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## Daily News



### "INTER-AMERICAN COURT MAY STOP CLOSURE OF RCTV"

The Human Rights Center at the Andrés Bello Catholic University warned the legal proceedings may take a long time

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The Inter-American Court on Human Rights is likely to prevent President Hugo Chávez' Government from refusing to renew a broadcasting license for private television station RCTV, provided the Inter-American Commission on Human Rights or RCTV representatives file the relevant petition with the court.

The statement was made by the head of the Human Rights Center at the Andrés Bello Catholic University, Ligia Bolívar, who was the legal adviser of the victims of the so-called El Amparo massacre who sued the Venezuelan State before the Inter-American Court on Human Rights.

Bolívar reminded that the hemispheric court "has the capacity to order the states (members of the Organization of American States) to take actions to stop infringement of fundamental rights, through the so-called temporary actions."

A source close to the court added: "The representatives of the TV network, following notice that their action has been upheld, may report any subsequent occurrence (the threat to stop RCTV operations). The court does not necessarily have to hear the facts reported in the suit filed by the Inter-American Commission on Human Rights only, but the court may also hear other subsequent claims."

However, both Bolívar and the Inter-American Court on Human Rights expert agreed that the case has to be filed by the claimant (RCTV) or the plaintiff (Inter-American Commission on Human Rights), as the court lacks the capacity to take actions ex officio.

Warning that a ruling from the Inter-American Court on Human Rights may take a long time, as the court "does not hold sessions permanently," Bolívar added: "Even though May 27 (the date when RCTV broadcasting license is expiring) passes, the Court may take any temporary action whereby it may, for instance, order restarting the TV station operations, and meanwhile the court may deal with the case and determine whether Venezuelan authorities actually violated the rights they allegedly infringed (freedom of expression, personal integrity, judicial guarantees and protection)."

#### To obey or not to obey...

Bolívar ruled out the possibility that Chávez' Government abides by a judgment of conviction. She reminded that the Executive Branch has disregarded the IACHR calls for protection for reporters and human right advocates.

However, the expert of the Inter-American Court on Human Rights did not question the Venezuelan Government's abidance by the Inter-American system. He reminded that so far, Peru, under Alberto Fujimori, has been the only country that has ever tried to neglect a ruling issued by the Court.

"But Peru reconsidered its stance, amid international pressures." When told that in the cases of human rights violations in El Amparo, Caracazo, Catia prison and forced disappearances in coastal Vargas state Venezuelan authorities have only paid damages, but they have not started any investigations or punished perpetrators, the expert said: "Perhaps it is a matter of delay rather than contempt. The Court understands that justice in the region



In Caracas, demonstrators rallied again to rebuff non-renewal of RCTV broadcasting license (Photo: Gustavo Bandres / El Universal)

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