VENEZUELA

Disruptions of internet service occurred at crucial times in Venezuela during 2012 and 2013, most notably during the April 14th presidential election and the subsequent count of electoral votes (see LIMITS ON CONTENT).

The websites of key opposition candidate Henrique Capriles Radonsky and independent news sites were blocked during the October 7th presidential election (see LIMITS ON CONTENT).

In 2012 and 2013, the Venezuelan government increased its efforts to identify social media users who had posted objectionable information online, especially concerning social and political issues (see VIOLATIONS OF USER RIGHTS).

Bloggers and journalists writing about President Chavez’s health—or subsequent death—were subject to increasing harassment and intimidation by government supporters in 2012 and 2013 (see VIOLATIONS OF USER RIGHTS).

Politically-motivated cyberattacks and hijackings of social media accounts increased in 2012 and 2013 (see VIOLATIONS OF USER RIGHTS).

**KEY DEVELOPMENTS: MAY 2012 – APRIL 2013**

- Population: 29.7 million
- Internet Penetration 2012: 44 percent
- Social Media/ICT Apps Blocked: No
- Political/Social Content Blocked: Yes
- Bloggers/ICT Users Arrested: Yes
- Press Freedom 2013 Status: Not Free

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* 0=most free, 100=least free
INTRODUCTION

In a country where all government branches act in compliance with the interests of the ruling party, ensuring a hegemonic ICT system characterized by informational opacity, the Venezuelan people widely use the internet to participate in social networks. Recent tensions regarding the death of President Hugo Chávez and the opposition’s contestation of newly elected President Nicolas Maduro have resulted in increased use of digital media in Venezuela. In response to the popularity of such technology among the general population as well as the political opposition, the government has begun to expand its control of the internet.

As government opponents have made their opinions known via global platforms, Chávez’s ruling United Socialist Party of Venezuela (PSUV) has increased its efforts to influence online discussions and to restrict online content. In 2012 and early 2013, harassment increased, targeting those critical of government. Sporadic blocking of opposition and independent news websites, as well as cyberattacks and hackings that temporarily disabled such sites, became a problematic trend. Such actions witnessed a surge at times of heightened political sensitivity and were particularly pronounced surrounding presidential elections and speculation over the health of President Chavez.

Among the most disturbing developments of 2012 and 2013 were incidents of cyberattacks focused on critical media, the usurpation of the Twitter profiles of political activists, and the rise of anonymous Twitter accounts. Such accounts have emerged as a new tool by which to pursue legal action against government critics. Although there is often no evidence that members of the opposition are, in fact, the authors of such sites, objectionable content posted online is attributed to them and used to justify their arbitrary detention.

The internet arrived in Venezuela in 1992. The first commercial internet service providers (ISPs) were granted licenses by the National Telecommunications Committee (CONATEL) in 1996. While the 1999 constitution obligates the State to provide the public with access to new information and communication technologies (ICTs), the Organic Law of Telecommunications

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1 Information regarding President Chávez’s health has been sporadic and has come only from Vice President Maduro and Minister of Communication Ernesto Villegas rather than from an independent team of physicians. See: Access to Health Information from the Heads of State (Regional Alliance for Free Expression and Information), http://transparencia.org.ve/wp-content/uploads/2013/01/Salud-y-Presidentes-Alianza-Regional-LDE.pdf. In the days between his return to Venezuela and his death, the only evidence that President Chavez was alive consisted of an official report and three tweets allegedly sent by Chavez on the day he returned to his country. See: Últimas Noticias, “Chávez Tuitea,” [Chávez Tweets], Últimas Noticias online, Feb 18, 2013, http://www.ultimasnoticias.com.ve/noticias/actualidad/politica/chavez-ya-tuitea.aspx.


(reformed in December 2010) declares ICT an area of state interest. Although privately owned companies do exist, the state dominates the internet market through the National Telephone Company of Venezuela (CANTV). Investment in and expansion of the private ICT sector are complicated by disadvantageous competition with CANTV, foreign currency exchange control, and the difficulty private companies face when they attempt to repatriate their earnings.

**OBSTACLES TO ACCESS**

By the end of 2012, internet penetration in Venezuela had reached 44 percent. This figure excludes internet connections mediated by mobile phones, for which there are no official numbers, indicating that penetration may be even higher. Over 95 percent of the approximately 3.7 million internet subscriptions in Venezuela were broadband, evidence of a substantial shift from dial-up to broadband technology. According to data provided by the consultancy firm Tendencias Digitales (Digital Tendencies), more than 50 percent of internet users in Venezuela are under 25 years old. The majority of internet connections come from households (71 percent), followed by internet cafes (30 percent) and mobile phones (21 percent). Venezuelans use the internet primarily to visit social networks—there are nearly 10 million Venezuelan Facebook users and over 3 million Twitter users—to read the news, and to search for information. Key topics disseminated and debated through this medium include politics and news. There are no special restrictions on the opening of cybercafés in Venezuela.

The most substantial obstacles to internet access in Venezuela are lack of service availability, slow connection speed, geographic isolation in rural areas, low computer literacy, and the expense of necessary equipment. The cost of access itself is likely a less significant obstacle, however service remains poor. The regional divide in internet access in Venezuela is noteworthy. Penetration exceeds 90 percent in the Capital District and Miranda State, while in poorer states such as...
Amazonas, Yaracuy, and Apure, penetration hovers around 15 percent.16 Connectivity in rural areas has been further compromised by a severe electricity crisis that has led to rationing in every city but the capital, Caracas. Regional disparities are also evident in the expansion plans of telecommunications companies, which typically focus new investments on the capital and surrounding areas.17

By the end of 2012, mobile phone penetration in Venezuela had exceeded 100 percent.18 This figure does not necessarily reflect a population saturated with mobile technology, however. Some Venezuelans have as many as three phones, each associated with a different mobile provider, in order to ensure countrywide coverage. Over one third of Venezuela’s mobile subscribers use CDMA technology. Although the number of users with smart phones and data plans is growing, currency exchange control and the devaluation of the Venezuelan bolivar have resulted in high prices and a limited supply of advanced mobile phones.19 Those who do have smartphones typically live in urban areas and have higher than average income levels.

Following its 2007 re-nationalization, a move that benefited CANTV significantly in regard to currency controls, the company increased the country’s fiber-optic backbone infrastructure by 48 percent.20 While this figure reflects significant growth in broadband internet access, quality of service remains poor. Venezuela’s fixed broadband penetration and speed are lower than the regional average and less than would be expected based on GDP per capita, which is higher in Venezuela than in Latin America as a whole.21

Despite growth in internet and mobile phone use in recent years, development in the ICT sector has slowed overall, and in some respects has slid backward since CANTV’s re-nationalization. Instead of being reinvested to improve ICT services, the earnings obtained by CANTV are reserved for social programs in the health and education sectors.22 With 51.92 percent of internet subscribers and a monopoly on ADSL service, CANTV dominates the fixed, mobile, and broadband markets.23 The company’s dominant position stifles competition, some of which comes from cable

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17 Inside Telecom, Vol. III No. 95, December 19, 2012 [Excerpted from company newsletter; not available online].
23 According to a Google Analytics study, in South America, only Paraguay and Bolivia have slower connection speeds than Venezuela. See: Google Analytics, Global Site Speed Overview, April 2012, http://analytics.blogspot.com.es/2012/04/global-site-speed-overview-how-fast-are.html; See also: (1) International Telecommunications Union (ITU), Measuring the Internet
modems, mobile broadband, and satellite connections. Inter, the company that places a distant second in the market, offers a triple pack that includes cable television, cable modem, and telephony.  

Although CANTV’s connections are slow, its relatively low prices have given the company an edge in the market. Private providers have had difficulty competing with CANTV’s rates, a reality that accounts in large part for the decline of the ICT sector’s contribution to GDP. The lack of competition has also reduced incentives for providers to retain high quality service or to expand their offerings. In several recent cross-country studies assessing ICT trends over the past five years, Venezuela is among the countries that have fallen farthest in the rankings relative to its peers.

While more people are now connected to the internet, the majority of the population has access only to narrowband service. Nationally, CANTV offers a prepaid plan with a minimum connection speed of 512 Kbps at a cost of about $10.50 per month, compared to a minimum wage of about $324. The most popular plan, called “ABA Para Todos” (broadband for everyone) offers a connection speed of 1.5 Mbps at a cost of $22.81 per month. In April, the president of CANTV announced a new 4 Mbps plan at a cost of $79.20 per month, which represents nearly a quarter of the minimum wage. In a May 2013 announcement, President Maduro announced that connection speed would increase to 6Mbps, but this advancement has not yet come to fruition.

The policies developed by CANTV to massively increase subscription rates have been detrimental to quality of service, a development that has generated online campaigns from users. In early May

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26 Inside Telecom, Volume 7 No. 86 (2011): In late 2012, after 14 months of request, Movistar was given the authority to increase its rates from 9%-17% for annual inflation. Movilnet, for its part, increased 32.6% (excerpt from newsletter; not available online).
2013, on Internet Day, a group of activists launched a petition entitled “For a Better Internet for Everyone in Venezuela” through Change.org. To date the document has been signed by approximately 1,200 people.34

Substantial interruptions of telecommunication services, such as the fall of the entire .ve internet domain, have begun to occur, however, Venezuelan authorities have not been forthcoming regarding the root of the problem.35 CANTV’s slow progress increasing Mbps (and consequently internet speed) for fixed lines has elevated mobile internet to the point that it is now poised to take half the market,36 yet while there are approximately 30 telecommunications operators in the country, only three provide mobile phone services. Movistar, the Venezuelan unit of Spain’s Telefónica, has nearly 10 million subscribers; Digitel, a locally owned private company, has approximately 4 million subscribers; and CANTV’s Movilnet, which leads the market, has 15.5 million subscribers out of a total of 29 million.37 A recent CANTV initiative, “Buy Made in Venezuela,” which aims to give preference to locally produced cell phones manufactured by Vtelca and Orinoquia in partnership with the Chinese firms ZTE and Huawei, has resulted in decreased availability.38 Local manufacturers cannot satisfy national demand, and the state’s blocking of foreign currency has made it difficult to import mobile phones from foreign manufacturers.39 Local manufacturers cannot satisfy national demand, and the state’s blocking of foreign currency has made it difficult to import mobile phones from foreign manufacturers.40 These two factors have resulted in price speculation as well as a shortage of cell phones within the country.41

The networks run by private mobile phone service providers suffer from severe congestion and require further development. Discriminatory currency controls, however, have forced these providers to ration their services and to decrease investment in infrastructure.42 Digitel, Movistar, and MovilMax (a WiMAX provider only available in the nation’s capital city) plan to deploy 4G/LTE networks in 2013 and 2014.43 Public universities, such as the Universidad de Los Andes, which were once leaders in the telecommunications field, have witnessed the deterioration of their

40 Rojas, Ingrid, “Falta de Divisas Limitó Importación de Celulares en el Año 2012.”
41 Inside Telecom, Vol. XIII No. 41, November 10, 2012 (newsletter; not available online).
42 In 2013, most Internet plans were not available for new activations. Inter, which offers a 10MB navigation plan, is also closed for new activations at high speed and currently offers only 1MB. Websites of the three companies, accessed January 10, 2013: http://bit.ly/19NUjEJ; http://bit.ly/qLVIQ; http://www.digitel.com.ve/Personas/Internet/Prepago.aspx#1.
service platforms due to lack of state resources. In May 2013, the Ministry of Higher Education announced it would reduce broadband service provided to universities due to alleged underutilization.

In addition to acting as the dominant service provider through CANTV, the state also administers ICT regulation and licensing through the state regulatory body CONATEL. Although incidents of CANTV engaging in censorship and monitoring have been isolated and have not suggested more systematic controls, the lack of independent oversight has raised concerns about the ease with which systematic content filtering and surveillance could be implemented in the future. Article 35 of the Organic Law of Telecommunications provides for CONATEL’s operational and administrative autonomy, however, the president has the power to appoint and remove the agency’s director and the four members of its Directive Council. A series of presidential decrees over the past decade has shifted oversight of the commission to various ministries and finally to the vice president, a progression to centralized control that has increased the agency’s politicization.

In 2012, CONATEL continued to demonstrate progovernment bias in decisions related to broadcast media, although it has not yet made comparable judgments affecting internet or mobile phone service.

**LIMITS ON CONTENT**

Although Venezuelan authorities do not engage in systematic filtering of online content, they have sporadically used blocking, service disruptions, and other censorship tactics to restrict information at sensitive times. In 2012 and 2013, this was particularly evident in advance of presidential elections and as Chavez’s health worsened, when several independent websites were either blocked or experienced disabling cyberattacks. During the April 2013 Presidential election, CANTV shut down broadband service for approximately 30 minutes, leaving 95 percent of Venezuelans disconnected from the internet at a crucial time. Pro-opposition and independent news websites were also temporarily blocked or disabled in Venezuela, and the website of the country’s National Electoral Council was temporarily unavailable from both inside and outside of the country. Such restriction of information during pivotal times is a concerning development.

The sites of international news sources and human rights organizations such as Freedom House, Reporters Without Borders, and Amnesty International are freely available in Venezuela. Social media applications such as Facebook, Twitter, and YouTube are also freely accessible and are

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growing in popularity. Despite the availability of human rights websites and social media networks, however, Venezuela’s history of blocking key sites and interrupting internet service during times of heightened political sensitivity has continued over the past year. During the 2012 presidential campaign, for example, CANTV blocked the official website of the main opposition candidate, Henrique Capriles Radonsky. On the day of the election, weekly newspaper *6to poder* (Sixth Power) also reported the blocking of its website during the final count of votes.

Continuous cyberattacks and hackings, which rendered websites temporarily inaccessible, also plagued a number of independent news sites during both the 2012 and 2013 elections. Problems accessing the website of *Noticiero Digital* (Digital News) were reported during the 2012 election. In the same period, the news channel Globovisión registered a general failure of its servers without explanation and the informational website *La Patilla* (The Watermelon), the thirteenth most visited site in the country, suffered continuous cyberattacks, which made it difficult, if not impossible, to access.

The government has not offered any explanation for these attacks, blockings, and site disruptions, a problem compounded by the political situation in Venezuela in which there are no established checks and balances between the different branches of the state. Although the judiciary lacks independence, there have been no reports of judicially imposed censorship; instead, suppression comes from sporadic blocking and disruptions. In this context, there is no transparent process or independent institution through which website owners and content producers can pursue complaints.

Despite such continuing opacity regarding the availability of independent websites, the government has recently been forthcoming about two particular disruptions. During the highly contested presidential election of April 2013 (which would mark the country’s first new leader in 14 years), broadband service offered by the national telephone company CANTV, the largest operator in the country, was shut down for approximately 30 minutes. Access to the webpage of the National Electoral Council was likewise unavailable to all CANTV subscribers, leaving 95 percent of those with internet access unable to track election results. Vice President Jorge Arreaza, who also held the post of Minister of Science and Technology until April 2013, informed the public that the service disruption was orchestrated by the government as part of an operation to identify those responsible for hacking into the Twitter accounts of interim and current president, Nicolas Maduro, as well as Chief of Press of the Government Palace, Teresa Maniglia. Arreaza also announced that the website of the National Electoral Council would remain inaccessible from outside the country to prevent further attack. Such a move also prevented the international

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In December 2010, the National Assembly adopted a reform of the 2004 Law of Social Responsibility in Radio and Television (The Resorte Law), extending regulation to online and electronic media, a move that has laid the groundwork for censorship of transmitted content by websites and service providers. According to the Committee to Protect Journalists, under the amended law, online media outlets are expected to establish mechanisms to restrict content that violates the law. Websites found in violation may be fined up to VEF 13,000 ($3,000). Service providers who do not respond to government inquiries risk high fines and temporary suspension of operations. Despite these increasing restrictions, authorities have not vigorously enforced the law, and online content providers do not appear to be engaging in politically motivated deletions of user comments.

Venezuelans are avid users of digital media, which has emerged as an important platform for circulating information and expressing opinions at a time when independent television and radio stations have come under increased pressure. Venezuela has approximately three million registered Twitter users, occupying the thirteenth place in the world and the fourth place in Latin America. Rather than engaging in significant censorship, the government is making substantial use of social media platforms to propagate its point of view and counter political opposition. The Socialist Party proactively disseminates its views and counters opponents through pro-Chávez platforms, such as the website Apporrea.org, launched in 2002, and the Twitter feed “@RedVergataria,” launched in 2011 with the support of CANTV’s Movilnet and the Ministry of Popular Power for Science and Technology.

This trend has intensified over the past year as a consequence of the president’s prolonged illness and absence from the country, and his subsequent death. During the first weeks of 2013, in the absence of independent medical reports on the president’s health, use of Twitter was particularly intense. Although there have not yet been notable instances of the opposition utilizing social media for mobilization—even during the January 2013 swearing in of President Hugo Chavez in absentia,
an occurrence which the opposition described as a coup—Voluntad Popular and other emerging political parties have begun to use social media to disseminate party news and to mobilize their supporters. Online campaigning by the opposition appears to be effective: in presidential elections, states with high internet penetration rates showed a higher proportion of votes in favor of the opposition, while in areas with low internet penetration, there was a higher proportion of votes in favor of the government candidate.

Chávez and his supporters have sought to gain the upper hand in a variety of ways, sometimes acting openly and fairly, but at times also resorting to opaque, manipulative tactics. Vice President Nicolás Maduro has clearly stated the government’s assertive position, saying: “If lies come through Twitter we are going to strike back through Twitter.” The most recent Twitter controversy occurred after the disputed April 2013 presidential election. National Assembly deputy Pedro Carreño blamed ensuing violence on posts published to Twitter, and subsequently announced a bill to regulate social networking. It remains to be seen exactly what sort of regulations would be contained in such a bill, and whether it would, indeed, be passed.

In April 2010, President Chávez opened his own Twitter account, @Chavezcandanga, which allowed him to connect to the Venezuelan people (and according to one opposition candidate, to according to one opposition candidate, to make a mockery of the nation by ruling via Twitter) after beginning treatment for cancer in Cuba in mid-2011. By November 2012, Chávez had nearly four million followers, the largest number for any Venezuelan, his popularity places him at the top of the list of most influential politicians on Twitter, second only to Barack Obama. Following the creation of a presidential Twitter page, the government began an official campaign to increase Chavez’s following, rewarding the 4 millionth follower with a house.

In order to counter rumors about Chávez’s health, which gained momentum in the absence of an independent medical report, progovernment digital communications specialists created an information vacuum that was filled with official updates from a single source. Real-name and anonymous tweeters with high numbers of followers then propagated rumors to contrast official updates.

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In light of the government’s increased use of social media, members of the public have occasionally complained of the ruling party using state resources and programs to promote a partisan ideology via ICTs. On Christmas Eve 2011, a text message in Chávez’s name was sent to more than 27 million mobile phone subscribers, encouraging people to celebrate “our unstoppable march towards a Good and Pretty Country.” Although there are no laws restricting such communications, critics complained that forcing mobile phone companies to disseminate partisan propaganda was an abuse of power. In another case, the Canaima Education project, under which the government agreed to supply over two million laptops to elementary school children, came under criticism with allegations that the computers contained content for parents that blatantly promoted Chávez’s political ideology.

Manipulation of online content by the ruling party and its supporters has compromised the atmosphere of free online debate of sociopolitical issues. Such careful management of content has included steering conversations along progovernment lines, hacking, discrediting opposition voices via Twitter impersonations, and encouraging self-censorship. In addition to suspicions that paid government commentators have been directing the trajectory of online discussions, allegations have surfaced of the government attempting to influence online news coverage by manipulating the allocation of advertising. Progovernment media have also reported that the government allocates advertising to digital outlets run by figures of the opposition in order to influence the editorial line of critical media.

VIOLATIONS OF USER RIGHTS

In Venezuela, there are many avenues by which bloggers, journalists, and private citizens can be punished for content posted online. The Venezuelan Constitution prohibits anonymity, and vague language in the penal code encourages self-censorship. Despite these provisions, however, government opposition and independent bloggers are active on social media platforms. In 2012 and 2013, such expression was met with increased physical and technical violence extending to harassment, intimidation, detentions, and cyberattacks. Digital impersonations are also on the rise, and have compromised the integrity of a number of websites and digital identities.

Freedom of speech and freedom of the press are constitutionally guaranteed in Venezuela, and a 1999 provision requires the State to provide public access to ICTs. Despite these positive commitments, however, various laws and decrees have been used to undermine online freedom.

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and to restrict media. When coupled with CANTV’s market dominance, the lack of institutional checks and balances in Venezuela makes it possible for the government to monitor and harass political opponents with impunity. Since 2001, the Supreme Court of Justice has passed down no fewer than 10 judgments curbing freedom of expression,\(^{73}\) evidence of the Court’s susceptibility to influence from the executive branch, particularly in regard to cases of political importance. A 2005 reform included significant restrictions on expression, especially in cases involving contempt or disrespect.

The 2001 Special Law against Information Crimes\(^ {74}\) and the 1991 Communications Privacy Protection Law,\(^ {75}\) safeguard the privacy, confidentiality, inviolability and secrecy of communications and impose prison terms of up to six years on those who illegally intercept others’ communications.\(^ {76}\) In 2012 and early 2013, however, there were numerous incidents of government opponents’ communications being hacked, recorded, and manipulated with little response from the authorities on the part of the victims. Information obtained via such privacy breaches has been published in state-run media, indicating possible government involvement.\(^ {77}\)

During its tenure, the Chavez government was highly proactive in its pursuit of greater media control. In December 2010, the National Assembly was due to be replaced with a newly elected chamber containing a substantial opposition presence.\(^ {78}\) In its final days, the outgoing Assembly passed 16 legal decrees that increased regulation of media. The Resorte Law was extended from print to online and electronic media; and the Law of Telecommunications that deemed ICTs to be of public rather than general interest, was amended, rendering ICTs subject to greater state control.\(^ {79}\) The Assembly also delegated its powers to the president for 18 months, granting him the authority to legislate by decree in multiple areas, including ICTs.\(^ {80}\) When freedom of expression advocates demanded to participate in the lawmakers’ deliberations, they were harassed and assaulted by government supporters at the doors of the chamber.\(^ {81}\)

The vague language used in the penal code also lays the groundwork for self-censorship both online and offline, criminalizing the dissemination of “false information,” with punishments of two to five years in prison.\(^ {82}\)

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\(^{75}\) For the full law on Protection of Communications Privacy, see Biblioteca Susuerte: [http://bit.ly/15Ck5Nv](http://bit.ly/15Ck5Nv).


years in prison. Article 147 of the penal code stipulates that defamation of the president is punishable by 6 to 30 months in prison, while Article 148 stipulates that offenses against lower-ranking officials carry lighter punishments. Given that the internet is classified as a channel of mass distribution of information, some violations of the penal code (such as defamation or incitement of hatred or rebellion) may be considered more severe online than in other media forms.

Detentions of Twitter users and citizen journalists have not been uncommon in past years, however, one particularly notable case made headlines in late 2012 and early 2013. In response to the emergence of anonymous Twitter profiles with supposedly confidential information regarding President Chávez’s health, Mario Silva (@LaHojillaTV), a popular pro-government newscaster from state-run VTV, began a campaign to uncover the identities of those responsible for the posts. Silva’s investigation resulted in a raid on the house of Federico Medina Ravell, cousin of Alberto Federico Ravell (of pro-opposition news site La Patilla). In response to allegations that he had authored posts questioning the president’s health (@LucioQuincoC), Venezuelan intelligence officers confiscated several of Federico Medina Ravell’s computers and reportedly detained, interrogated, beat, and threatened his family. Following the public prosecutor’s allegations that he had “instigated terrorism through social networks,” Ravell was fired by his employer, Mercedes Benz, reportedly under intense pressure from the Chávez regime. Activist groups have interpreted these actions as a clear attempt to curb freedom of expression. Ravell is now seeking political asylum in the United States.

The Venezuelan constitution explicitly prohibits anonymity, a rule that applies to all media. While there are few safeguards in place to limit security agencies’ access to user data and private communications, National Assembly deputies from the ruling party have reported complaints from law enforcement agencies that only state-owned Movilnet provides information with immediacy. Some violations of the penal code (such as defamation or incitement of hatred or rebellion) may be considered more severe online than in other media forms.

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identification to gain internet access, nor are there any known cases in which cybercafe users’ activities have been tracked.

The full scale of surveillance of users’ communications applications in Venezuela remains unclear. According to one report, however, Venezuelan security agencies tapped more than one hundred phones over the course of one year, including those of opposition figures Maria Corina Machado, Henrique Capriles, Alberto Ravell, Aixa Lopez, Guillermo Zuloaga and Julio Borges. Given that extralegal wiretapping of phones is common, many Venezuelans suspect that such surveillance extends to the online sphere as well. State representatives have also suggested that the government is capable of tracking down users of Twitter and other social media. In February 2011, when official news agencies were slow to release information about a fire on the premises of the Compañía Anonima Venezolana Military Industries (Cavim), details of the incident began to appear on Twitter and other social networks. A military commander subsequently warned that it was “technologically feasible” for the state to track down the origin of those messages and take action against those who had committed the crime of generating public anxiety; no arrests were made at the time, however.

In February 2013, Venezuela’s social media tracking campaign experienced renewed vigor after Nestor Reverol, Minister of Interior and Justice, reported that intelligence services would “follow” instigators of an alleged “destabilization plan” seeking to cause panic and chaos among users of social media. Following this announcement, two suspected hackers were arrested for “attempting to undermine the institutional order of Venezuela.” The suspects, who were arrested after illegally accessing government webpages and revealing vulnerabilities in the security of state governmental systems, were members of the group Venezuelan Hackers (@ VenezuelanH). In April and May 2013, Venezuelan Hackers published accounts of its recent activities—including infiltrating the websites of Venezuelan State Airline Conviasa, state-owned CANTV, and additional government sites, such as the National Institute of Hygiene—on its Twitter account. The arrests, which were highly publicized, underscored the media tracking campaign and served as a warning to others who might be considering subversive activities online.

In early March, after Chávez’s death, Lourdes Alicia Ortega Perez was arrested for “spreading false information” via Twitter. She was released one week later, but is required to make monthly court

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appearances until further notice. Perez’s arrest echoes a spate of cases in 2010, when a number of Twitter users with few followers were arrested for “spreading false information” and “plotting to destabilize the government” under a measure that seems designed to generate self-censorship and fear.

Since 2005, CONATEL has required mobile phone operators to collect copies of their subscribers’ identity documents, addresses, fingerprints, and signatures. According to the Computer Crimes Act, this information must be delivered to state security agencies upon presentation of a judicial warrant. Service providers are also obligated to keep detailed logs of all calls, including the phone number and location of both the caller and the recipient. The Law Against Kidnapping and Extortion also necessitates that ICT providers and financial institutions supply data to prosecutors upon presentation of a judicial warrant.

Journalists and online activists have been subject to physical intimidation and attacks in recent years. The offices of civil society group Espacio Publico, which advocates for freedom of expression online, were burglarized twice in November 2011. Although there was no evidence of government responsibility, the authorities’ slow investigation, despite the availability of security camera footage, raised suspicions that these were not random acts of violence.

Espacio Publico has repeatedly been the target of defamation campaigns in state-run media. Several days after the second attack, Luis Carlos Díaz, a respected journalist known for teaching cyberactivism workshops throughout the country, began receiving anonymous threats by phone and Twitter. Leonardo León, journalist and press coordinator of Universidad de Los Andes’ radio station, and Alonso Moleiro, journalist and Unión Radio announcer, have also been victim to intimidation and threats via Twitter. Moleiro received death threats from another Twitter user after mentioning the severity of President Chávez’s illness. In May 2012, the headquarters of Qué

Pasa (What’s Up), a digital newspaper critical of the Chávez regime, was attacked with a grenade.\textsuperscript{106} The perpetrators are still unknown.

In March 2013, a group of renowned journalists, writers, and humorists, such as Milagros Socorro, Rayma Supriani, Leonardo Padron, and Laureano Márquez—all of whom had recently been attacked on social networks—began experiencing harassment and threats over their cell phones, via press publications, and on national television programs.\textsuperscript{107} Naibet Soto and Luis Carlos Díaz, two bloggers who are well known in the cybersphere for their creation of Google pages dedicated to discussing the political situation in Venezuela, have also suffered harassment by government supporters following Chavez’s death.\textsuperscript{108}

In recent years, journalists and opposition figures have been subject to periodic waves of hacking and impersonation attacks. In August 2011, the blogs and Twitter accounts of at least two-dozen government critics and other prominent figures were hacked, hijacked, and used to disseminate progovernment messages. Among those targeted in the waves of cyberattacks occurring in late 2011 and 2012 were journalists, artists, economists, activists, and opposition politicians, including the Miranda State governor and presidential candidate Henrique Capriles Radonsky.\textsuperscript{109} In some cases, the pro-government nature of the messages was palpable and immediately raised suspicions that a particular account had been compromised. But in other instances, the hackers’ approach was more cunning.

Examples included a statement by the usually critical economist Jose Guerra suddenly praising the president’s price control policy; supposed criticism by the opposition-linked pollster Luis Vicente Leon regarding one of the opposition’s own presidential candidates; and threatening comments towards other users wrongfully attributed to political activist Luis Trincado and journalist Marianela Balbi, Executive Director of the Press and Society Institute of Venezuela. Email accounts associated with activists’ Twitter feeds or blogs have also been compromised, and the contents of several blogs have been erased.\textsuperscript{110} In February 2013, the Twitter account @radaremergencia and the blog “Radar de los Barrios,” both of which belong to Venezuelan journalist Jesús Torrealba, were hacked for the second time. The accounts were commandeered to issue tweets with a strong political bent and to insult Torrealba.\textsuperscript{111}

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\textsuperscript{107} “Continuan las Agresiones a Periodistas” [Attacks on Journalists Continue], \textit{Espacio Público} online, March 19, 2013, \url{http://bit.ly/WjpxNv}.

\textsuperscript{108} Naibet Parra, “Estado General de Sospecha” [General state of suspicion], \textit{Zaperoqueando} (blog), March 26, 2013, \url{http://zaperoqueando.blogspot.com/2013/03/estado-general-de-sospecha.html}.


\textsuperscript{110} “Continuan los Ataques Informaticos en Twitter y Gmail,” [Cyber Attacks Continue on Twitter and Gmail], \textit{Espacio Público} online, November 25, 2011, \url{http://bit.ly/ulN8JL}.

\textsuperscript{111} \textit{Espacio Público} “Hackean La Cuenta @radaremergencia y El Blog Radar de Los Barrios,”[@ radaremergencia Twitter Account and Radar de Los Barrios Blogs Hacked], \textit{Espacio Público} online, February 21, 2013, \url{http://bit.ly/1bRpwO}. 
In February 2012, online activists took matters into their own hands in response to the Twitter hackings, launching what they called Operation BAS (short for Operation Block and Spam). Complaints to Twitter resulted in the suspension of several dozen allegedly compromised accounts. Observers noted, however, that accounts belonging to genuine Chávez supporters, not paid commentators, were among those targeted, and that the campaign thus posed a restriction to freedom of expression.

It remains unclear whether the government is directly behind Twitter usurpations and other forms of cyberattack. Although a group of hackers calling itself N33 has taken responsibility for the attacks, some also suspect government involvement. N33, which has been given air time on state-run TV, claims that it supports the president but does not act at the behest of the government. Editor of opposition news site Codigo Venezuela (and recent victim of hacking) Milagros Socorros, however, received an e-mail from an anonymous sympathizer who claimed otherwise. The informant, who claimed to work at the Ministry of Science and Technology, reported that an entire floor of the ministry is devoted to following and hacking opposition activists' online communications. To date, the allegation remains unconfirmed and prosecutors have ignored requests from victims to launch an investigation.

Several web pages of governmental organizations also suffered cyberattacks in 2012 and 2013. Ernesto Villegas, Minister of Communication and Information, denounced the creation of fake accounts on the social network Twitter, one allegedly belonging to him and others created by hackers impersonating president Chávez’s daughter, President of the Central Bank Nelson Merentes, and popular progovernment TV star Winston Vallenilla. Villegas called on his followers to block the accounts and report them as spam.

In May 2012, the N33 hacking group named Alberto Federico Ravell, editor of popular news portal La Patilla, as an important future target. A few weeks later, La Patilla reported that it had

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successfully fended off an intense cyberattack,\textsuperscript{120} however during the October 2012 electoral weekend the site suffered continuous DDoS attacks.\textsuperscript{121}

Cyberattacks, impersonations, and blocking all intensified on the day of the presidential election. The Twitter accounts of political activists Ricardo Ríos and Carlos Valero, as well as that of Humberto Prado (director of NGO Observatorio Venezolano de Prisiones), were all compromised on election day, as was the account of Ricardo Koesling, general secretary of political opposition party Piedra. The account of well-known singer Oscar De León was also appropriated and used to comment on voting abstention.\textsuperscript{122} Problems accessing news sites such as Noticiero Digital (Digital News) and Globovisión (which registered a general failure of its servers) were also reported on the day of the election. Weekly newspaper 6to poder (Sixth Power) reported the blocking of its website by CANTV during the count of electoral votes; Ismael García, a well-known opposition deputy who runs a political show, also noted the disabling of his personal website.\textsuperscript{123}

Cyberattacks and blockings also gained vigor surrounding questions of President Chávez’s health. After his return to the country in February 2013, a group identifying itself as "Anonymous Venezuela" and demanding to know the truth about the president’s health attacked the websites of several military branches.\textsuperscript{124} In early 2013, Venezuelans accused state telecom CANTV of blocking access to Cuba Diary and Apporea in order to maintain secrecy surrounding the president’s health.\textsuperscript{125}

Several victims of cyberattacks and digital identity theft have filed complaints with the authorities, yet as of May 2013 state bodies have neither launched an official investigation nor condemned the attacks. The lack of response has led prominent civil society figures to take matters into their own hands, holding a press conference and publishing an open letter denouncing the attacks as part of a government-endorsed policy of “computer terrorism.”\textsuperscript{126} Among the group’s complaints is that although the Committee for Scientific, Penal and Criminal Investigations (CICPC) had successfully identified several perpetrators, the investigation was halted and the lead investigator was relieved of his duties.\textsuperscript{127}

Illegal intrusion into computer systems is classified as a criminal offense according to the Special Law Against Cybercrime, which condemns the access, interception, destruction, sabotage, modification, alteration, espionage and disclosure of any private information found in information systems.\textsuperscript{128}

\textsuperscript{121} Reference was collected by personal interview with a La Patilla source on condition of anonymity.
\textsuperscript{123} “Ataques Informáticos Sacuden las Redes Sociales en el País” [Hacking Attacks Shake Social Networks in the Country].
technology systems. Although the law specifies severe punishment for such crimes, extending to imprisonment and fines, no penalties have yet been imposed.\textsuperscript{128} Taken together, these circumstances have led many observers to believe that the president or other top officials are either directly or implicitly supporting the attackers.\textsuperscript{129}

\textsuperscript{128} “Espacio Público Exige al Estado Venezolano que Investigue y Sancione a los Responsables de los Ataques a Cuentas de Correo y Usurpación de Identidad en Redes Sociales,” [Espacio Público Demands that the Venezuelan State Investigate and Punish those Responsible for Attacks on Email Accounts and Identity Theft on Social Networks], Espacio Público online, February 1, 2012, \url{http://bit.ly/1bRp5F2}.

\textsuperscript{129} Natalia Mazzote, “Ataques Digitales Contra Periodistas se Convierten en una Nueva Forma de Censura en Venezuela” (Entrevista a Luis Carlos Díaz) [Digital attacks against journalists become a new form of censorship in Venezuela (Interview with Luis Carlos Díaz)] Knight Center for Journalism in the Americas, January 2012.