

**RESOLUTION OF THE IAB 45 GENERAL ASSEMBLY
VENEZUELA**

WHEREAS:

The ruling of the Inter-American Court of Human Rights in the case Marcel Granier and Others (Radio Caracas Television RCTV, CA) vs. Venezuela, formally notified to the parties last September 7, which condemned the Venezuelan government for violating the right to Freedom of Expression, the duty of non-discrimination, the right to due process and the rights to be heard and to reasonable time in administrative and judicial proceedings to the detriment of shareholders, employees and journalists of RCTV.

The Court ordered the Venezuelan government to restore RCTV's license and return to their owners the goods seized arbitrarily the night of May 25, 2007, when military troops occupied the broadcasting transmitting plants and seized its facilities and equipment.

The judgment dismissed the arguments of the Government of Venezuela in the sense that the expiry of a concession was not a sanction but a simple administrative fact, which also sought *"the democratization of the use of the radio electric medium and the plurality of messages and contents ... "*

As to the purpose, the Court acknowledges that media pluralism is a legitimate objective, but the comprehensive collection of public interventions of senior officials, including the President of the Republic and various publications and official documents, note the true purpose of RCTV's closure: to silence a critical voice and exercise a "deterrent, intimidating and inhibiting effect" on the other media.

The Court considered that while States have the power to administer the radio spectrum and to regulate the allotment and renewal of concessions, the actions of the Venezuelan government were an "abuse of power" since "a permitted faculty of the State was used aiming to editorially align the media with the government. "

CONSIDERING:

That these serious violations of the American Convention on Human Rights, accredited and sanctioned by the Court regarding the closure of RCTV, are part of the process of institutional degradation and destruction of democracy in Venezuela, as it has repeatedly been pointed out by the various reports of the American Commission on Human Rights in recent years and as required by the judgment itself and by previous ones.

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That this judgment reaffirms the doctrine of the Inter-American System by sanctioning the use of "indirect methods or means" to restrict "communication, distribution and circulation of ideas and opinions", establishing that not only the rights of RCTV shareholders, journalists and workers were violated, but those of the general public, which was deprived from access to a critical voice.

That the Inter-American Court of Human Rights is the ultimate instance with competence in the matter, having this judgment definite and firm nature, becoming an important jurisprudential precedent for the effective protection of freedom of expression of media, journalists and audiences throughout the Americas

THE 45TH GENERAL ASSEMBLY OF THE INTERNATIONAL ASSOCIATION OF BROADCASTING - IAB - MEETING IN SAN SALVADOR, REPUBLIC OF EL SALVADOR, RESOLVES:

To urge the government of the Bolivarian Republic of Venezuela to faithfully comply with the judgment of the Inter-American Court of Human Rights.

To call on the international community, especially the OAS and the UN, to demand from the government of Venezuela, compliance with the judgment of the Court and the international treaties subscribed by the country.

San Salvador, October 14, 2015.