

---

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 89/2024**

Precautionary Measure No. 125-19  
**María Corina Machado Parisca regarding Venezuela**  
November 25, 2024  
(Follow-up and Modification)  
Original: Spanish

**I. SUMMARY**

1. The Inter-American Commission on Human Rights (IACHR) decides to issue this follow-up and modification resolution on precautionary measures in the terms of Article 25 of its Rules of Procedure. The Commission regrets the lack of response from the State regarding the measures adopted to implement these precautionary measures. Based on the available information and evaluated as a whole, the IACHR determined that a situation that puts Ms. María Corina Machado Parisca at risk persists under the terms of Article 25 of its Rules of Procedure, and accordingly decided the following:

- a) Continue to monitor the situation of María Corina Machado Parisca in Venezuela;
- b) Not to extend the precautionary measures in relation to the requested persons;
- c) Modify the scope of these precautionary measures and to require that the State:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Ms. María Corina Machado Parisca;
  - ii. implement the necessary measures to guarantee that the beneficiary can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise thereof; In particular, to formally inform the beneficiary about the existence of any investigation against her, including at least: the facts under investigation, the alleged offenses, the prosecutor's office in charge of the investigation, and the competent judicial authority overseeing the case. The State must allow the beneficiary and/or her representation to have access to the entire criminal file against her, if it exists, thereby allowing her to submit the corresponding appeals and guaranteeing her security in the processing of the file;
  - iii. consult and agree upon the measures to be adopted with the beneficiary and her representation; and
  - iv. report on the actions taken to investigate the alleged events that led to the adoption of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats and acts of violence reported, including those that could have been against the beneficiary at the hands of State officials and/or agents.

**II. BACKGROUND INFORMATION**

2. On April 12, 2019, the IACHR decided to grant precautionary measures in favor of María Corina Machado Parisca, in Venezuela. According to the request, María Corina Machado Parisca was subject to threats and harassment allegedly due to her political participation in the Venezuelan context. Upon analyzing the submissions of fact and law, the Commission considered that María Corina Machado Parisca was in a serious and urgent situation, given that her rights faced a risk of irreparable harm. Therefore, pursuant to Article 25 of its Rules of Procedure, it required that the State of Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Ms. María Corina Machado Parisca;

- b) implement the necessary measures to guarantee that the beneficiary can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise thereof;
- c) consult and agree upon the measures to be adopted with the beneficiary and her representatives;
- 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 them from reoccurring.<sup>1</sup>

3. Subsequently, on December 19, 2023, the Commission issued a resolution to follow up on these precautionary measures. At that time, the Commission took into account an increase in stigmatizing statements by public officials, as well as multiple incidents of harassment, death threats, and assaults against the beneficiary. The IACHR emphasized the beneficiary's prominent role as the most visible opposition figure in the electoral context at the time, along with the unique challenges and impact she faced as a woman in politics. The IACHR considered the risk against her continued to exist in the terms of Article 25 of its Rules of Procedure and decided the following:

- a) continue to carry out the appropriate follow-up measures in terms of Article 25(10) and other provisions of its Rules of Procedure;
- b) request the State to submit specific, detailed, and updated information on the implementation of these precautionary measures; and
- c) require that the State of Venezuela:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Ms. María Corina Machado Parisca;
  - ii. implement the necessary measures to guarantee that the beneficiary can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise thereof;
  - iii. consult and agree upon the measures to be adopted with the beneficiary and her representation; and
  - iv. report on the actions taken to investigate the alleged events that led to the adoption of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats and acts of violence reported, including those that may have been against the beneficiary at the hands of State officials and/or agents.<sup>2</sup>

### **III. SUMMARY OF INFORMATION PROVIDED BY THE REPRESENTATION FOLLOWING THE GRANTING OF THE PRECAUTIONARY MEASURES**

4. Following the adoption of the decision to follow up on the precautionary measures on December 19, 2023, the Commission has continued to follow up on this matter by requesting information from the parties under the terms of Article 25 (10) of its Rules of Procedure. The IACHR has requested and forwarded information on March 11, July 18 and 24, and October 8, 2024. The representation submitted information on February 15, July 24, September 24, and October 2, 3, and 11, 2024. The State has not sent information, despite the various requests for information, and all deadlines have since expired. In addition, the representation has consistently reported that the State has failed to implement measures to protect the beneficiary.

5. On September 24 and October 2, 2024, the representation requested an extension in favor of five people<sup>3</sup> who are sheltered at the Argentine Embassy in Venezuela. These individuals are coordinators of

---

<sup>1</sup> IACHR, Resolution 22/2019, Precautionary Measure No. 125-19, [María Corina Machado Parisca regarding Venezuela](#), April 12, 2019 (Available only in Spanish).

<sup>2</sup> IACHR, Resolution 76/2023, Precautionary Measure No. 125-2019, [María Corina Machado Parisca, regarding Venezuela \(Follow-up\)](#), December 19, 2023 (Available only in Spanish).

<sup>3</sup> The individuals are the following: (1) Magallí Meda Padrón de Olavarría, (2) Pedro Alejandro Urruchurtu Noselli, (3) Claudia Macero González, (4) Humberto Villalobos Belfort, and (5) Jesús Omar González.

the beneficiary's *Vente Venezuela* party.<sup>4</sup> On October 3, 2024, the representation requested that the precautionary measures in favor of the beneficiary be updated.<sup>5</sup>

**A. Information provided by the representation**

6. On February 15, 2024, the representation informed that, on December 15, 2023, upon learning of a political disqualification against the beneficiary, an injunction was filed before the Political-Administrative Chamber of the Supreme Court of Justice (TSJ). On January 26, 2024, the Supreme Court ruled the appeal inadmissible and confirmed that the beneficiary was politically disqualified from holding public office for 15 years, based on a 2021 resolution issued by the Office of the Comptroller General of the Republic of Venezuela. It was alleged that the applicant has not had access to the file or to the aforementioned resolution, since they had not been notified.

7. The representation indicated that the beneficiary's security detail is of a private nature due to the lack of protection measures by the State. On February 7, 2024, during a political activity in Charavalle, Miranda, the beneficiary and her team of the *Vente Venezuela* party were attacked with stones and sticks by "chavista collectives." Some of the leaders were injured and bloodied. The beneficiary was able to take shelter. The attacks were allegedly "celebrated" by pro-government representative Diosdado Cabello, who stated on his program "Con el mazo dando" that "they act tough, but when they see a serious face, they get scared." On July 24, 2024, the representation stated that the attacks have progressively become more severe. It was reported that during the opposition's presidential campaign, state security agents followed her and her team from Portuguesa state to Lara state. Officials reportedly harassed them, watched them, and even surrounded the places where they stayed overnight.

8. The representation informed that Milcíades Ávila, the beneficiary's head of security, was arrested while sleeping in the early morning of July 17, 2024, days before the events involving the vehicles. Mr. Ávila was also accused of gender violence by women who allegedly attempted to assault the beneficiary and then candidate Edmundo Gonzalez Urrutia on July 13, 2024. They reported that, on July 18, 2024, within a private, guarded residential complex, the beneficiary and her team's vehicles were vandalized. It was reported that paint was thrown on the windows and windshields, the engine oil of one vehicle was drained, and both vehicles were severely damaged, rendering them unusable. Additionally, the brake hoses of one vehicle were cut, an act described as a "failed attempt to endanger the lives" of the beneficiary and her team. In view of the public dissemination of the events, two days later, the Attorney General declared that it was a "false positive" [In Venezuela, a *falso negativo* refers to a situation where something or someone is incorrectly identified as not being or having something when they actually do], and that the beneficiary has not shown any proof that these acts occurred. The Prosecutor's Office initiated a criminal investigation against a leader of the beneficiary's party and accused them of being hired by her to fabricate the crime.

9. On March 20, 2024, the Office of the Attorney General ordered the arrest of nine political opponents of the *Vente Venezuela party* led by the beneficiary, including the five proposed beneficiaries, who performed coordination functions in the party and in the opposition's presidential campaign.<sup>6</sup> Authorities

---

<sup>4</sup> The representation requests that the State be required to fulfill the following: cease politically motivated criminal prosecution and annul the orders for investigation and detention due to the exercise of her political activity; put a stop to the attacks, assaults, harassment, intimidation, and threats by officials; respect her status as a political asylee and grant the necessary safe-conducts for her to leave Venezuelan territory; and ensure adequate protective measures, among others.

<sup>5</sup> The representation requests that the State be required to fulfill the following: cease the arbitrary and politically motivated criminal prosecution, refraining from issuing and annulling orders for criminal investigations and/or detention orders issued due to the legitimate exercise of her political activity; put a stop to the attacks, assaults, harassment, intimidation, and threats by high-ranking officials; and ensure adequate protective measures, among others.

<sup>6</sup> They specified their functions: Magallí Meda Padrón de Olavarría, Head of Campaign of María Corina Machado; Pedro Alejandro Urruchurtu Noselli, Coordinator of International Affairs of *Vente Venezuela* and Coordinator of International Relations of the Machado

closed their bank accounts and annulled their passports. The arrest warrants were for the crimes of treason, terrorism, conspiracy, acts of violence to destabilize the government, and conspiracy against the government.<sup>7</sup> The applicant classifies the situation as political persecution. In April 2024, two of the nine individuals were reportedly arrested. As a result, the Argentine government granted diplomatic asylum to the five proposed beneficiaries, and they were received at its embassy in Venezuela. However, the Venezuelan government refused to issue safe-conducts for them to leave Venezuelan territory and travel to Argentina. It was stated that they were required to sign a document pledging to withdraw from public and political life.

10. The beneficiary has been subjected to the following: obstruction of venues designated for her political events; unexpected highway closures with the deployment of security personnel; arbitrary interruptions of campaign activities; and attempted sabotage by government-affiliated motorcyclists, among other acts. In addition, the representation indicated that the current government punished establishments that served the beneficiary. For example, the authorities shut down nine hotels and restaurants following visits from the beneficiary and her team. They also reported that President Nicolas Maduro declared that there would be “a bloodbath” if he did not win the elections on July 28.

11. On July 28, 2024, the presidential election was held in Venezuela. The representation affirmed that Edmundo González Urrutia, of the *Plataforma Unitaria*, was elected according to the official voting records. However, the National Electoral Council (CNE) announced that Nicolás Maduro was the winner, which the beneficiary denounces as electoral fraud. She questioned the CNE’s failure to publish official results, claiming a hacking incident. In addition, she referred to the context of post-electoral repression in Venezuela in the face of peaceful protests against the results published by the CNE.

12. After the election and the refusal of multiple governments to recognize the electoral results, Venezuela expelled the diplomatic corps of several countries, including the Argentine embassy. They reported that Venezuelan authorities suspended the power supply to the embassy, and Venezuelan security forces harassed the embassy residence with the presence of hooded men from the National Bolivarian Police (PNB). They reported that, four days after the expulsion of the diplomatic corps, the Brazilian government assumed the diplomatic representation of the Argentine Republic in Caracas, including the protection of individuals granted asylum. A week later, the power supply to the building was restored. It was reported that the five proposed beneficiaries continue to live in an environment of tension and isolation. They allegedly face irregular power supply and severe restrictions on visits, and are also denied entry of requests and packages, which impede their access to food and personal hygiene products.

13. The representation stated that the ruling by the TSJ, which confirms the validity of the results issued by the CNE, also orders the Attorney General to determine responsibility for the dissemination of “allegedly false or forged documents” uploaded to the website where opposition records were posted, and to investigate the cyberattack. In addition, the Prosecutor threatened to charge Ms. Machado and her team with the crime of homicide in connection with the death of 25 people in the context of protests, accusing them of having created a plan to destabilize the government.

14. On September 2, 2024, the First Special Judge of the First Instance Court with jurisdiction over cases related to terrorism offenses issued an arrest warrant against Edmundo González for various crimes.<sup>8</sup>

---

campaign; Claudia Macero González, National Coordinator of Communications of *Vente Venezuela*; Humberto Villalobos Belfort, National Electoral Coordinator of *Vente Venezuela* and Coordinator of the Machado Campaign Electoral Center; and Jesús Omar González, member of the National Directorate of the *Vente Venezuela* political party and Electoral Coordinator of Machado’s campaign command.

<sup>7</sup> As background, the representation indicated that on December 6, 2023, the Attorney General of Venezuela accused the proposed beneficiary Urruchurtu and the proposed beneficiary Macero of the existence of a destabilizing plan, without any basis. Therefore, on December 6, 2023, both took refuge in the Embassy of the Netherlands in Caracas for two weeks. On December 20, 2023, within the framework of negotiations between the Venezuelan authorities and the United States, they obtained conditional release.

<sup>8</sup> Usurpation of functions, forgery of public documents, incitement to disobedience of laws, conspiracy, sabotage of systems, and criminal association.

This forced Mr. Gonzalez to request diplomatic asylum and go into temporary exile in Spain. They consider that this increases the risk against María Corina Machado, as she is now the only opposition figure defending the results of the elections that took place on July 28 in the country. Moreover, there are serious rumors that an arrest warrant will be issued against her in order to silence her. The representation indicates that an authoritarian government seeks to deprive her of her liberty.

15. On September 6 and 7, 2024, in the context of Mr. Edmundo Gonzalez's departure from the country, multiple patrols of security forces besieged and threatened to take over the Argentine Embassy and suspended the electricity supply. On September 7, 2024, the Venezuelan Foreign Ministry announced that it was revoking Brazil's approval to represent Argentina in Venezuela and the custody of its premises. Brazil responded that, in accordance with the Vienna Convention on Diplomatic Relations, it would continue to uphold and defend Argentina's interests until the Argentine government designates another state to carry out these functions. It was reported that the siege by security officers of the PNB and the Bolivarian National Intelligence Service (SEBIN) continues. The representation claims arbitrary criminal prosecution on political grounds against the five individuals and the denial of the issuance of safe-conduct passes. They fear a violent and forcible seizure of the embassy by Venezuelan security forces with a view to their arrest.

16. On October 3, 2024, it was reported that beneficiary Machado and Mr. Edmundo González Urrutia issued a statement addressed to state security forces. They called for them to stand with the people and respect the real election results, and urged them not to repress the protests. In response, the Attorney General of the Republic announced an investigation against them for the crimes of usurpation of functions, dissemination of false information to cause disturbance, incitement to disobey the law, incitement to insurrection, association for criminal purposes, and conspiracy. It referred to the possible existence of an arrest warrant against the beneficiary, who has not been notified. The president of the National Assembly, Jorge Rodríguez, publicly indicated that the beneficiary and Mr. Edmundo González should be in prison.<sup>9</sup> The vice president of the ruling party and current Minister of Interior, Justice, and Peace, Diosdado Cabello, threatened to imprison Ms. Machado, and declared that she would be charged without any benefits. He added the following: "We're not going to stop, and if you want to provoke us, let me tell you something, we'll fall into the provocation, but we'll take you down, we'll take you down [...] we're going to teach you the lesson of all lessons."

17. Following the earlier statements, in the early hours of August 2, 2024, six armed men, who had their faces covered and did not show any identification, entered the headquarters of *Comando Con Venezuela*, the beneficiary's political office. They subdued and threatened the building's security guards, broke down doors, defaced the office walls, and stole documents and equipment. Given the situation, Ms. Machado had to hide. She reportedly revealed in an interview that "she fears for her life due to the threats of arrest warrants against her and the intimidation and harassment that have been publicly issued by the Venezuelan authorities." President Nicolás Maduro has reportedly labeled the beneficiary as a "fugitive from justice" and a "terrorist" for hiding in an undisclosed location. He requested that the Attorney General negotiate the surrender of "la Machado" to justice so that she can face her responsibilities and answer for the alleged crimes she committed.

18. On October 11, 2024, the representation reported that on September 29, 2024, Mr. Milcíades Ávila and Mr. Edwin Moya, both from Machado's security team, were arrested and their whereabouts are currently unknown. They recalled that State security agents previously arrested Milcíades Ávila, head of the beneficiary's security team, on July 17, 2024, and he was released 36 hours later. They consider that this

---

<sup>9</sup> The statement made by Jorge Rodríguez in the National Assembly session of July 30, 2024 was provided: "With fascism you cannot have contemplations, there is no dialogue, fascism is not given procedural benefits, nor are they pardoned [...]. The laws must be applied, and by this, I mean the Public Prosecutor's Office must act not only against the criminals and drug addicts, but also against their leaders, those who ordered and paid them. Not only against María Corina Machado, who must be imprisoned, but also against Edmundo González Urrutia, as he is the leader of the fascist conspiracy they are attempting to impose in Venezuela."



represents an attempt to destabilize the beneficiary's security system. They argue that actions have been taken to undermine her private security detail to leave her in a vulnerable and unprotected situation.

## **B. Response from the State**

19. The IACHR has not received a response from the State on the implementation of these precautionary measures. Nor has it received information proving that the State has been adopting measures during the time the measures have been in force. All deadlines granted to the State have since expired.

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

20. The mechanism of precautionary measures 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 provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. The mechanism of precautionary measures is set forth 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 irreparable harm to persons.

21. 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>10</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.<sup>11</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>12</sup> As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their objective 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 render moot or disprove the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures allow the State concerned to comply with the final decision and, if necessary, implement the ordered reparations.<sup>13</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;

---

<sup>10</sup> I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; Case of Carpio Nicolle et al. v. Guatemala, Provisional Measures, Order of July 6, 2009, considerandum 16 (Available only in Spanish).

<sup>11</sup> I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5. (Available only in Spanish)

<sup>12</sup> I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

<sup>13</sup> I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; [Matter of "El Nacional" and "Así es la Noticia" newspapers](#), Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; [Matter of Luis Uzcátegui](#), Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19 (Available only in Spanish).

- 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.

22. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard.<sup>14</sup> Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not called upon to determine any violation of the rights enshrined in the American Convention or other applicable instruments.<sup>15</sup> This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of the Rules of Procedure, which can be resolved without making any determination on the merits.<sup>16</sup>

23. Article 25(9) provides that the Commission shall evaluate periodically, at its own initiative or at the request of either party, whether to maintain, modify, or lift the precautionary measures in force. In this regard, the Commission shall evaluate whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may comply with the requirements outlined in Article 25 of its Rules of Procedure. Similarly, Article 25(10) establishes that the Commission shall take appropriate follow-up measures, such as requesting relevant information from the interested parties on any matter related to the granting, observance and maintenance of precautionary measures. These measures may include, as appropriate, timetables for implementation, hearings, working meetings, and visits for follow-up and review. Through Resolution 2/2020 of April 15, 2020,<sup>17</sup> the IACHR ruled on the possibility of issuing Follow-up Resolutions.

24. On this occasion, the Commission decides to issue this *Follow-up and Modification Resolution*, considering the information recently received, focusing on the current situation of the beneficiary after the presidential election in July 2024. The Commission analyzes the request for an extension regarding the five persons lodged in the residence of the Argentine Embassy in Venezuela. The structure of the analysis is as follows: i) Lack of response from the State in this matter; ii) Current context of the State of Venezuela; iii) Ongoing situation at risk in light of Article 25 of the IACHR Rules of Procedure; and iv) Request for extension of the precautionary measures.

**(i) Lack of response from the State in this matter**

25. The Commission states that it has not received official information from the State on the measures which are reportedly being adopted to implement these precautionary measures. The Commission highlights that, according to the information provided by the representation, the State reportedly has had constant knowledge of the beneficiary’s situation, as even authorities and public officials mention her situation.

---

<sup>14</sup> I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); [Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA](#), Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

<sup>15</sup> IACHR, [Resolution 2/2015](#), Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; [Resolution 37/2021](#), Precautionary Measure No. 96-21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

<sup>16</sup> In this regard, the Court has stated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2 (Available only in Spanish).

<sup>17</sup> IACHR, [Resolution 2/2020](#), Strengthening of the Monitoring of Precautionary Measures in Force, April 15, 2020.

Additionally, there have been reports of surveillance and being followed by individuals who are reportedly State officials.

26. The Commission regrets the lack of willingness and response from the State, since dialogue and agreement are essential for the adequate implementation of precautionary measures and, ultimately, to protect the beneficiaries' rights to life and their integrity. Without information from the State, it is impossible to know the possible efforts or progress that the State is making in order to protect the beneficiary's rights. The Commission recalls that, according to the Inter-American Court, failure to comply with the State duty to report on all the measures adopted in the implementation of its decisions of international protection measures, such as precautionary measures, is particularly serious, given the legal nature of these measures, which seek to prevent irreparable harm to people in serious and urgent situations.<sup>18</sup> The duty to inform constitutes a dual obligation that requires, for its effective fulfillment, the formal presentation of a document on time and the specific, true, current and detailed material reference to the issues on which that obligation falls.<sup>19</sup>

**(ii) Current context of the State of Venezuela**

27. When analyzing compliance with the procedural requirements, Article 25(6) of its Rules of Procedure establishes that the Commission shall consider the context in which it is inserted. Therefore, the IACHR recalls the specific context of Venezuela, which it has been closely monitoring. Currently, this country is incorporated into Chapter IV.B of the Annual Report of the IACHR in accordance with Article 59, paragraphs 6.a.i, 6.a.ii, 6.d.i and 6.d.iii of the Rules of Procedure. In 2017, through its *Democratic Institutions, the Rule of Law and Human Rights in Venezuela Report*, the Commission documented "the weakness of democratic institutions and the progressive deterioration of the human rights situation."<sup>20</sup> At the same time, it highlighted the frequent interference of the Executive Branch on the other powers, in breach of the principle of separation, warning of decisions of the Supreme Court of Justice that affected the powers of the National Assembly (AN).<sup>21</sup> In its 2023 Annual Report, the Commission observed that the Executive Branch's control over the other branches persists, stating that "the progressive concentration of power in the executive branch and the absence of the Rule of Law have been documented throughout these years."<sup>22</sup>

28. With regard to the *situation of the opponents or persons identified as opponents in Venezuela*, the Commission has been pronouncing itself over recent years.<sup>23</sup> In its 2017 Country Report, the Commission noted with concern the existence of a pattern of serious human rights violations for those who publicly demonstrate or assume dissenting positions, particularly with the Executive Power.<sup>24</sup> The Commission noted that a pattern of multiple acts of harassment, persecution through the media, the destitution of political dissidents from public office, disqualification from political activity, violation of immunity, interference in public functions, unlawful raids on private property, and acquiescence in the face of violent acts against

---

<sup>18</sup> I/A Court H.R., Matter of Communities of Jiguamiandó and Curvaradó regarding Colombia, Provisional Measures, Order of February 7, 2006, considerandum 16 (Available only in Spanish); and Case of Luisiana Ríos et al. (Radio Caracas Televisión – RCTV), Provisional Measures, Order of September 12, 2005, considerandum 17 (Available only in Spanish).

<sup>19</sup> I/A Court H.R., previously cited.

<sup>20</sup> IACHR, Democratic Institutions, the Rule of Law and Human Rights in Venezuela, OEA/Ser.L/V/II, December 31, 2017, para. 43.

<sup>21</sup> IACHR, previously cited, para. 44.

<sup>22</sup> IACHR, 2023 Annual Report Chapter IV.b. Venezuela, December 31, 2023, paras. 1-2.

<sup>23</sup> See in this regard: IACHR Country Report, Democratic Institutions, Rule of Law and Human Rights in Venezuela, December 31, 2017, para. 470; IACHR and its Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights Condemn the Violent Repression in Venezuela and Urge the State to Protect Human Rights in the Current Political, Economic and Social Crisis, March 1, 2019; IACHR Observes Persistent Human Rights Issues in Venezuela, April 5, 2019; IACHR Condemns the Escalation of Attacks against Members of the Venezuelan National Assembly, May 14, 2019.

<sup>24</sup> IACHR, Democratic Institutions, the Rule of Law and Human Rights in Venezuela. Country Report, December 31, 2017, para. 163.



members of the opposition and, in general, against anyone voicing dissent.<sup>25</sup> Harassment also takes the form of numerous stigmatizing pronouncements against senior officials and opposition leaders.<sup>26</sup>

29. In line with the above, in its 2021 Annual Report, “the persecution, accusations and harassment of opposition voices in Venezuela, as well as against people who express criticism of the government” was highlighted.<sup>27</sup> In this regard, in the 2022 Annual Report, the Commission considered the existence of a context of “harassment, persecution, arbitrary detentions, lack of transparency and stigmatizing accusations against those who investigate and actively participate in matters of public and political interest.”<sup>28</sup> Under this scenario, the IACHR has urged the Venezuelan State to guarantee the independence and balance of public powers and participation in public affairs without any type of discrimination.<sup>29</sup>

30. In its 2021 Annual Report, the Commission noted that temporary enforced disappearances have been systematically practiced in Venezuela, mainly against persons perceived as opponents.<sup>30</sup> These occur mostly due to the deliberate reluctance of the authorities to report the whereabouts of detained persons, as well as not bringing persons before the courts within the legal 48-hour period after detention.<sup>31</sup> In various testimonies collected by the IACHR, there is the suggestion that temporary forced disappearances are a tool of political repression in Venezuela.<sup>32</sup> In its 2023 Annual Report, the Commission observed the persistence of a coordinated repression policy, and recommended that the State of Venezuela refrain from carrying out illegal or arbitrary detentions. In cases where a person is deprived of liberty, the State should ensure that all due process guarantees are upheld, including prompt presentation before an independent judicial authority, in order to prevent enforced disappearances, torture, and other cruel and inhumane treatment.<sup>33</sup>

31. In the *electoral context leading up to the 2024 presidential elections*, the Inter-American Commission on Human Rights warned about the political persecution of individuals. The IACHR became aware of the disqualification of María Corina Machado Parisca, who had won the opposition’s primary elections, for 15 years from holding public office, as communicated by the Office of the Comptroller General in a letter dated June 30, 2023. The Commission also reminded that similar disqualifications occurred in 2021, when the National Electoral Council rejected 27 candidacies.<sup>34</sup> On that occasion, the Commission recalled the *Case of López Mendoza* and reiterated that “no administrative body can restrict the political rights to elect and be elected through sanctions of disqualification or removal”, which is the result of a State policy that seeks to close the civic space in the country.<sup>35</sup>

32. The IACHR acknowledged the significance of the agreements between the Venezuelan government and the Unitary Platform signed on October 17, 2023, in Barbados. Under these agreements, the government committed to establishing a “timetable and roadmap for presidential elections that guarantee the participation of all candidates without arbitrary restrictions, under equal conditions and with security

---

<sup>25</sup> IACHR, previously cited, para. 164.

<sup>26</sup> IACHR, previously cited.

<sup>27</sup> IACHR, [2022 Annual Report](#), Chapter IV.B. Venezuela, para. 123.

<sup>28</sup> IACHR, [2022 Annual Report](#), Chapter IV.B. Venezuela, para. 43.

<sup>29</sup> IACHR, [2022 Annual Report](#), Chapter IV.B. Venezuela, para. 196; Annual Report 2022, Chapter IV.B. Venezuela, recommendation 3.

<sup>30</sup> IACHR, [2021 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II, approved on May 26, 2022, para. 82.

<sup>31</sup> IACHR, previously cited, para. 82.

<sup>32</sup> IACHR, [2021 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II, approved on May 26, 2022, para. 84.

<sup>33</sup> IACHR, [2023 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, approved on December 31, 2023, Recommendation 8.

<sup>34</sup> IACHR, Press Release 155/2023, [Venezuela: IACHR Condemns Politically Motivated Persecution of Individuals in Run-Up to Elections](#), July 14, 2023.

<sup>35</sup> IACHR, previously cited.

guarantees.”<sup>36</sup> However, it was learned that, following the citizen consultation of October 22, 2023 to elect the opposition candidate for the Presidency of the Republic, the Public Prosecutor’s Office opened a criminal investigation against the organizers of the consultation.<sup>37</sup> The IACHR and its Special Rapporteurship on Freedom of Expression (SRFOE, or RELE in Spanish) condemned these actions for contradicting the spirit of the agreements reached and for their discouraging effect on political participation. They emphasized that it is essential not to criminalize initiatives aimed at promoting citizen participation.<sup>38</sup>

33. Prior to that period, in its 2022 Annual Report, the Commission identified that political disqualifications imposed by the Office of the Comptroller General of the Republic of Venezuela had taken place: at least 30 people had been prevented from running for elected office, disproportionately affecting political parties dissenting from the government.<sup>39</sup> On that occasion, the Commission stated that, while the Constitution establishes the separation and independence of powers, after years of interference, particularly in the judiciary, the Executive branch continues to monopolize all public powers in the State. As a result, the Commission noted that national public institutions primarily function to ensure the ruling party’s continued hold on power, rather than to promote and protect human rights.<sup>40</sup>

34. With regard to the **current post-electoral context**, the Commission condemned the serious human rights violations denounced during the repression of the post-electoral protests in Venezuela in light of the events that took place on July 28, 2024.<sup>41</sup> The IACHR was informed of at least 11 cases of forced disappearance, while expressing its concern about the repression of political opponents in the post-electoral context in Venezuela; the Commission referred to the case of María Corina Machado, who has had precautionary measures from the IACHR since 2019 and has been intimidated by the Public Prosecutor’s Office for denouncing irregularities in the electoral vote count. Threats were also noted to the residence of the Argentine Embassy, where several people who have collaborated with the opposition were reportedly sheltered, raising concerns about the inviolability guarantees of embassies, especially those providing refuge to political opponents.<sup>42</sup>

35. On August 15, 2024, the IACHR and its SRFOE condemned practices of State terrorism in Venezuela, including violent repression, arbitrary detentions, and political persecution.<sup>43</sup> It was stated that the current regime is using fear as a tool to silence citizens and maintain its authoritarian rule, and that Venezuela must immediately stop violating human rights and restore democratic order and the rule of law.<sup>44</sup> In this context, the Commission has received reports of arbitrary detentions and short-term forced disappearances, during which acts of sexual violence against women and other actions potentially amounting to torture were allegedly committed. These reports indicate selective deprivation of liberty targeting electoral volunteers and those perceived as opponents of the regime, including journalists, opposition leaders, human rights defenders, and university students.<sup>45</sup> Additionally, it was found that detainees were subjected to criminal proceedings for crimes defined in ambiguous and broad terms, without the opportunity to be represented by a defense counsel of their choice, as public defenders were imposed on them. The IACHR stressed that “the practices of state terrorism perpetrated by the current regime and observed by the Commission are not only aimed at the

---

<sup>36</sup> IACHR, Press Release 253/2023, [Venezuela: IACHR Urges State to Implement Agreements, Including Guarantees for Political Participation](#), October 27, 2023.

<sup>37</sup> IACHR, previously cited.

<sup>38</sup> IACHR, previously cited.

<sup>39</sup> IACHR, [2022 Annual Report Chapter IVb – Venezuela](#), April 1, 2023, para. 22.

<sup>40</sup> IACHR, previously cited, para. 13.

<sup>41</sup> IACHR, Press Release 174/24, [Venezuela: IACHR and Special Rapporteur for Freedom of Expression Condemn Serious Human Rights Violations During Post-Election Protest Repression](#), July 31, 2024.

<sup>42</sup> IACHR, previously cited.

<sup>43</sup> IACHR, Press Release 184/24, [IACHR and SRFOE condemn State terrorism practices in Venezuela](#), August 15, 2024.

<sup>44</sup> IACHR, previously cited.

<sup>45</sup> IACHR, previously cited.

persecution of specific sectors, but also generate a climate of fear and intimidation among the Venezuelan population,” which “amount also to a denial of the right to political participation.”<sup>46</sup>

36. On August 23, 2024, the IACHR and its SRFOE warned about the arbitrary detention of journalists and the criminalization of dissidence in the country, reporting around 1,500 registered detentions “including activists, human rights defenders, opposition leaders, electoral witnesses, and journalists”, as well as digital repression and the closure of news spaces.<sup>47</sup>

37. On August 29, 2024, the Commission condemned the persecution of human rights defenders and called on Venezuela to “to immediately end State-sponsored terrorist practices” while noting the repressive patterns of repression by the State against human rights defenders.<sup>48</sup> In addition, it indicated that the deprivation of liberty was accompanied by the violation of judicial guarantees, such as incommunicado detention, failure to appear before the courts in a timely manner, among others.<sup>49</sup> The Commission warned that the repression intensified during the post-electoral crisis and is part of a broader context of attacks against human rights defenders.<sup>50</sup> Lastly, the Commission called for an “end harassment and arrests and to ensure that defenders may do their work in defense of human rights without intimidation.”<sup>51</sup>

38. On September 13, 2024, the Inter-American Commission on Human Rights condemned the forced exile of opposition presidential candidate Edmundo González. Mr. González left Venezuela on September 7, seeking international protection in Spain. According to opposition leader María Corina Machado, his decision was not made freely, but was rather a measure to safeguard his life, integrity, and freedom.<sup>52</sup> At the same time, the Commission observed that on September 6, the official residence of the Argentine Embassy in Caracas, which has been under Brazilian custody since August 1, was harassed by at least 20 armed state agents, who cut off the power supply and suspended the entry of food for at least 24 hours.<sup>53</sup>

39. In the context outlined above, the Commission has granted precautionary measures in favor of political leaders and members of opposition parties, as well as individuals critical of the current government of Venezuela. Many of these individuals supported Edmundo González’s candidacy or worked closely with María Corina Machado, who is also a beneficiary of precautionary measures,<sup>54</sup> as most of them have been missing following their detention by state agents.

***(iii) Ongoing risk in light of Article 25 of the IACHR Rules of Procedure***

40. The Commission recalls that the aim of these measures is to protect the life and personal integrity of Ms. María Corina Machado Parisca, and to guarantee that she can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise of these activities.<sup>55</sup> In 2023, the Commission raised concerns about the escalating risk to her safety as she became the most prominent figure in the opposition, following her election as the presidential candidate for the opposition. That same year, the Commission also identified constant harassment, being followed, and

<sup>46</sup> IACHR, previously cited.

<sup>47</sup> IACHR, Press Release 190/2024, [The SRFOE Alerts the International Community about Arbitrary Detention of Journalists and Criminalization of Dissent in Venezuela](#), August 23, 2024.

<sup>48</sup> IACHR, Press Release 198/2024, [IACHR Condemns Persecution of Human Rights Defenders in Venezuela](#), August 29, 2024.

<sup>49</sup> IACHR, previously cited.

<sup>50</sup> IACHR, previously cited.

<sup>51</sup> IACHR, previously cited.

<sup>52</sup> IACHR, Press Release 215/24, [IACHR condemns forced exile of Edmundo González and acts of aggression at Argentina's embassy in Venezuela](#), September 13, 2024

<sup>53</sup> IACHR, previously cited.

<sup>55</sup> IACHR, Resolution 22/2019, previously cited.

aggressions throughout her campaign activities, with the presence of serious death threats and the use of stigmatizing and gender-stereotyped discourse.<sup>56</sup>

41. Considering the aforementioned background and the current context of the country, the Commission understands that the risk that the beneficiary faces continue to intensify. In reaching this conclusion, the Commission assesses the following facts:

- i. The events that place the beneficiary at risk have been sustained over time, especially those that occurred during her political tour, and on February 7, July 18 and August 2, 2024.
- ii. The persistence of the occurrence of events against the beneficiary, especially due to her political activities. For example, on July 18, 2024, the objective was to directly damage the vehicles that the beneficiary and her team used. There was also particular seriousness given to the allegation of a potential assassination attempt, as the brake hoses of her vehicle were cut. In the same vein, on August 2, 2024, the attack was directed directly at the beneficiary's political office with the presence of armed individuals who stole sensitive information and attacked the people they were guarding.
- iii. The stigmatizing discourse that has permeated against the beneficiary by high-ranking government officials, including the current president, member of the house of representatives, and ministers. For example, the attack against her was celebrated, with statements such as "they act tough, but when they see a serious face, they get scared"; it was mentioned that there would be a "bloodbath" if the ruling party did not win the election; calls to criminally charge the beneficiary accompanied by the message, "we'll take you down"; and labels such as "fugitive from justice" and "terrorist" for protecting her own safety, among others.

42. Keeping in mind the continuity of events to the detriment of the beneficiary and the public discourse issued by the high authorities against her, the IACHR recalls that the State authorities have a particular role as guarantors of human rights, and therefore have special duties of care in the public debate.<sup>57</sup> According to the Inter-American Court:

In a democratic society, public officers have the position of guarantor of the fundamental rights of people, and, therefore, their statements cannot ignore these or constitute forms of direct or indirect interference for those who seek to contribute to the defense of human rights. This duty of special care is particularly accentuated in situations of greater social conflict, or social or political polarization, precisely because of the set of risks that they may imply for certain people or groups at any given time. Therefore, it is not only the responsibility of the state authorities to respect such rights but also to guarantee them, including against third parties.<sup>58</sup>

43. Given this context, it is important to note that the public discourse from high-ranking State authorities has focused on presenting the beneficiary as a criminal, without being substantiated by any judicial proceedings initiated by the competent authorities. On the contrary, it is observed that they seek to direct the public debate against her as a political opponent in an environment of high polarization, as well as to influence and request actions from the authorities in charge of investigating. It is also regrettable that high-ranking public officials have made statements endorsing acts of violence or using references such as "we'll take you down."

<sup>56</sup> IACHR, Resolution 79/2023, previously cited.

<sup>57</sup> IACHR, [Resolution 26/24](#), Precautionary Measure 438-15, Members of the Venezuelan Program of Education-Action in Human Rights (PROVEA) regarding Venezuela, April 29, 2024, para. 36.

<sup>58</sup> I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 12 (Available only in Spanish).

These messages are not harmless, but rather permeate the actions of third parties against the beneficiary, who feel supported in their actions by the government authorities.

44. The IACHR highlights with extreme concern the lack of implementation of protection measures in favor of the beneficiary. On one hand, as a subject of international protection, and on the other, as the current leading political figure of the opposition in the country. Contrary to guaranteeing her safety, state agents have focused on violating her private security equipment. For example, in July 2024, her head of security was detained for approximately 36 hours; and in September 2024, two members of her security team were detained and their whereabouts are unknown to date. In these conditions, the Commission has no information about the adoption or implementation of measures to protect the beneficiary, nor any progress on investigations to clarify the acts of violence against her. As a result, the State leaves her in a state of complete vulnerability and lack of protection. This situation has forced her to protect herself, and she is currently in hiding.

45. Furthermore, there is a lack of research in relation to the reported situations that have placed the beneficiary at risk. Initially, regarding the events of July 18 involving the vehicles, which the representation even classified as an attempted attack, instead of conducting a serious and diligent investigation, the head of the prosecutor's office claimed a lack of evidence from the beneficiary and suggested that she and her team were fabricating the crime, and did not have any basis for these claims.

46. In addition to the previous elements, the IACHR observes that there appears to be an attempt to deprive the beneficiary of her liberty, based on factual grounds similar to those faced by other opposition leaders following the July 2024 elections, many of whom are currently beneficiaries of precautionary measures. In this regard, the Commission has no official information on the existence of any formal arrest warrant against the beneficiary, or on the existence of any recent criminal proceedings against her. In light of the aforementioned circumstances, the Commission believes that the situation faced by the proposed beneficiary aligns with various current concrete risks identified concerning members of the political opposition still present in the country. In these cases, the Commission noted a consistent pattern of state behavior following the arrest of persons viewed or recognized as opposition members, who are detained without knowledge of any criminal charges against them and without judicially issued arrest warrants; their places of detention often remain unknown, and they are unable to access trusted legal representation to safeguard their rights, as described in the context section.

47. Consequently, in light of the events the beneficiary has been facing and considering that the allegations are consistent with the identified context, the Commission believes that the beneficiary is in a situation of particular vulnerability due to her prominent political activity in Venezuela, as she is the leading opposition figure following Mr. Edmundo González's departure from the country. According to the information available, the Commission emphasizes that the beneficiary has no access to material protection to safeguard her rights and is facing a situation of complete lack of safety due to the State, relying solely on her own means for protection. Considering the beneficiary's role in national politics, the Commission understands that the aim is to remove her from the public debate in Venezuela, and to prevent her from continuing to participate, convene, and lead political activities from the opposition. Consequently, the Commission emphasizes its concern about the potentially intimidating effect that this situation may have on others within the opposition in Venezuela.

48. In summary, the Commission finds that the situation of risk of Ms. Machado has been maintained over time, which is at a point of particular intensity, given the political leadership of the beneficiary from the opposition, in the exercise of her political rights. Therefore, a situation of seriousness, urgency, and the need to prevent irreparable harm persists, in light of Article 25 of the IACHR Rules of Procedure.

**(iv) Request for extension of precautionary measures**



49. The representation requested the extension of the precautionary measures in favor of five persons who are currently living in the Argentine Embassy in Venezuela. Although there is a “factual connection”<sup>59</sup> with the precautionary measures initially granted, insofar as their situation is related to their activities in the beneficiary’s political party, the Commission notes the following:

- i. Currently, these individuals are reportedly residing in the Argentine Embassy in Venezuela, where they have been granted diplomatic asylum by the Argentine government. The Embassy is reportedly under diplomatic representation by the Brazilian government. According to the representation itself, the State of Brazil continues with the custody of the premises, as well as with the defense of Argentine interests, in accordance with the applicable regulations.
- ii. To date, the State of Brazil is responsible for the rights to life and personal integrity of the proposed beneficiaries, and is responsible for their protection. This State has not participated in the processing of this case, nor have any arguments been presented to question its actions regarding the proposed beneficiaries.
- iii. Lastly, although the State of Venezuela announced the revocation of Brazil’s approval to represent Argentina in Venezuela and to oversee its premises, the representation itself reported that Brazil continues to perform these functions until the government of Argentina designates another state to assume these responsibilities, in accordance with the applicable regulations.

50. Considering the foregoing, the Commission observes that the proposed beneficiaries’ main request is that the State of Venezuela grant them safe conduct to leave the country, given that they have diplomatic asylum granted by Argentina. In view of this claim, the Commission recalls that the Inter-American Court has indicated, in its Advisory Opinion 25/18, that the granting of diplomatic asylum is a power of the States, as an expression of their sovereignty, and is not protected by Articles 22(7) of the Convention and Article XXVII of the Declaration.<sup>60</sup> Consequently, the obligations deriving from the granting of diplomatic asylum apply to those States that have signed multilateral or bilateral treaties on the subject or that recognize such a right in their domestic legislation.<sup>61</sup>

51. In this regard, the Inter-American Court has emphasized that “the nature of the diplomatic functions and the fact that the legation is located in the territory of the receiving State, introduces a significant difference with territorial asylum, since diplomatic asylum cannot be conceived exclusively from its legal dimension; rather, it has other implications, since there is an interaction between the principle of State sovereignty, diplomatic and international relations, and the protection of human rights.”<sup>62</sup>

52. According to publicly available information, both Argentina and Venezuela are State Parties to the 1954 Convention on Diplomatic Asylum.<sup>63</sup> Within the framework of this interstate treaty, there are specific obligations and guarantees, such as the safe-conduct. While not addressing the dispute, the Commission recalls that, as per the 1969 Vienna Convention on the Law of Treaties, treaties must be carried out in good faith. Given the bilateral and interstate relations, and the diplomatic actions involved in the analysis, in addition to the fact that diplomatic asylum is not protected by the American Convention (which does protect, for example, the right to territorial asylum), under the applicable *prima facie* standard, there are limitations to

---

<sup>59</sup> I/A Court H.R., [Case of Fernández Ortega et al. v. Provisional Measures](#), Resolution of November 23, 2010, considerandum 11 (Available only in Spanish).

<sup>60</sup> I/A Court H.R., The institution of asylum and its recognition as a human right in the Inter-American Protection System (interpretation and scope of Articles 5, 22.7 and 22.8, in relation to Article 1 (1) of the American Convention on Human Rights), [Advisory Opinion AO-25/18](#), of May 30, 2018, Series A No. 25, para. 163 and 109.

<sup>61</sup> I/A Court H.R., previously cited, paras. 156 and 163.

<sup>62</sup> I/A Court H.R., previously cited, 109.

<sup>63</sup> OAS, Department of International Law, Multilateral Treaties, Convention on Diplomatic Asylum, available at: <https://www.oas.org/juridico/english/signs/a-46.html>.

reach determinations such as those sought by the proposed beneficiaries. Consequently, the Commission considers that analyzing this request exceeds the present precautionary measures procedure and it is not its responsibility to resolve a dispute of a mainly interstate diplomatic nature.

53. Lastly, the Commission acknowledges the representation's concerns about the ongoing harassment of the Argentine Embassy by Venezuelan state agents, which could jeopardize the inviolability of the premises where the proposed beneficiaries are currently staying. On these aspects and other contextual information provided, the IACHR has been closely monitoring the situation, pronouncing itself on the situation at the Embassy of Argentina in its press releases of July 31<sup>64</sup> and September 13, 2024.<sup>65</sup> In this regard, the Commission "emphasizes the importance of States adhering to the international obligations that stem from customary international law and treaties, including the 1961 Vienna Convention on Diplomatic Relations and the 1954 Convention on Diplomatic Asylum."<sup>66</sup> At the same time, the IACHR recalls the following:

"In a functioning democracy, no political leader should be forced to seek refuge in an embassy or flee their country to protect fundamental rights such as life, integrity, and liberty. The IACHR stresses that these actions by the Venezuelan State appear designed to instill fear and discourage the opposition from participating in politics. The IACHR again calls on the Venezuelan State to respect, protect, and guarantee the human rights of all Venezuelans and to use all available means to resolve conflicts, prioritizing dialogue and negotiation."<sup>67</sup>

54. Under the current circumstances, the IACHR considers that the extension of precautionary measures is not appropriate in relation to the situation at hand, as it exceeds the scope of the precautionary measures mechanism. Notwithstanding the foregoing, the Commission will continue to follow up on the aforementioned situation through its monitoring mechanisms.

## V. DECISION

55. The Inter-American Commission on Human Rights considers that a situation of risk continues to meet *prima facie* requirements of seriousness, urgency, and irreparable harm contained in Article 25 of its Rules of Procedure, in relation to Ms. María Corina Machado Parisca, in the terms indicated in this resolution. It also finds that the requested request for the extension of precautionary measures exceeds the mechanism of measures, as indicated in the respective section. Accordingly, it decides as follows:

- a) Continue to monitor the situation of María Corina Machado Parisca in Venezuela;
- b) Not to extend the precautionary measures in relation to the requested persons;
- c) Modify the scope of these precautionary measures and to require that the State:
  - i. adopt the necessary measures to protect the rights to life and personal integrity of Ms. María Corina Machado Parisca;
  - ii. implement the necessary measures to guarantee that the beneficiary can continue to carry out her political participation activities without being subjected to threats, harassment, or acts of violence in the exercise thereof; In particular, to formally inform the beneficiary about the existence of any investigation against her, including at least: the facts under investigation, the alleged offenses, the prosecutor's office in charge of the investigation, and the competent judicial authority overseeing the case. The State must allow the beneficiary and/or her representation to have access to the entire criminal file against her, if it exists, thereby allowing her to submit the corresponding appeals and guaranteeing her security in the processing of the file;

<sup>64</sup> IACHR, Press Release 174/24, previously cited.

<sup>65</sup> IACHR, Press Release 215/24, previously cited.

<sup>66</sup> IACHR, Press Release 215/24, previously cited.

<sup>67</sup> IACHR, Press Release 215/24, previously cited.

- iii. consult and agree upon the measures to be adopted with the beneficiary and her representation; and
- iv. report on the actions taken to investigate the alleged events that led to the adoption of these precautionary measures, so as to prevent such events from reoccurring. In particular, the State is requested to conduct an investigation with due diligence into the threats and acts of violence reported, including those that could have been against the beneficiary at the hands of State officials and/or agents.

56. The Commission requests that Venezuela report within 30 days as from this resolution on the adoption of the required precautionary measures. Moreover, it is requested to submit periodic information on the status of implementation of the precautionary measures. Notwithstanding the foregoing, the representative is requested to continue providing updated information on the risk situation, as well as any additional information they deem pertinent.

57. The Commission instructs the Executive Secretariat to notify this Follow-up Resolution to the State of Venezuela and to the representatives.

58. Approved on November 25, 2024, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

María Claudia Pulido  
Assistant Executive Secretary