

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

AI Index: AMR 53/003/2010  
29 January 2010

### **The Venezuelan State must respect fundamental rights of association and freedom of expression**

Following the latest wave of violence in the wake of student protests around the country for and against the suspension of RCTV International, Amnesty International is calling on the authorities to guarantee the right of all people to freedom of association and expression, and to ensure that the deaths of students Yosinio Carrillo Torres, 16 years of age, and Marcos Rosales, along with the injuries suffered by dozens of other people, both demonstrators and members of the security forces, are investigated and those responsible brought to justice.

The authorities must immediately and unequivocally condemn these serious abuses and ensure that the security forces intervene only to protect the integrity and life of anyone wishing to exercise his or her legitimate right of association.

The State has a duty to maintain order, whilst always ensuring that the security forces employ force, including the use of firearms, only when strictly necessary and according to a principle of proportionality, never resorting to torture or cruel, inhuman or degrading treatment or punishment, as stipulated by international human rights standards and the Constitution of the Bolivarian Republic of Venezuela.

“The right of association is fundamental but it is not a right to violent protest. Demonstrators and their leaders must ensure that violence is not used,” specified Amnesty International.

Recent events are not an isolated occurrence. Over the last 13 months, protests have increased sharply in Venezuela, resulting in injury to almost 600 demonstrators, at least 14 of them by firearm, and 9 have died so far. According to information received, the majority of these cases of violence were committed by the security forces, by pro-government armed civilian groups claiming responsibility for their actions, or by unidentified civilians.

Amnesty International is extremely concerned at the deterioration in freedom of expression in Venezuela. All human rights, including the right to freedom of expression and association, must be respected and society must perceive that they are being respected.

The non-renewal or suspension of TV and radio station licences, as was the case with RCTV in 2007 and last year when licences were withdrawn from 34 radio stations, along with the recent suspension of four cable television channels, including RCTV International, demonstrates the authorities’ failure to respect the legitimate work of the media, particularly when a channel is known to have an editorial line critical of the government.

“While the media must be subject to the law, their closure must be a last resort and a measure that should only be implemented following all guarantees of due process, including the right to a defence and appeal,” said Amnesty International.

If the Venezuelan Government is committed to the rule of law then it must promote, protect and respect the right to freedom of expression and association and celebrate the importance and positive contribution that criticism and transparency can play within that rule of law, stated Amnesty International.

### **Further information**

RCTV International and five other cable television channels were withdrawn from air early on 23 January for allegedly having contravened Article 10 of the Law on Social Accountability in Radio and Television. According to reports, four of these cable channels, Momentum, TV Chile, American Network and Ritmoson, will be able to resume transmissions.

The right to freedom of expression and association is a fundamental right guaranteed by the Universal Declaration of Human Rights, the American Convention on Human Rights and the Constitution of the Bolivarian Republic of Venezuela.

END/