrary attempts](#) at stripping them from their video and photography equipment. On some occasions, they were pursued and their vehicles attacked with sticks and stones. On other occasions, the employees were threatened with physical assault by [persons who contacted them](#) via the phone to repeal the information being broadcast in the communities.

32 of the 57 individuals affected were reporters; 14 were graphic reporters. Three were foreign correspondents; three were radio and TV show hosts; two were editors, one was a chauffeur, one was a cameraman and one was a producer.

Some were **intimidated and arrested** by state security officials, such as the National Guards (GNB) or the National Bolivarian Police (PNB), state security corps, where they were cruising or taking photos of [persons in lines](#) waiting to buy food and personal hygiene articles. This also happened during political concentrations where supporters of the government of President Nicolás Maduro arremetieron launched an attack against Venezuelan politicians and the [press crew of their political parties](#).

The nation's political situation, which in turn reflects a scarcity of foodstuffs, medicines and insecurity due to robberies at gunpoint, are heating up the mood of the citizens who, faced with scenarios of anguish and fear of reprisals by criminal groups hinder and harass and heckle the work of the social communicators, who repeatedly receive no support from state security officials.

Other **attempts at promoting self-censorship** in the communicators were [the threats of legal actions](#) (3) and [shutdowns](#) or [suspensions](#) of radio stations and radio information programs (3), as well as alleged administrative proceedings by Conatel, the regulating entity, after the publication of information tending to be uncomfortable for state power sectors, including the political situation at the border between Colombia and Venezuela.

Intimidation as a censorship mechanism

Political and social intolerance was a trend that characterized the covering of news by communicators in June with 40 cases. In four weeks there were 34 assaults, 21 attacks against equipment and media headquarters, 22 abusive acts by the State power, 22 limitations on covering news, two events of prior censorship and two events of self-censorship.

In a time frame of 14 days, not only did the **attacks against media main offices** intensify but the victimizers, alleged members of a collective gang entitled CHAMA, threw excrement at the facade of three communication media offices: printed media [El Nacional](#) in Caracas, and [Correo del Caroní](#) newspaper as well as [Rumba 98.1 FM](#) radio station in Bolívar state. A grenade was thrown at [El Aragüeño](#) newspaper's main office, which did not explode and pamphlets with intimidatory messages.

Directors of some of the affected media made the government directly responsible since their editorial lines are critical of the current government and publish denunciations by citizens.

During the first seven months of 2016, IPYS Venezuela recorded nine attacks against media headquarters, four of which took place during June.

Military, police and intelligence corps were involved in at least 13 events that prevented the work of the communicators by means of **surveillance actions, arrests, the threat of arrests and an abuse of power**. In the course of three days, three journalists were forced to [be subjected to an interrogation](#) at the headquarters of the National Bolivarian Intelligence Service (Sebin), to respond to a series of questions relating to an event which took place at the main offices of the Central Bank of Venezuela (BCV).

The legal proceeding of issuing subpoenas as witnesses was not respected in these interrogations as stipulated in article 168 of the Organic Criminal Procedures Code, since the reporters received no printed notification from the agency, thereby violating due process as per article 49 of the national constitution.

At the time, IPYS Venezuela alerted on the increased number of pressures exerted on journalists by the justice-dispensing organisms to reveal their sources despite the protection of informants being a professional right.

Slander campaigns against representatives of human rights organizations and foreign press correspondents – in turn promoted by civil servants or public officials, official party supporters and pages aligned with the government were the mechanisms used to intimidate

and berate the work of those who inform and express their opinions on irregularities in the nation.

A slander campaign was promoted through Twitter against Luis Almagro, the Secretary General of the OAS, the purpose of which was to intimidate him and slander him during a series of discussions on the current ongoing crisis in Venezuela, during which the democratic charter was invoked.

One article published in Misión Verdad, a web portal that backs the Venezuelan government, called the special emissaries of international news agencies “info-mercenaries” including [Alexandra Ulmer](#), of Reuters; [Juan Barreto](#), a graphic reporter for the Agence France-Presse (AFP); [Osmay Hernández](#) of CNN en Español and [Hannah Dreier](#), of Associated Press (AP).

The text suggests that these press workers of international media covering the events that are part of the current social panorama in Venezuela which includes civil manifestations and lines of persons waiting to purchase food and personal hygiene products in commercial establishments and supermarkets must be followed and watched.

A measure to censor notorious communications events in the corresponding source was issued on the first eight days of June, after a [precautionary measure issued by the Supreme Court of Justice \(TSJ\) prohibiting](#) La Patilla and Caraota Digital digital media from broadcasting videos of lynchings on their web pages and social network accounts was passed, which was extended to all communication and information media in the nation.

Intentionally and evident

The trend recorded by IPYS Venezuela in June on the number of journalistic sources linked to attacks against freedom of expression continued in July. With 25 alerts encompassing 64 violations, the affected journalists are doing their job for the political (10), protest (4), community (3) and events news sources (2).

Although the **threats of legal actions** took place to a lesser degree compared to other months, this organization registered two in the four weeks of July, against reporters of the community and events news sources. The victimizers were [Ramón Carrizales](#), the governor of Apure state, and [Juan Carlos Uzcátegui](#), a member of the municipal team of the Partido Socialista Unido de Venezuela (PSUV) in Mérida. At the time, IPYS Venezuela alerted about the possible lawsuits which could arise from this type of intimidatory warnings.

Likewise, the institution alerted on an irregularity in the due process linked to **direct acts by a Venezuelan court against a journalist**. Violation to the due process for journalist Leocenis García was one of the cases recorded by IPYS Venezuela at the start of July, when the

home-for-jail measure was revoked, and was later [arbitrarily transferred](#) to the main headquarters of the National Bolivarian Intelligence Service (Sebin).

García's defense attorney assured that after Judge Milagros Herrera Abache ordered the deferment of the trial for the afternoon of August 25, 2016, she revoked the house-for-jail precautionary measure that same day (July 4th) for a deprivation of liberty and incarceration as per the non-appearance clause.

Leocenis García, who is suffering from seven pathologies after sustaining several hunger strikes, was in a basement of the intelligence corps, incommunicado and in total darkness on July 14.

The trend of **attacks against media headquarters** continued in July. The following radio stations: [Caracas 107.3 FM](#), [Sonera 105.9 FM](#), [Oasis 100.7 FM](#), [Radio Universal 95.9 FM](#) and [Mix 104.9 FM](#), based in La Victoria, Aragua state, stopped broadcasting simultaneously soon after ten thirty am of July 15, 2016. Directors and employees at those stations informed IPYS Venezuela that possibly, criminal groups had repeatedly stolen telecommunications equipment from broadcasting booths and in the lots of the inhabitants of La Providencia.

Although the communicators assure that the objective of these persons is to sell the air conditioning equipment stolen from the booths they also remove cables from broadcasting equipment. The stations had no signal from Friday July 15 to Tuesday the 19th, 2016.

The employees of the affected radio stations had to wait for the security in the buildings to be reinforced and the equipment reconnected. IPYS Venezuela received a denunciation that the air conditioning unit of radio station Caracas 107.3 FM, which had been set up in its respective broadcast booth, had been stolen on August 11th.

These actions, intentional or not, vulnerate the right of every citizen of being informed about the events taking place in their communities, such as a flooding, a protest or traffic-related information which have a direct influence on their daily lives.

An alert was also posted as to the arbitrary subpoenas to journalists of the events source in June. In July, IPYS Venezuela received denunciations of **heckling by Intel agencies** in four of the nation's states. The reporters stated that these actions arose as a result of the investigation and publication of information which turned out to be uncomfortable for persons of economic and political clout.

In four weeks, the state security officials participated in nine events where the right of the communicators to exercise journalism in the country was breached, through intimidation events, limitations accessing news, abuse of physical force and attacks against work tools specifically in the protest (4), community (2), human rights (2), politics (2), events (1) and union (1) news sources.

IPYS Venezuela is hereby issuing an alert in light of this scenario in which the security corps and civil servants or public officials are part of the restrictions weighing down journalism in Venezuela since, of the 25 cases tallied in July, 22 (88%) were linked to State victimizers. Non-state victimizers (12%) acted in two cases of censorship linking two private media directors and one case of robbery to a reporter by delinquents or subjects committing criminal acts.