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Venezuela's 21st Century Authoritarianism in the Digital Sphere

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Abstract

This policy brief summarises extensive information on digital rights violations and politically motivated information disorders affecting Venezuelans, principally social media users. The brief focuses on the conflict dynamic between an authoritarian government and those fighting for re-democratisation. Venezuelan government policies and actions amid the process of eroding democracy are revisited. The most pressing issues affecting internet freedom and digital rights are scrutinised. Emphasis is placed on the discussion of the dynamics of the coordinated spread of online propaganda and government-sponsored disinformation. Issues surrounding the deployment of digital ID, biometrics data, and risks of massive surveillance are also identified. The brief concludes with policy recommendations for social media companies, journalists, civil society organisations, and policy shapers involved in democratic transition efforts.

Introduction

Venezuelan democracy has suffered a long erosion process since the rise of Chavism in 1999. A patronage apparatus, supported by abundant oil revenues, was critical to the consolidation of the autocratic regime. From the early phase of delegative democracy (1999-2005), President Chávez obtained enabling powers to govern by decree in various areas of public policy ⁽¹⁾. The second term in Chávez's installment (2006-2013) corresponds to what political scientists label as competitive authoritarianism. At that stage, several signals of increasing authoritarianism were evident, such as abuse of state resources to finance electoral campaigns, progress towards a hegemonic party model, control of the media and

civil society, criminalisation of activists, and opposition leaders ⁽²⁾. The current Nicolás Maduro administration has, since 2014, seen the consolidation of closed authoritarianism. This includes the illegalization of political parties, imprisoning and exile imposed on opposition leaders, and massive repression of citizen protests ⁽³⁾. Venezuela has been under the State of Exception since May 2016.

According to United Nations estimates, Venezuela currently has a population of over 27 million inhabitants, declining from over 30 million in 2015 ⁽⁴⁾; this figure is 7 million less than the projection eight years ago based on the country's demographic patterns. Official statistics from the last quarter of 2018 report an internet penetration of 60% of the population ⁽⁵⁾ while the total number of subscribers has declined. This makes Venezuela a rare case of a country in which internet penetration is decreasing. The average broadband speed does not exceed 4 Mbps ⁽⁶⁾. Currency controls adversely affect the telecommunications industry, while electricity rationing often prevents users from accessing their internet connection.

The Venezuelan government blocks websites selectively. Journalists are severely harassed, and media censorship is routine, although indirect. Venezuelan academics and intellectuals continue to express critical views, but the government often responds with harassment, verbal or physical attacks, and sometimes rises to violent threats to life. The Venezuelan government holds, prosecutes and imprisons civil society leaders and activists who have acted legally. Detention and imprisonment of activists working within the rule of law have been common in Venezuela throughout the last decade. ⁽⁷⁾

1. 21st-century Authoritarianism: Venezuela's Control over Information and Civil Society

In the first two decades of the century, several countries with populist or authoritarian leaders—e.g., Venezuela, Nicaragua, Bolivia, Ecuador, Russia, and Belarus—adjusted their constitutions to minimise, eliminate or evade the limits of executive mandates. President Chávez's strategies for eroding democracy included "refunding" the nation by convening a constituent assembly, calling for frequent elections to displace the previous elites and consolidate hegemony, and passing discriminatory laws to silence the public, attack and limit civil society and harass the opposition. At the same time, the autonomy of the judiciary, electoral bodies, and sub-national governments were undermined. Venezuela paved the way for the backsliding of democracy in Latin America. An unbalanced playing field was created to make it difficult for the opposition to compete genuinely. Besides, control of information and media, as well as limitations on civil society organising, were instrumental in curtailing pluralism and leading toward an increasingly authoritarian regime. (8)

Venezuela's 21st-century authoritarianism invokes sovereignty to reject international criticism for the persecution of its political opposition and the suffocation of civil society. In parallel, Venezuela has had a disproportional influence in shaping political developments in Latin America. The material basis of this influence has been the financial flows derived from oil revenues that allowed the financing of ideologically sympathetic regimes

throughout the region. Venezuelan oil rent helped to fund leftist candidates' campaigns including Cristina Fernandez de Kirchner (Argentina, 2007-2011), Andres Manuel Lopez Obrador (Mexico, 2012), Evo Morales (Bolivia, 2006-2009-2014), Rafael Correa (Ecuador, 2009-2013), Ollanta Humala (Peru, 2006), José Mujica (Uruguay, 2010) and Daniel Ortega (Nicaragua, 2006-2011-2016). Venezuelan government also provided funds for the populist party *Podemos* in Spain, which is ideologically influenced by Chavism. Chávez also used oil rent to fund Petro-Caribe and Petro-Sur, to establish the Bolivarian Alliance for the Americas (ALBA), and to provide additional support for the São Paulo Forum, founded by the Brazilian Workers Party (PT) in 1990. (9) (10)

The Internal Enemy: Civil Society

According to the Varieties of Democracy (V-Dem) project (11), which conceptualises and measures democracy based on seven high-level principles, by 1997, Venezuelan "civil society organizations were free to organize, associate, strike, express themselves, and to criticize the government without fear of government sanctions or harassment." As soon as Chávez took power, the deterioration of freedoms and the increase in repression began. In 1999, Venezuela moved on to the V-Dem category in which

the government uses material sanctions (fines, firings, denial of social services) to determine oppositional CSOs from acting or expressing themselves. They may also use burdensome registration or incorporation procedures to slow the formation of new civil society organisations and sidetrack them from engagement.

From 2000, V-Dem established that

in addition to material sanctions (...), the government also engages in minor legal harassment (detentions, short-term incarceration) to dissuade CSOs from acting or expressing themselves. The government may also restrict the scope of their actions through measures that restrict association.

Finally, by 2013, Venezuela moved to the category where

the government also arrests, tries, and imprisons leaders of and participants in oppositional CSOs who have acted lawfully. Other sanctions include disruption of public gatherings and violent sanctions of activists (beatings, threats to families, destruction of valuable property), banning civil society organisations from taking certain actions, or blocking international contacts. (12)

The ability of non-governmental organisations (NGOs) and other civil society organisations to function without state restrictions has suffered a sharp decline in the last two decades. The sectors most heavily criminalised have been the student movement, journalists, indigenous movements, labour unions, and human rights defenders.

In 2007, Chávez declared "freeing Venezuela from subjection to civil society", or the eradication of civil society organisations that act independently of the government, as a central objective of the Bolivarian Revolution (13). In 2010, Venezuela was one of the first countries

in the world to enact legislation against civil society organisations. The Law for the Defense of Political Sovereignty and National Self-Determination prohibited NGOs that defend political rights or monitor the performance of public agencies from receiving international assistance.

As a 21st century autocracy, Venezuelan propaganda emphasises imaginary wars promoted by foreign powers in collusion with internal traitorous civil society. Dissenting opinions are invariably subject to incessant attacks and ridicule. Democratic politicians, as well as activists who defend human rights, face character assassination, and their views are twisted to make them appear foolish, unpatriotic or immoral.

Communicational Hegemony

Under the neo-authoritarian communication control model, it is common to establish limitations on the practice of journalism, including legislation that restricts access to information, creates safeguards for national security secrets, establishes norms against the vilification of public officers, and creates strict libel laws. (14) Regulations limiting access to information and free press remind journalists that there can be very high costs for critical expression, which promotes self-censorship. (15) (16) Among the best examples of this sort of legislation is the Venezuelan 2004 RESORTE law and its 2010 reform RESORTE-ME that extended the restrictions, established initially for radio and television, to "electronic media."

In Venezuela, control of information has been called "communicational hegemony," a term coined after the April 2002 coup against President Chavez (17). Then, a government-run media system and the financing para-governmental media began to expand (18). As of 2007, in a series of speeches related to the closure of *RCTV*, Chávez declared that as part of the process of building the new Bolivarian hegemony, it was necessary to free Venezuela from the institution of communication media that he thought of as associated with both civil society and "the oligarchy." (19)

Significant milestones of these hegemonic efforts include the nationalisation of the telecom company *CANTV* (2007), the shutting-down of the TV channel *RCTV* (2007), and the closure of 39 radio stations (2009). The communicational hegemony consolidated in 2014 when the *Globovisión* news channel fell under the control of Chávez-friendly business people, and the government forced the sale of several newspapers, including those with greater readership *Últimas Noticias*, and *Noti-Tarde*, as well as the traditionally conservative *El Universal*.

At the same time, the Venezuela government funded its own channel for international news diffusion, as is the case with Telesur. Telesur has three main functions: bolstering the international leadership and achievements of the Venezuelan regime and its allies, attacking the values of liberal democracy, and exaggerating social problems in the United States, Western Europe, and Latin American centre or centre-right countries. (20) (21)

2. Internet Censorship and Mechanisms of Political Control

While closed dictatorships, such as Cuba, prevented the widespread use of the internet for fear that online communications would pose a threat to the state's monopoly on information,

21st-century autocrats have devised specific techniques to put the Internet under political control without shutting it down completely. The neo-authoritarian model focuses on restricting activities or content that may contribute to expanding online protest or mobilising citizens for collective action. The adoption of second-generation internet control mechanisms began in Venezuela following the #IranElection mobilisation in 2009. (22)

The neo-authoritarian model includes promoting cyberattacks against pro-democracy activists, as well as judicialisation of online speech. Intercepting journalists and opposition activists' emails is a tactic widely used by the Venezuelan government since 2011. In a high-profile case, in September 2015, opposition politician Leopoldo López was sentenced to nearly 14 years in prison after prosecutors alleged that he incited violence. (23) As primary evidence in the trial against him, prosecutors presented hundreds of tweets and a YouTube video in which the political leader said, "we have to go out to conquer democracy." In that trial, the key prosecution witness was a linguist who analyzed @leopoldolopez timeline to conclude that his Twitter account was used subliminally to summon anti-government unrest. The United Nations regarded Leopoldo López' imprisonment as arbitrary detention. (24)

Nonetheless, technical censorship is becoming part of the Venezuelan government internet control toolkit in recent years. Since June 2014, the National Commission of Telecommunications (CONATEL) established as a routine practice the blocking of web pages that publish currency exchange rates. (25) Since 2017, a growing number of digital media sites have been blocked in the country. On January 2019, the government almost entirely blocked Wikipedia. (26) In the last year, more sophisticated technical interference has been executed, including DNS spoofing of opposition websites. (27)

Over the previous two years, the key actions of the government which aim to limit internet access, freedom and digital rights, in general, have been the following:

- a) Infrastructure disinvestment (the most basic and effective control mechanism) through lack of investment in new infrastructure or maintenance of existing infrastructure;
- b) electrical blackouts affecting internet connectivity;
- c) the enactment of the Law against Hatred that introduces prison sentences of up to 20 years for inciting hatred (ordinary citizens, as well as political activists, have already been detained under this legislation for criticizing government officers), that establishes intermediary responsibility for content published in their platforms, and that authorises the blocking of websites that allegedly promote hatred;
- d) temporary blocking of social media platforms (Twitter, Periscope, Instagram, Facebook and YouTube) at the times of political events;
- e) technical censorship using SNI filtering, DNS and HTTP blocking mechanisms to prevent access to digital media and Wikipedia;
- f) the imprisonment of social media users for political reasons, as was the case of journalist and digital rights activist Luis Carlos Díaz, who was targeted as a scape-goat after the national electrical blackout;

- g) the phishing of the opposition VoluntariosXVenezuela website by using sophisticated techniques of interception and DNS spoofing to drive traffic to a clone website set by a government agency;
- h) the collection of personal data and geolocation data through the Homeland card system;
- i) deployment of coordinated mechanisms of disinformation and propaganda to manipulate public opinion and affect electoral results. (28)

Twenty-first-century authoritarian governments perceive a free and open internet as a threat to sovereignty. In early January 2019, a leak revealed a draft of the Constitutional Law of Cyberspace of the Bolivarian Republic of Venezuela ⁽²⁹⁾. This law would establish a "cyberspace" authority with ample powers to take measures against vaguely defined cybercrime and cyberterrorism. The organ would also have unlimited surveillance prerogatives. This Constitutional Law was supposed to be enacted by the National Constituent Assembly in 2019, but it has not yet been approved.

3. Social Media Information Warfare

Government-sponsored misinformation and automated propaganda, as well as cyber harassment and the criminalisation of online discourse, have been present in the Venezue-lan political environment during the last decade (30)(31) (32). Hacking of political opponents' accounts was a common occurrence in 2011 and 2012 when Chavist activists publicly claimed responsibility for "patriotic hacking" actions. Disinformation campaigns and falsifying news have also been constant features of Venezuelan political communication since 2012. Because the government currently controls directly or indirectly almost all mainstream media outlets, most Venezuelans rely on social media and mobile messaging applications to obtain information on political issues. Therefore, shaping the circulation of information online is increasingly important in achieving political objectives.

The Venezuelan authoritarian regime deploys armies of trolls and bots to flood social media platforms with pro-government propaganda, influence online discussions, harass dissidents, and spread disinformation (33) (34) (35) (36) (37). Venezuela pioneered the use of automated Twitter accounts in Latin America as early as 2010. The purpose of disinformation strategies is basically to contaminate the climate of discussion, generating informational chaos that can inhibit public debate and hinder the organisation of prodemocratisation political mobilisations.

Four strategies commonly used by the Venezuelan government on Twitter have been identified: (38)

- 1) coordination of official and automated accounts to respond to the daily trending topics;
- 2) promotion of distracting hashtags accompanied by emotional, scandalous, misleading, offensive, and false messages through cyborg and bot accounts;
- 3) hijacking of opposition hashtags to distort their messages

4) interference in and pollution of the conversations among the various opposition communities.

The combined deployment of the four strategies constitutes a systematic undermining of Venezuelan Internet users' right to participate in public affairs. Furthermore, these strategies contributed to the violation of the right to free expression and association, access to information, and participation in public affairs debates, which are fundamental to a free, open, and human rights-oriented Internet.

A leaked document from the Ministry of the Interior and Justice, "The Bolivarian Revolution's Troll Army" ("Ejército de Trolls de la Revolución Bolivariana"), contained information on the government's Twitter strategy. The document explained that the Troll Army must be divided into five squads: Pro-Government, Opponents, Neutrals, Distraction, and Fake News. Fake News and Distraction trolls implement the strategy of distraction, while the (False) Opponents deploy the strategy of interference and infiltration. (39)

Government cyber-troops apparently have linkages with public administration agencies, including executive ministers for education, health, food, culture, tourism, and housing. Many are government employees whose primary job is tweeting, but they serve voluntarily as "digital warriors" to plead loyalty to the regime. Nonetheless, there are also signs of troll factories working for the Venezuelan government for-profit.

It is also essential to highlight social media propaganda activity by the Strategic Integral Defense Regions and the Comprehensive Defense Operational Zone, both operational structures of the National Bolivarian Armed Forces. The participation of state agencies in electoral campaigns violates article 67 of the Constitution of the Bolivarian Republic of Venezuela; articles 13 and 70 of the Anti-Corruption Law; article 75, points 11 and 13 of the Organic Law on Electoral Processes; and article 14, points 1, 11, and 14 of the Regulation of the Organic Law of Electoral Processes, all of which expressly forbid electoral propaganda using public resources.

A somewhat more sophisticated mode of manipulation of the communication space is the introduction of distractions to overshadow real debates on Twitter. The Twitter users involved on the automated distraction strategy share the following characteristics: They are multiplatform and anonymous profiles (Twitter, Instagram, and YouTube), which spread political memes, post links to scandalous news (false or authentic), use emotion-provoking images, ridicule both opposition and Chavist' leadership, and exhibit tweets and RTs frequency patterns that are similar to those displayed by automated accounts but with interactions suggesting a real persona.

The third Chavist strategy on Twitter is the hijacking of democratic opposition's hashtags and interference in their conversations. A pattern of interference in the opposition's discourse on Twitter is observed. Once a hashtag of the democratic parties starts to trend, tweets from anonymous accounts using the same hashtag are quickly viralised by using bots and other mechanisms of automated RTs. The difference in language, tone, and values in the content of tweets from opposition's official accounts, compared to those from anonymous and cyborg accounts, is striking. While the opposition accounts denounce social problems,

call for dialogue with citizens, and emphasise the struggle for freedom, the tweets from extremist cyborg accounts are characterised by profanity, insults to victims and government officials, and false news. It is relevant to note that public opinion studies have found that the type of discourse used by extremist accounts is rejected by most of the democratic opposition's grassroots and has a demobilising effect.

A fourth strategy closely linked to the discursive interference is designed to infiltrate the structure of the opposition networks. There is a sort of online community gerrymandering which aims to divide opposition groups that have tactical differences, favouring fragmentation and obstructing unity. The interference and infiltration strategies target the most polarised communities among the different opposition communities. The accounts of false extremist opponents infiltrate these communities. These accounts interact with real people from those communities to generate credibility, and once their influence had been established, they can introduce new points of view and amplify the division with incendiary messages. (40)

4. Homeland ID, Giving Away Data (and Votes) for the Chance to Buy Food

The Homeland ID Card (*Carnet de la Patria*) is an identification card that was introduced by the Venezuelan government in 2017. The card provides access to users' personal data in a government database, and, through Quick Response (QR) codes, it connects cardholders to digital platforms for social welfare programmes and services. (41)

During the last three official electoral processes (local, regional, and presidential elections), the government party used the Homeland Card in its electoral mobilisation activities. Government official communications implicitly established a connection between electoral mobilisation and the use of the Homeland ID Card. During the campaign for the spurious 2018 presidential election, official communications reminded cardholders to pass through a Tricolor Point on voting day and scan their card's QR code. "Tricolor Points" refers to kiosks of the pro-Chavist electoral machinery, located in the vicinity of the official polling sites. Voters were required to pass through the Tricolor Points to activate the QR codes of their Homeland Card and confirm that they voted. It was implied that failure to do so might jeopardise access to food.

Local Committees for Supply and Production (CLAP) is the government agency that monopolises the distribution of food at regulated prices, overseeing the highly inefficient and corrupt Venezuelan food rationing system. CLAP also trains people to spread progovernment messages, particularly messages promoting the Homeland ID Card and the distribution of food via CLAP distribution networks. They are also assigned the task of retweeting tweets from official government accounts and posting links to hyper-partisan and polarising news sites. Apparently, most "patriotic tweeters" (pro-government cybertroops) and CLAP communicators are not officially hired by the government to tweet, but are motivated by incentives such as raffles and special government bonds. During election campaigns, "patriotic tweeters" who tweeted with the daily hashtag were entered into a daily raffle with a prize that could reach the equivalent of a month's minimum wage (US\$2 to US\$3 according to the exchange rate in the black market at that time) (42). The payments are made through an electronic wallet that is also part of the Patria system.

Since July 2018, Venezuela started to develop a national system of video monitoring called VEN-911 ⁽⁴³⁾. This system replaces the country's former emergency response monitoring, and the Chinese technological corporation ZTE is in charge of developing it. Cameras have been already deployed in certain neighborhoods of Venezuela's capital, Caracas. There are rumours also of an agreement between Venezuela and China to develop a national biometric ID system on top of the Homeland Card.

5. Policy Recommendations

This report has summarised the most pressing issues faced by Venezuelans in regard to their digital rights. A series of policy recommendations is proposed to address these pressing issues.

For social media companies

- Identify automated social media accounts and release listings of any accounts they have deactivated.
- Invest more in technology for hoax identification and disinformation detection.
- Provide funding for training on digital competencies to increase digital security and to fight the spread of disinformation among Venezuelans.
- Include human rights defenders and social activists as protected categories under its hate speech/harmful content policies.
- Support the development of community networks to provide internet connectivity.
- Support efforts on internet governance mechanisms such as the Venezuela Internet Governance Forum.

For journalists and digital media

- Reinforce professional journalism principles to support factual reporting.
- Collaborate with other journalists/media in debunking false or misleading news.
- Enforce journalism ethics principles against polarising coverage and hyperpartisanship.
- Develop a common strategy to sustain journalism as a public good.
- Republish content from censored digital media.
- Partner with civil society organisations to give coverage to policy research and advocacy efforts.
- Training on digital competencies to increase digital security.
- Design curriculum and provide training on digital competencies to fight the spread of disinformation.
- Get involved in internet governance mechanisms such as the Venezuela Internet Governance Forum.

- Promote and collaborate on widespread training on digital competencies to increase digital security and to fight the spread of disinformation.
- Increase oversight on polarising content, harassment, and disinformation.
- Promote the development of community networks to provide internet connectivity.
- Participate actively in internet governance mechanisms such as the Venezuela Internet Governance Forum.

For policymakers shaping an eventual democratic transition government plan

- Develop and be ready to implement a contingency plan that prevents a general blackout of the internet connection.
- Provide solutions for the continuous supply of energy to the telephone and internet connectivity infrastructure.
- End the State of Exception and Economic Emergency that authorises the government to "issue forceful, transitory, and exceptional regulations that prevent destabilisation and distortion campaigns to the economy, driven by national and foreign factors through the computer technology system and the cyberspace." (44)
- Repeal the "Law against Hate, for Peaceful Coexistence and Tolerance," censorship instrument approved in 2017 by the spurious National Constituent Assembly.
- Release citizens subject to arbitrary detention for expressing themselves online.
- Reestablish access to URLs and internet domains censored by the government agency CONATEL without due process.
- Dismantle Trolls Army operations of the government agencies.
- Review and adjust the personal data protection standards of the Biometric System for Food Security and the Homeland Card and its mobile applications.
- Approve an updated legal framework for the establishment of internet community networks.
- Foster the development of community networks to provide Internet access to underserved populations.
- Eliminate currency exchange restrictions that impede infrastructure investments by internet, telephone, and data exchange service providers.
- Investigate the processes of interference of internet communications of social
 organisations and political parties that have been executed by the governments of
 Chavez and Maduro to obstruct the debate on public affairs and free association,
 including network infiltration, disinformation campaigns, government-sponsored
 online harassment and unauthorised access to email and social media accounts.
- Reform the RESORTE-ME Law to overcome violations of the constitutional right to freedom of expression.
- Establish a legal framework that extends the enjoyment of human rights (civil, political, economic, and cultural) to the Internet and other digital environments.
- Review and adjust the limitations of the surveillance capabilities of the VEN911 emergency system.
- Draft and enact a Data Protection Law, with a rights-based and citizen-centered approach.
- Restart and complete the execution of the Eighth Universal Service Project "National Transportation Network" that would allow the deployment of optical fiber for the

interconnection from north to south of the country, between the Orinoco-Apure Axis and the North-Plainlands Axis, aiming to overcome the urban-rural gap.

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