

Venezuela

Internet use in Venezuela is currently not subject to extensive content restrictions, and ONI testing found no evidence of Internet censorship. However, the announced nationalization of the country’s largest telecommunications company, CANTV, and the restrictive general media policies are fueling concerns that the Chávez administration could institute Internet filtering in the near future.



Background

The government of Hugo Chávez is in the process of consolidating power after a number of electoral victories and a failed coup in 2002. This process has taken two forms: undermining judicial independence and wresting greater control over the media. Judges on the First and Second Administrative Courts—the courts with jurisdiction over complaints relating to the government’s administrative actions—are kept as provisional appointees. In 2005, six judges and their replacements were fired from the two courts for reportedly not passing performance tests.¹ As a result, these judges continue to be unable to pass judgment without fear of government retribution. As to

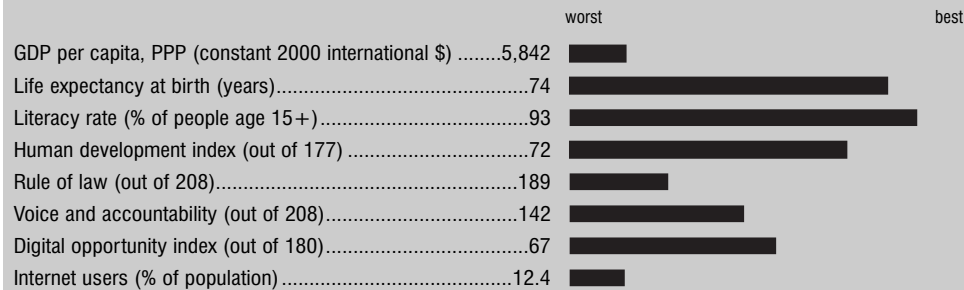
the media, the Chávez government has recently passed two laws meant to restrict freedom of the press and of expression: the Law of Social Responsibility in Radio and Television of 2004 and the Criminal Code Reform Law of 2005. The first law delineates the standards for what is acceptable to be aired on radio and television within the country. Stations are threatened with large fines and broadcasting license suspensions for broadcasts that “condone or incite” public disturbances or carry messages “contrary to the security of the nation.”²

In January 2006, a Venezuelan court accused ten media outlets of “obstruction of justice” and banned them from reporting on the

RESULTS AT A GLANCE

Filtering	No evidence of filtering	Suspected filtering	Selective filtering	Substantial filtering	Pervasive filtering
Political	●				
Social	●				
Conflict/security	●				
Internet tools	●				

Other factors	Low	Medium	High	Not applicable
Transparency				●
Consistency				●

KEY INDICATORS

Source (by indicator): World Bank 2005, 2006a, 2006a; UNDP 2006; World Bank 2006c, 2006c; ITU 2006, 2005

investigation into the murder of Danilo Anderson, the lead prosecutor in the investigation of the failed 2002 coup. The state's lead witness, a psychiatrist, was labeled an imposter by members of the media.³ The second law, the Criminal Code Reform Law, expanded sections of the criminal code relevant to "disrespect" of the government and increased their penalties. A television journalist critical of Chávez, José Ovidio Rodríguez Cuesta, was prosecuted in February 2006 under these newly expanded statutes. One judge rejected the case, but a Caracas court has since reopened it.⁴

Internet in Venezuela

Between 1998 and 2002, the number of Internet users in Venezuela grew from 207,000 to 1,585,000, but then decreased to 1,365,000 in 2003 for a current Internet penetration rate of 12.4 percent.⁵ The vast majority of personal computers are not connected to the Internet.⁶ The Venezuelan government estimates that 50.4 percent of the population have never used the Internet and would not be interested in doing so, while 28.9 percent are possible future Internet users, primarily young, educated, middle-class individuals.⁷ Though there are sixty licensed

ISPs, CANTV Servicios and Telcel control over 90 percent of the Internet market.⁸

Internet use is strongly concentrated among young, educated city residents, with 76 percent of users younger than thirty-five,⁹ 67 percent having schooling beyond high school,¹⁰ and more than 60 percent of users coming from Caracas.¹¹ Approximately 26 percent of Internet users log on daily. These users tend to be upper-class individuals using home connections for educational or work research and downloading. Over half of Internet users connect between once and five times per week, using cybercafés for e-mailing and chatting. This group is generally male and represents all socioeconomic levels with the exception of the lowest income segment. A smaller portion of users, 16.9 percent, connect between once every other week and once per month. These light users come from all economic strata except the lowest class, and they almost exclusively use cybercafés for job search purposes.¹² Hotmail, Google, and Yahoo are by far the most popular sites, followed by news sites and other search engines.¹³

Despite programs promoting Internet use by poor and rural Venezuelans, access for this segment of the population, about 60 percent of

the total, is essentially nonexistent, and basic public education does not incorporate Internet technologies.¹⁴

In 2000, Venezuela had approximately 240 dot-com businesses, mostly business-to-business rather than business-to-consumer.¹⁵ The government has been attempting to automate its processes and put its agencies and services online, assisted by a newly created agency for information technology,¹⁶ but these attempts have not been consistent or thorough.¹⁷

Legal and regulatory frameworks

Venezuelan President Chávez has decreed the promotion of Internet use as essential to development.¹⁸ Correspondingly, the government promotes use of information and communication technologies (ICT) through a regulatory framework designed to promote competition among ICT businesses, but no special programs encourage such businesses directly.¹⁹ Personal Internet use appears to be essentially unrestricted by current law and regulation. Despite an erroneous press release listing Venezuela among countries with Internet censorship,²⁰ the U.S. State Department Report on Human Rights in Venezuela states that “there were no government restrictions on the Internet or academic freedom.”²¹ Individual reports of suspected filtering are not backed by substantial evidence.²²

Fear of Internet regulation stems from broader Venezuelan law restricting freedom of press and speech. The Social Responsibility Law opens citizens to punishment for disrespecting authority and endangering children with improper content; these laws have led to censorship in the general news media.²³ President Chávez’s announcement on January 8, 2007, of re-nationalization plans for CANTV has heightened fears of expanded regulation and content restrictions as the government assumes more control of Internet media.²⁴ A recent article notes that CANTV has held 83 percent of the Internet market since the market’s privatization,²⁵ so any

changes in filtering through a nationalized CANTV will have a strong impact on Internet users.

ONI testing results

Tests of Internet censorship were carried out in late 2006 on the two major ISPs in Venezuela. The testing covered a wide range of potentially sensitive content, including sites dedicated to political opposition, freedom of expression, and anti-Chávez media, as well as sites centered on controversial social issues such as minority religions, indigenous peoples, gambling, and pornography. This assessment turned up no evidence of filtering.

Conclusion

Despite fears to the contrary, ONI results give no indication of Internet censorship. The nationalization of CANTV and past censorship of different media are causes for concern about future filtering. However, current evidence indicates that Venezuelan Internet access is restricted only by initial socioeconomic, cultural, and geographic barriers to entry and not by any subsequent restraints on content once users are online.

NOTES

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Access Denied

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Edited by: Ronald Deibert, John Palfrey, Rafal Rohozinski,
Jonathan L. Zittrain

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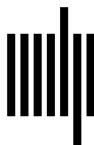
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