Joint Press Release

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UN AND OAS RAPPORTEURS FOR FREEDOM OF EXPRESSION EXPRESS CONCERN OVER COMMENTS BY HIGH-LEVEL VENEZUELAN GOVERNMENT AUTHORITIES AGAINST PRIVATE TELEVISION STATIONS

Geneva – Washington, D.C., May 22, 2009—The United Nations (UN) Rapporter for Freedom of Opinion and Expression, Frank La Rue, and the Special Rapporteur for Freedom of Expression of the Organization of American States' Inter-American Commission on Human Rights (IACHR), Catalina Botero, expressed their concern over recent statements made by high-level authorities of the Venezuelan government against the *Globovisión* television network and other privately owned media outlets in that country.

According to the information received, on May 4, 2009, *Globovisión* broadcast—before an official report had been issued on the matter—a news report about an earthquake that hit parts of Venezuela. During the broadcast, the network's director noted that the quake had caused no serious damage and criticized the fact that official information had not been provided in a timely manner. Reports on the earthquake were broadcasted several times during the day. Since that news report, Venezuela's highest-level authorities have publicly accused the privately owned media, and particularly *Globovisión*, for resorting to "terrorism" and "hate speech" with "destabilizing intent." Senior authorities have also urged the National Telecommunications Commission (Conatel) to impose the most drastic sanctions against *Globovisión*.

On May 7, Conatel, an agency of the executive branch of government, began administrative proceedings against *Globovisión*, on the grounds that the information provided to the public on the occasion of the quake could "generate alarm, fear, anxiety, or panic among the population, giving individuals the feeling that they are in danger and without protection." This investigation follows two previous investigations that had been opened against *Globovisión* for the live transmission of statements made by third parties not belonging to the network. According to information provided by the State, these investigations should be at the final decision stage. Those proceedings could lead to the revocation of the network's television license through the application of the Law on Social Responsibility in Radio and Television.

On previous occasions, the UN and OAS rapporteurs for freedom of expression have reminded the authorities of their obligation to respect freedom of expression in the communications media and in radio and television broadcasts, and in particular to respect the media's editorial independence. In this regard, it has been pointed out that in a democracy, criticism, opposition, and contradiction must be tolerated as a condition of the principle of pluralism protected by the right to freedom of expression. The job of authorities is to create a climate in which anyone can express his or her ideas without fear of being persecuted, punished, or stigmatized.

On this occasion, La Rue and Botero express their concern in light of the statements made by the highest-level government authorities, which generate an atmosphere of intimidation in which the right to freedom of expression is seriously limited. In this regard, they recalled that the authorities have a duty to carry out the law as well as a right to respond to criticisms they believe to be unjust or misleading. However, public officials, especially those in the highest positions of the State, have a duty to respect the circulation of information and opinions, even when these are contrary to its interests and positions. They must also promote tolerance and the diversity of ideas and opinions.

Finally, the UN and OAS rapporteurs for freedom of expression call on the State of Venezuela to maintain in full effect the right to freedom of expression established in international instruments adopted by the State, and to adequately protect international guarantees in the proceedings taking place against privately owned media outlets and in particular against *Globovisión*. On this point, the States must guarantee that administrative proceedings or regulatory powers do not imply acts of indirect censorship prompted by the media outlet's editorial stance.

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