



Human Rights Foundation  
350 Fifth Avenue, Suite 809 • New York, NY 10118  
Ph: (212) 246-8486 • Fax: (212) 643-4278  
www.humanrightsfoundation.org • info@humanrightsfoundation.org

Thor Halvorssen  
PRESIDENT

May 7, 2007

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Hugo Chávez Frías  
President of the Bolivarian Republic of Venezuela  
Caracas, Venezuela  
Via Fax and E-mail

**RE: Radio Caracas Television (RCTV)**

Dear President Chávez,

We write you again to formally reaffirm our commitment to promoting and defending freedom of speech in Venezuela. Freedom of expression is essential to the survival and flourishing of a healthy democracy.

Radio Caracas Television RCTV, C.A., is a private television station that has operated in Venezuela since 1953. The government over which you preside has announced that the broadcasting license for RCTV will expire the 27<sup>th</sup> of May of this year. You have stated repeatedly that this action is a political measure being taken by you to punish RCTV. This would constitute a clear and categorical violation of the right to free expression and consequently would place the Venezuelan government on the fringe of international norms, as well as in violation of its own laws.

Articles 57 and 58 of the Constitution of the Bolivarian Republic of Venezuela specifically protect freedom of speech and guarantee that any communication that falls within the parameters of being timely, appropriate, truthful, and impartial will be free, pluralistic and uncensored. Likewise, the Inter-American Convention on Human Rights of 1969, states in article 13 (3): "The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions." This is just one example from several international treaties to which Venezuela is a signatory and whose supremacy is included in Article 23 of Venezuela's own constitution.

The Human Rights Foundation is fully aware that it is within the powers of a democratic government to regulate broadcast airwaves, to establish the duration and terms of licenses, and to make decisions regarding the renewal of said licenses. Nevertheless, as the Inter-American Commission on Human Rights and

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other international organizations have stressed repeatedly, this power should be exercised while simultaneously keeping with the international obligations assumed by the state. Included among these obligations is the right to express ideas and thoughts of all types without adopting indirect restrictions on the exercise of free speech due to a media outlet's editorial perspective.

What profoundly concerns us is the public argument that has repeatedly been made by you and other high ranking members of your government to justify not renewing RCTV's operating license. The argument is based on the claim that the channel is "coup-plotting" and "fascist" for maintaining an editorial and news perspective that is independent, pluralistic, and critical of certain actions taken by the national executive, including frequent criticism of you and your conduct. It has also been alleged that RCTV has violated the Organic Telecommunications Law and the Law of Social Responsibility in Radio and Television in Venezuela.

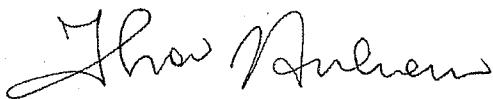
Mr. President, our extensive investigation has found no record of any sanctions against RCTV for having violated the aforementioned laws. This leads us to the conclusion that there is no legal foundation that supports allowing RCTV's operating license to expire.

Similarly, we are extremely concerned that other radio and television stations in situations similar to RCTV are being treated differently. The closure of only one television station would violate the principle of equal protection before the law that is guaranteed by the international treaties and constitutional obligations that the Venezuelan government has committed itself to upholding. It is also important to note that the Venezuelan government has steadily acquired more media channels in pursuing its self-described "communicational and informational hegemony of the State." By your government's own admission, it has opened hundreds of new radio stations and dozens of new television stations not just in Venezuela but also in Bolivia and hemispherically.

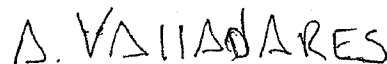
For all of these reasons, we respectfully ask you to reconsider the decision not to renew RCTV's operating license this May 27. We ask this with the knowledge that democratic values and human rights can only flourish when people have access to a variety of information and are free to express diverse thoughts and opinions without fear of retaliation.

We hereby inform you that HRF will continue its international campaign defending freedom of speech and consequently, in favor of RCTV by launching an international campaign of awareness regarding the anti-democratic conduct of your government.

Sincerely,



Thor Halvorssen  
President



Armando Valladares  
Chairman

cc.

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Organization of American States (José Miguel Insulza)

UN Office of the High Commissioner for Human Rights (Louise Arbour)  
United Nations Organization (Ban Ki-moon)  
Inter-American Court of Human Rights (Sergio García Ramírez)  
International Society for Human Rights (Alexander V. Bischoffshausen)  
European Parliament - Human Rights Unit (Geoffrey Harris)  
European Parliament - Subcommittee on Human Rights (Hélène Flautre)  
Council of Europe Office of the Commissioner for Human Rights (Thomas Hammarberg)  
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Amnesty International – International Secretariat  
Human Rights Watch (Jane Olson)  
Human Rights Watch - Americas Advisory Committee (Lloyd Axworthy)  
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Comisión Permanente de Derechos Humanos de Nicaragua (Nicolás Bolaños Geyer)  
Embassy of the Bolivarian Republic of Venezuela, Washington DC (Bernardo Álvarez Herrera)  
Permanent Venezuelan Mission to the United Nations, New York (Francisco Arias Cárdenas)  
Permanent Venezuelan Mission to the United Nations, Geneva (Raquel Poitevien Cabral)  
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