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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 28/2023**

Precautionary Measures No. 285-23  
Carlos Gustavo Macsotay Rauseo regarding Venezuela  
May 16, 2023  
Original: Spanish

**I. INTRODUCTION**

1. On April 9, 2023, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures presented by the Coalition for Human Rights and Democracy (“the applicant”), urging the Commission to require that the Bolivarian Republic of Venezuela (“the State” or “Venezuela”) adopt the necessary measures to protect the rights to life and personal integrity of Carlos Gustavo Macsotay Rauseo (“the proposed beneficiary”). According to the request, the proposed beneficiary, who is deprived of his liberty in the National Center for Accused Members of the Military (CENAPROMIL, known as “*Ramo Verde*”), has health problems related to aggressions that occurred during his detention, which allegedly places him at risk.

2. Pursuant to Article 25(5) of its Rules of Procedure, the IACHR requested information from the State on April 17, 2023, and has not received a response to date. The applicant submitted additional information on May 11, 2023.

3. Upon analyzing the submissions of fact and law provided by the applicant, the Commission considers that the information submitted shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that his rights to life, personal integrity, and health are at risk of irreparable harm. Therefore, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Carlos Gustavo Macsotay Rauseo. In particular, ensure that he has access to medical treatment, as indicated by the corresponding physicians, and that the authorities prepare a medical report that verifies the beneficiary’s current health; b) take the necessary measures to ensure that the beneficiary’s detention conditions are compatible with the applicable international standards; c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and d) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**II. SUMMARY OF FACTS AND ARGUMENTS**

**A. Information provided by the applicant**

4. The proposed beneficiary identifies himself as a lieutenant commander of the Venezuelan Navy and a “political prisoner”. He is currently being held at the National Center for Accused Members of the Military (CENAPROMIL) in Ramo Verde. In March 2018, he was allegedly detained by officials of the General Directorate of Military Counterintelligence (DGCIM), reportedly arbitrarily and under deception. At the time of his arrest, the proposed beneficiary was in the meeting room of the Strategic Operational Command, located in the city of Caracas. It is claimed that his detention has been arbitrary, grounds on which his defense filed a request for constitutional protection on March 21, 2022, with no response to date. The proposed beneficiary was accused of “treason, instigation to rebellion and crime against military decorum”. Four days later, a hearing was held before the First Military Control Court in Caracas. On this occasion, the judge accepted the legal classification of the facts given by the Military Prosecutor’s Office, declared the measure of preventive deprivation of liberty admissible, and ordered to continue with the proceedings of the ordinary procedure. In this regard, the applicant alleged issues of due process, in particular, the lack of independence and autonomy

of the judges. These issues are reportedly due to the fact that the judges are appointed by the President of the Republic, who is also the Commander-in-Chief of the National Armed Forces. In addition, high-ranking State officials issued public statements claiming the proposed beneficiary is guilty, which does not respect the presumption of innocence.

5. Initially, the proposed beneficiary was reportedly held at the main headquarters of the General Directorate of Military Counterintelligence for three months. During this period, the proposed beneficiary was reportedly tortured. The acts of torture consisted of the following: asphyxiation by means of a bag over his head; severe blows to sensitive areas, such as his head, abdomen, and testicles; and asphyxiation caused by tear gas. The request stated that in June 2021, the proposed beneficiary was transferred to a punishment cell called “El tigrito”, where he was isolated for 15 days. He reportedly did not have access to sunlight, and his food was thrown on the pavement to make it difficult for him to eat.

6. The applicant reported that the aforementioned acts of torture had caused physical and psychological harm to the proposed beneficiary, as it seriously deteriorated his mental and physical health. He is currently suffering from post-traumatic stress disorder, insomnia, and trauma as a result of the physical and psychological damage he has experienced. To date, these health issues have not been adequately treated by a mental health professional, and his health has progressively deteriorated to the point where he requires urgent medical attention.

7. With regard to his health conditions, the request indicated that in September 2022, during the last medical check-up day held at CENAPROMIL, it was determined that the proposed beneficiary had tonsillar asymmetry (unequal growth of the tonsils), and it was therefore requested that he be transferred to the military hospital to undergo a biopsy. This request was issued orally by the proposed beneficiary’s lawyer before the Court of the case on October 18, 2022 and January 25, 2023, but the court did not yet rule on the matter. According to the request, the examination has not been performed to date.

8. The proposed beneficiary is allegedly being verbally abused and threatened by the military personnel of the prison who are against members of the Bolivarian National Armed Forces who have expressed their discontent with the politicization of the military institution. Upon being identified as “a traitor to the homeland”, he considers that he is deprived of his liberty due to a “persecution” by the state authorities. Regarding his detention conditions, the applicant added that, as of September 2022, the new prison director has implemented new restrictions on the proposed beneficiary: i. restricted contact with his family members through the imposition of humiliating searches (upon entering the prison, the proposed beneficiary’s wife and daughter must remain in their underwear which affects their right to privacy); ii. restricted entry of drinking water and food (the inspection controls do not comply with the minimum hygienic conditions); iii. imposition of additional and extra-legal requirements for the entry of the proposed beneficiary’s lawyer (e.g. authorization from the prison director).

9. Regarding the internal complaints, the following were indicated: i. judicial complaint of the facts of torture, filed on August 2021; ii. judicial request for transfer to the military hospital, to be evaluated by a psychiatrist and internist, dated April 30, 2021; iii. extrajudicial complaint filed on July 28, 2021 before the Victim Attention Unit of the Public Prosecutor’s Office of the Attorney General’s Office, requesting the initiation of an investigation into the alleged acts of torture; and iv. appeal for protection of constitutional rights (*amparo*) filed for the violation of the constitutional right to personal liberty filed on March 21, 2022.

## **B. Information provided by the State**

10. In this matter, the IACHR requested information from the State on April 17, 2023. However, no information has been submitted to date.

### III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY AND IRREPARABLE HARM

11. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are established in Article 18(b) of the Statute of the IACHR, and the precautionary measures mechanism is described in Article 25 of the Commission's Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm.

12. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.<sup>1</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.<sup>2</sup> To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.<sup>3</sup> Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the consideration of the IACHR. They aim to safeguard the rights at risk until the request pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.<sup>4</sup> In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. "serious situation" refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. urgent situation" refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. "irreparable harm" refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

<sup>1</sup> See in this regard: I/A Court H.R. [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#). Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela. Order of the Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. [Case of Carpio Nicolle et al. v. Guatemala](#). Provisional Measures. Order of July 6, 2009, considerandum 16 [only in Spanish].

<sup>2</sup> See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. [Case of Bámaca Velásquez](#). Provisional Measures regarding Guatemala. Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. [Matter of Fernández Ortega et al.](#) Provisional Measures regarding Mexico. Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish].

<sup>3</sup> See in this regard: I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish]; I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. [Matter of the Criminal Institute of Plácido de Sá Carvalho](#). Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6 [only in Spanish].

<sup>4</sup> See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 7; I/A Court H.R. [Matter of "El Nacional" and "Así es la Noticia" newspapers](#). Provisional Measures regarding Venezuela. Order of the Court of November 25, 2008, considerandum 23 [only in Spanish]; I/A Court H.R. [Matter of Luis Uzcátegui](#). Provisional Measures regarding Venezuela. Order of the Court of January 27, 2009, considerandum 19.

13. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a prima facie standard to determine whether a serious and urgent situation exists.<sup>5</sup> Similarly, the Commission recalls that, by its own mandate, it is not called upon to make any determination on any individual criminal liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.<sup>6</sup> This is better suited to be addressed by the Petition and Case system. The following analysis relates exclusively to the requirements set forth in Article 25 of the Rules of Procedure, which can be resolved without making any determinations on the merits.<sup>7</sup>

14. The Commission reaffirms its jurisdiction over the State of Venezuela, in the terms formulated in the Cases it has been referring to the Inter-American Court in the framework of the System of Requests and Cases, such as the *Matter of Alfredo José Chirinos Salamanca et al. of the Bolivarian Republic of Venezuela* referred to the Inter-American Court on February 16, 2022.<sup>8</sup>

15. Furthermore, and in view of the nature of the facts described by the applicant, the Commission recalls that the Inter-American Convention to Prevent and Punish Torture, to which the State of Venezuela is a party since its ratification on August 26, 1991. In this regard, the Inter-American Court has indicated that an infringement of the protection of the right to integrity encompasses various connotations of degree, such as those ranging from torture to other types of cruel, inhuman, or degrading treatment or humiliation.<sup>9</sup> In this line, there is also the prohibition of torture, cruel, inhuman, and degrading treatment and the impossibility of suspending it under any circumstances. The Inter-American Court has indicated that the lack of medical attention to a person deprived of liberty and under the custody of the State could be considered a violation of this prohibition.<sup>10</sup>

16. At the time of assessing this request, the Commission recalls that, in relation to persons deprived of liberty in general, the State is in a special position of guarantor, inasmuch as the prison authorities exercise a strong control or dominion over the persons who are subject to their custody.<sup>11</sup> This is the result of the special relationship and interaction of subjection between the person deprived of liberty and the State, characterized by the particular intensity with which the State can regulate his rights and obligations, and by the circumstances of confinement, where the inmate is prevented from satisfying on his own a series of basic

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<sup>5</sup> See in this regard: I/A Court H.R., Inter-American Court of Human Rights. Case of the Inhabitants of the Communities of the Miskitu Indigenous People of the Northern Caribbean Coast Region with respect to Nicaragua. Extension of Provisional Measures. Resolution of the Inter-American Court of Human Rights of August 23, 2018, Considerandum 13; IACHR Court. Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of Fundação CASA. Request for extension of provisional measures. Provisional Measures with respect to Brazil. Resolution of the Inter-American Court of Human Rights of July 4, 2006, Considerandum 23.

<sup>6</sup> IACHR. Resolution 2/2015. Precautionary Measures No. 455-13. Matter of Nestora Salgado with respect to Mexico. January 28, 2015, para. 14; IACHR. Resolution 37/2021. Precautionary Measures No. 96/21. Gustavo Adolfo Mendoza Beteta and family with respect to Nicaragua. April 30, 2021, para. 33.

<sup>7</sup> In this regard, the Court has indicated that it “cannot, in a provisional measure, consider the merits of any relevant argument other than those strictly related to extreme gravity, urgency and the need to avoid irreparable harm to persons. See in this regard: I/A Court H.R. James et al. v. Trinidad and Tobago. Provisional Measures. Resolution of the Inter-American Court of Human Rights of August 29, 1998, Considerandum 6; I/A Court H.R., Case of the Barrios Family v. Venezuela. Case of the Barrios Family v. Venezuela. Provisional Measures. Resolution of the Inter-American Court of Human Rights of April 22, 2021, Considerandum 2.

<sup>8</sup> IACHR, Case 14.143. Alfredo José Chirinos Salamanca et al, Venezuela. Note of referral to the Inter-American Court. Available at: [https://www.oas.org/es/cidh/decisiones/corte/2022/VE\\_14.143\\_NdeREs.PDF](https://www.oas.org/es/cidh/decisiones/corte/2022/VE_14.143_NdeREs.PDF)

<sup>9</sup> IACHR Court. Case of the Barrios Family v. Venezuela. Judgment of November 24, 2021. Merits, Reparations and Costs. Series C No. 237, para. 52.

<sup>10</sup> I/A Court H.R., Case of Chinchila Sandoval v. Guatemala. Case of Chinchila Sandoval v. Guatemala. Judgment of February 29, 2016. Preliminary Objection, Merits, Reparations and Costs. Series C. No. 132, para. 173.

<sup>11</sup> IACHR Court. Case of Mendoza et al. v. Argentina. Preliminary Objections, Merits and Reparations. Judgment of May 14, 2013. Series C No. 260, para. 188. See also: IACHR, Report on the Human Rights of Persons Deprived of Liberty in the Americas, December 31, 2011, para. 49.

needs essential for the development of a dignified life.<sup>12</sup>

17. Additionally, at the time of considering the alleged facts within their context, the Commission recalls that, in its 2021 Annual Report, it considered that in Venezuela torture and other cruel treatment have been systematically practiced against civilian and military persons deprived of their liberty.<sup>13</sup> The testimonies collected by the Commission, up to that moment, suggested that there is a particular cruelty and cruelty against military personnel accused of being deserters or traitors.<sup>14</sup> In its 2022 Annual Report, the Commission considered that serious human rights violations persisted, such as torture and acts of persecution against persons who made public their dissent with the government. The Commission also found that detention conditions continue to be critical for persons deprived of their liberty. These conditions are characterized mainly by negligent medical care and difficulties when attempting to access to food, drinking water, and medicines.<sup>15</sup> The Commission observes that the United Nations International Independent Fact-Finding Mission on the Bolivarian Republic of Venezuela has made similar statements.<sup>16</sup>

18. Considering that the proposed beneficiary is in “Ramo Verde,” the Commission recalls that it has previously had the opportunity to obtain information about the specific situation that allegedly placed several detainees in danger, having heard allegations similar and consistent with what is alleged in this matter. In the *Matter of Leopoldo López and Daniel Ceballos* of 2015,<sup>17</sup> the Commission found that the detainees had been subjected to prolonged isolation measures and repeatedly, as a form of disciplinary punishment, in cells measuring two by two meters.<sup>18</sup> In 2015, the UN Special Rapporteur against Torture even affirmed that the State violated the prohibition of torture, while the beneficiaries were in Ramo Verde.<sup>19</sup> Furthermore, the authorities reportedly acted under a climate of animosity and hostility expressed, for example, during the cell searches or when hindering the possibility for the inmates to receive medical attention.<sup>20</sup> In the *Matter of Luis Alejandro Mogollón Velásquez* of 2019<sup>21</sup> and the *Matter of Williams Alberto Aguado Sequera et al.* of 2020,<sup>22</sup> the Commission addressed the situation of military detainees, among others, and assessed the delicate state of health of the beneficiaries - some as a result of injuries caused by alleged mistreatment - and the lack of access to adequate medical treatment,<sup>23</sup> having reported that in “Ramo Verde” there are alleged insufficient means or equipment.<sup>24</sup> Additionally, in the *Matter of Luis Alejandro Mogollón Velásquez* of 2019, the applicants alleged the commission of ill-treatment in the context of the deprivation of liberty.<sup>25</sup>

19. The Commission considers that the contextual elements of the country, and background information on situations of concrete risk of persons detained in “Ramo Verde”, allow this Commission to make a comprehensive assessment of the alleged situation. Furthermore, it allows the Commission to identify the seriousness and consistency of the specific allegations in light of the context it has been monitoring in

<sup>12</sup> IACHR, Report on the Human Rights of Persons Deprived of Liberty in the Americas, December 31, 2011, para. 49 et seq.

<sup>13</sup> IACHR Annual Report 2021. Chapter IV. Venezuela. Para.88  
<https://www.oas.org/es/cidh/docs/anual/2021/capitulos/IA2021cap4B.Venezuela-es.pdf>

<sup>14</sup> Ibidem

<sup>15</sup> IACHR Annual Report 2022, Chapter IV.b. Venezuela. Paras. 3 and 131.

<sup>16</sup> International Independent Fact-Finding Mission on the Bolivarian Republic of Venezuela, October 12, 2022, paras. 42 and 44.

<sup>17</sup> IACHR, Leopoldo López and Daniel Ceballos regarding Venezuela (MC-335-14), Resolution 12/2015 of April 20. Available at: <https://www.oas.org/es/cidh/decisiones/pdf/2015/mc335-14-es.pdf>

<sup>18</sup> IACHR, Leopoldo López and Daniel Ceballos regarding Venezuela, para. 16.

<sup>19</sup> IACHR, Leopoldo López and Daniel Ceballos regarding Venezuela, para. 18.

<sup>20</sup> IACHR, Leopoldo López and Daniel Ceballos regarding Venezuela, para. 17.

<sup>21</sup> IACHR, Luis Alejandro Mogollón Velásquez regarding Venezuela (MC-102-19), Resolution 10/2019 of March 7. Available at: <https://www.oas.org/es/cidh/decisiones/pdf/2019/10-19mc102-19-ve.pdf>

<sup>22</sup> IACHR, Williams Alberto Aguado Sequera et al. v. Venezuela (MC-751-19), Resolution 5/2020 of February 5. Available at: <https://www.oas.org/es/cidh/decisiones/pdf/2020/5-20mc751-19-ve.pdf>

<sup>23</sup> IACHR, Luis Alejandro Mogollón Velásquez, para. 24.

<sup>24</sup> IACHR, Williams Alberto Aguado Sequera et al, para. 9.

<sup>25</sup> IACHR, Luis Alejandro Mogollón Velásquez, paras. 4 and 6.

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Venezuela.

20. In relation to the requirement of seriousness, the Commission considers that the proposed beneficiary is allegedly exposed to a multiplicity of sources of risk that could seriously affect his rights to life, personal integrity, and health. Without prejudice to the fact that the reported detention conditions are concerning, mainly considering the context of threats and verbal abuse to which the proposed beneficiary is allegedly subjected to by his custodians, after being identified as a “traitor to the homeland” in Venezuela. The foregoing becomes even more aggravating in the proposed beneficiary’s case given that his health is already reportedly be impaired as a result of the ill-treatment he suffered, and which has not been treated since 2018. The applicant has indicated that, after his detention in 2018, electric shocks, strong blows to different parts of his body, objects to inflict pain, as well as suffocation methods were used against him. In addition to the aforementioned, the proposed beneficiary’s situation is reportedly not only confirmed by the nature of these acts of violence and injuries, but also by the consequential effects. According to the request, these acts reportedly persist and worsen over time, as they are not being duly treated at the medical level. In this regard, the applicant indicated that he has post-traumatic stress disorder, insomnia, and trauma due to the psychological mistreatment.

21. In this regard, the Commission also notes that, according to the information available, the State allegedly knows about the proposed beneficiary’s health upon issuing requests and complaints to the various domestic authorities. The information available indicates that, in April 2021, a request was made for a transfer to a military hospital for psychiatric and internist evaluation. However, there are no details as to whether this transfer actually took place. Nor is there any information on whether the psychiatric evaluation was carried out. In addition, it was indicated that, by September 2022, the proposed beneficiary was diagnosed with tonsillar asymmetry (unequal growth of the tonsils), which would require a biopsy. Before the competent Court in 2022 and 2023, it was orally requested that the proposed beneficiary be transferred to the military hospital again, but no response was received. To date, the aforementioned biopsy has not been performed.

22. Considering the information available, the Commission observes that, despite the internal actions taken between 2021 and 2023, the proposed beneficiary’s situation has not been addressed by the competent authorities, nor has his transferred to a medical center for evaluation been approved. In this regard, the Commission understands that, between 2018 and 2023, approximately five years have elapsed without any information shows that the proposed beneficiary is effectively receiving the medical care he allegedly requires.

23. Considering the situation described above, the Commission notes with concern that the State has not responded to the request for information to provide its observations on the request for precautionary measures. Taking into account that the proposed beneficiary is in State custody, and taking into account the lack of response from the national authorities on his current status, it is not possible to know in greater detail whether actions are being implemented to protect the rights of the proposed beneficiary and therefore to assess whether or not the alleged situation of risk has been disproved.

24. In view of the foregoing, and based on the aforementioned assessments, from the *prima facie* standard, the Commission concludes that the existence of a situation of serious risk to the rights to life, personal integrity and health of Mr. Carlos Gustavo Macsotay Rauseo has been sufficiently proved.

25. Regarding the requirement of urgency, the Commission considers that it has been met, as long as the proposed beneficiary remains deprived of liberty in the conditions previously described, and is not being allowed access to adequate and timely medical treatment. The Commission is concerned that after approximately five years, the proposed beneficiary has not received the medical attention he requires. In addition, it is also noted that none of the requests to competent authorities have been answered. Thus, in light of the information available, the evolution of his health condition is likely to cause him even greater harm, and

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therefore immediate measures should be taken.

26. Regarding the requirement of irreparable harm, the Commission considers that it has been met, insofar as the potential impact on the rights to life, personal integrity, by their very nature, constitutes the maximum situation of irreparability.

#### **IV. BENEFICIARY**

27. The Commission declares Carlos Gustavo Macsotay Rauseo, who is duly identified in this proceeding, as beneficiary.

#### **V. DECISION**

28. The Inter-American Commission considers that this matter meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, it requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Carlos Gustavo Macsotay Rauseo. In particular, ensuring that he has access to medical treatment, as indicated by the corresponding physicians, and that the authorities prepare a medical report that verifies the beneficiary's current health;
- b) take the necessary measures to ensure that the beneficiary's detention conditions are compatible with the applicable international standards;
- c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

29. The Commission requests the State of Venezuela report, within 15 days from the day following notification of this resolution, on the adoption of the precautionary measures requested and to update this information on a regular basis.

30. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment on any violation of the rights protected under the applicable instruments.

31. The Commission instructs its Executive Secretariat to notify the State of Venezuela and the applicant of this resolution.

32. Approved on May 16, 2023, by Margarete May Macaulay, President; Esmeralda Arosemena de Troitiño, First Vice-President; Roberta Clarke, Second Vice-President; Julissa Mantilla Falcón; and Carlos Bernal Pulido, members of the IACHR.

María Claudia Pulido  
Assistant Executive Secretary