



Embassy of the Bolivarian Republic of Venezuela to the United States

Venezuela Policy Update

The May 23rd Statement of Senator John Kerry on Venezuela is Factually Inaccurate

June 2nd, 2009

Washington, D.C. — On May 23rd 2009, Senator John Kerry (D-MA) issued a statement in response to news reports on the Venezuelan Government's alleged "Raid of Globovision". Contrary to the suggestion that the government is harassing Globovision, a legal action was carried out involving Guillermo Zuloaga, independent of his role as President of a TV network, as a result of his apparent participation in illicit activities.

The legal action was carried out on May 21st in a residence belonging to Mr. Zuloaga. This operation was performed under the mandate of a court-issued warrant and included the presence of officials from the National Institute in Defense of People's Access to Goods and Services (Indepabis in Spanish), as well as other authorities. State and private media filmed the operation and legal representatives of Mr. Zuloaga were also present.

24 new Toyota vehicles were discovered on the premises of Mr. Zuloaga's residence. A series of documents collected by authorities point to apparent fraudulent business activities committed through two car dealerships belonging to Mr. Zuloaga (Toyo San and Toyo Club). (See Attachments)

On May 27th, the Venezuelan Trade Minister and President of Indepabis, Eduardo Samán, explained that, thanks to legal actions such as this one, authorities have uncovered 6,700 vehicles hoarded in private houses and parking garages.¹ This sort of illicit business activity seeks to take advantage of the high demand of motor vehicles in the country and has contributed to a shortage of available vehicles in Venezuela.

Kerry's statement alleges that the government of Venezuela has engaged in the "harassment" of Globovision. The government of Venezuela, however, has demonstrated great tolerance towards the repeated irresponsible behavior of Globovision. After all, as respected human rights organizations have pointed out, Globovision even went as far as participating in the 2002 Coup against President Hugo Chávez.² Finally, on May 7, the government decided to open a procedure against this channel for provoking panic and unrest in the population, after an earthquake occurred on May 4. The procedure was opened in accordance with the Law of Responsibility of Radio and Television, thereby guaranteeing the right to due process.

Contrary to what Senator Kerry's statement suggests, in Venezuela more than 70% of the public airwaves are controlled by the private media, most of them closely aligned to opposition groups.

Senator Kerry said that "if someone affiliated with the station has violated a law or regulation, as the Venezuelan government has insinuated, then law enforcement should pursue the matter professionally, democratically, and affording full due process." That is, in fact, exactly what the Venezuelan government is doing. The fact that Mr. Zuloaga is one of the owners of Globovision does not put him above the law.

For more information, please visit our web page at <http://www.embavenez-us.org> (Fact Sheets Section) or contact prensa@embavenez-us.org.

¹ "Indepabis ha detectado la retención de 6.700 vehículos fuera de concesionarios", *El Universal*, May 27th, 2009. http://www.eluniversal.com/2009/05/27/eco_ava_indepabis-ha-detecta_27A2350363.shtml

² Provea. Anual Report 2001-2002.

http://www.derechos.org.ve/publicaciones/inanual/2001_02/derecho_lib_exp_inf.htm#01



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Attachment

Some Documents that Bring Doubts over the Legality of Zuloaga's Business

Document 1 shows that on February 5, 2009, the Toyota Assembly Plant in Venezuela sold vehicles to the *Toyoclub* car dealership, which belongs to Guillermo Zuloaga. According to these documents, these vehicles had been in his possession for more than three months. It is worth mentioning that after a car has been sold to a car dealership; the dealership has the responsibility of displaying and making that vehicle available to the consumer.

The Document 2 indicates that *Toyoclub* car dealership sold the vehicles to C.I.C., C.A. The national superintendent stated that this company does not exist. It is a shell company that shares the same official address as that of *Toyoclub*. (Compare highlighted sections in documents 1 and 2).

The document 3 proves the sale of the vehicles from the *Toyoclub* to the *Toyosan* dealership, which curiously enough, is also owned by Mr. Zuloaga.

Then, there is a renting contract (Document 4), which is not even registered in a public notary and has no legal value, where they claim that the residence had been rented by *Toyoclub* as a private office.