

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 31/2025**

Precautionary Measure No. 304-25

Fernando Loaiza Chacón regarding Venezuela

March 31, 2025

Original: Spanish

I. INTRODUCTION

1. On March 18, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by the *Centro Ciudadano de Litigación Estratégica - CECLÉD* (“the applicant” or “the requesting party”) urging the Commission to request that the Bolivarian Republic of Venezuela (the “State” or “Venezuela”) adopt the necessary measures to protect the rights of Fernando Loaiza Chacón (“the proposed beneficiary”). According to the request, the proposed beneficiary is a political activist affiliated with the *Acción Democrática* party, and serves as mayor of the municipality of Catatumbo, in the state of Zulia. On March 14, 2025, he was detained by state agents from the Strategic Operations Group (*Grupo de Operaciones Estratégicas, GOES*). Since that date, his whereabouts and current health have been unknown.

2. Pursuant to Article 25 (5) of the Rules of Procedure and the Inter-American Convention on Forced Disappearance of Persons, the Commission requested information from the applicant on March 18, 2025, and they submitted their response on March 20, 2025. On the same day, the IACHR requested information from the parties. To date, the IACHR has not received a response from Venezuela and the granted deadline has expired. The applicant submitted additional information on March 25, 2025.

3. Upon analyzing the submissions of fact and law furnished by the applicant, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that his current location is unknown to date. Consequently, pursuant to the provisions of Article 25 of its Rules of Procedure, the Commission requires that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of Fernando Loaiza Chacón. In particular, provide official information on whether he is in the custody of the State and the circumstances of his detention, or on the measures taken to determine his whereabouts or fate; b) implement sufficient measures to ensure that the conditions of detention of the beneficiary are compatible with applicable international standards. In particular the following: i. facilitate contact with his relatives, representatives and trusted lawyers; ii. inform officially about the legal situation of the beneficiary in the framework of the criminal proceedings in which he is allegedly involved, such as the reasons for which he has not been released to date, and whether he has been presented to a court for review of his detention; and iii. immediately carry out a medical assessment of his health situation and guarantee access to the necessary medical care and treatment; c) implement the necessary measures so that the beneficiary can carry out his activities as mayor and opposition political leader without being subjected to threats, harassment, intimidation, or acts of violence; d) consult and agree upon the measures to be implemented with the beneficiary and his representatives; and e) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. According to the request, Fernando Loaiza Chacón is a political activist affiliated with the *Acción Democrática* party. He is currently the mayor of Catatumbo, in the state of Zulia. As background, it was stated that, in 2006, the State had allegedly tried to implicate him in criminal acts with the aim of imprisoning him and, in 2012, the Office of the Comptroller General of Venezuela had allegedly tried to implicate him in corruption cases despite not having any basis.

5. On March 14, 2025, at approximately 11:00 p.m., a commission consisting of four vehicles and around ten officers from the Strategic Operations Group (GOES), operating under the Ministry of Popular Power for Internal Relations, Justice, and Peace (MPPRIJP), arrived in Encontrados, the capital of Catatumbo municipality. Their reported objective was to detain the proposed beneficiary. The officers did not identify themselves or present a warrant to justify the arrest. After detaining the proposed beneficiary, they went to his residence and carried out a search, despite reportedly not having a court order. Under threat of the use of force, they forced his wife, daughter, and nieces to open the doors of the building. From that moment on, the whereabouts of the proposed beneficiary have been unknown. The applicant characterized the detention as arbitrary in the context of persecution of opposition political dissent in Venezuela.

6. The proposed beneficiary's family members and his legal team have begun search efforts, but the State has refused to provide any information or to acknowledge that he has been deprived of his liberty. In this sense, on March 15, 2025, the proposed beneficiary's attorney went to the GOES headquarters in the city of Maracaibo, Zulia state, with the purpose of determining his whereabouts and verifying his physical condition. Once there, they were informed that the proposed beneficiary was not in their custody. The following day, on March 16, 2025, his son returned to the same office, but the response was once again negative. Additionally, efforts were made to file complaints of forced disappearance with the authorities. However, they refused to accept them, claiming that the proposed beneficiary's attorney lacked legal standing. Similarly, his legal defense team tried to lodge an appeal for *habeas corpus* with the courts, but the judicial authorities also refused to process it.

7. On national television, the head of the Ministry of Popular Power for Internal Relations, Justice, and Peace publicly announced that the proposed beneficiary is involved in criminal proceedings. However, his family and legal representatives are unaware of the legal and factual reasons that gave rise to the proceedings. They had not received any official notification either, and it is unknown whether it has been presented before a judicial authority. The applicant considers that the proposed beneficiary is under prolonged incommunicado detention and does not have any access to adequate medical care.

8. This situation has deeply concerned his family members, as there are no assurances regarding the proposed beneficiary's physical and mental well-being. Moreover, he requires timely and adequate medical care due to his existing health conditions. A medical report, dated March 17, 2025, shows that the proposed beneficiary presents: "type 2 diabetes mellitus", "metabolic syndrome", "grade 2 arterial hypertension", "heart disease with tachyarrhythmia" and "depressive anxiety disorder". This report also mentions that the proposed beneficiary requires medical treatment on a continuous and permanent basis, along with a list of medications prescribed for this purpose.

B. Response from the State

9. The Commission requested information from the State on March 20, 2025. However, despite the expiration of the given deadline, the State has not submitted its response to date.

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

10. 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 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.

11. 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.¹ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.² To do this, the IACHR shall assess the problem raised, the effectiveness of State actions to address the situation, and how vulnerable the proposed beneficiaries would be left in case the measures are not adopted.³ 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 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.⁴ 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.

12. 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 of review to determine whether a serious and urgent situation exists.⁵ 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 appropriate to rule on violations of rights enshrined in

¹ 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.

² 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)

³ 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).

⁴ 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).

⁵ 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.

the American Convention or other applicable instruments.⁶ 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 its Rules of Procedure, which can be resolved without making any determinations on the merits.⁷

13. In the same sense, in analyzing the facts alleged by the requesting party, the Commission observes that the Inter-American Convention on Forced Disappearance of Persons, to which the State of Venezuela has been annexed since its ratification on July 6, 1998,⁸ interprets forced disappearance as the act “[...] perpetrated by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by an absence of information or a refusal to acknowledge that deprivation of freedom or to give information on the whereabouts of that person, thereby impeding his or her recourse to the applicable legal remedies and procedural guarantees.”⁹ Similarly, the Inter-American Commission highlights what was established by the United Nations Working Group on Enforced or Involuntary Disappearances, in the sense that “there is no minimum time, however short, to consider that an enforced disappearance has occurred.”¹⁰

14. As regards the *context*, the Commission has been monitoring the rule of law and human rights situation in Venezuela since 2005,¹¹ and has included the country in Chapter IV.B of its Annual Report. The Commission has also issued press releases and country reports, and established a special follow-up mechanism for the country, known as MESEVE.

15. On December 27, 2024, the IACHR approved the report titled “Venezuela: Serious Human Rights Violations in the Electoral Context” and reaffirmed that the State has been engaging in practices such as the arbitrary detention of opponents, human rights defenders, and social leaders,¹² while using “terror as a tool of social control.”¹³ In the framework of its 191st Period of Sessions between November 4 and 15, 2024, the IACHR held a hearing and a press conference where it addressed the generalized situation of human rights violations in Venezuela in the post-electoral context. The IACHR emphatically called on the current regime to put an end to the repression and release those identified as political prisoners.

16. In addition to the above, within the framework of the precautionary measures mechanism, the Commission has identified that the State of Venezuela has previously detained dissidents or political opponents in factual circumstances similar to those alleged in this matter under the current context in the country. For example, among others, Carlos Marcelino Chancellor Ferrer;¹⁴ Daniel García Morillo;¹⁵ Víctor Manuel Borjas

⁶ 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.

⁷ 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).

⁸ [Inter-American Convention on Forced Disappearance of Persons](#), Belém do Pará, Brazil, June 9, 1994, [Signatories and current status of ratifications of the Inter-American Convention on Forced Disappearance of Persons](#).

⁹ [Inter-American Convention on Enforced Disappearance of Persons](#), Belém do Pará, Brazil, June 9, 1994.

¹⁰ IACHR, [2021 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II, approved on May 26, 2022, para. 85; United Nations Human Rights Council, Report of the Working Group on Enforced or Involuntary Disappearances, August 10, 2015, A/HRC/30/38, para. 102.

¹¹ IACHR, [2023 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, approved on December 31, 2023, para. 1.

¹² IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, OEA/Ser.L/V/II Doc. 253/24, December 27, 2024, para. 3.

¹³ IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, previously cited, para. 5.

¹⁴ IACHR, [Resolution 21/25](#) Precautionary Measures No. 143-25, Carlos Marcelino Chancellor Ferrer regarding Venezuela, February 28, 2025.

¹⁵ IACHR, [Resolution 15/25](#), Precautionary Measures No. 45-25, Daniel García Morillo regarding Venezuela, February 18, 2025.

Albornoz and Manuel Alejandro Muñoz Camacho;¹⁶ Jesús Alexander Armas Monasterios,¹⁷ and Leocenis Manuel García Osorio.¹⁸

17. Consequently, the Commission understands that the circumstances in which the detention of the proposed beneficiary has taken place, along with the country contextual monitoring carried out by the IACHR, are relevant in the analysis of the procedural requirements.

18. When analyzing the requirement of *seriousness*, the Commission considers that it has been met, given that Fernando Loaiza Chacón, an opposition political activist and mayor of the municipality of Catatumbo in the state of Zulia, was detained by GOES agents on March 14, 2025. From that moment on, his whereabouts or place of detention have not been officially known. There is also no information on his detention conditions and current health. In addition to the above, the Commission understands that the proposed beneficiary is the current mayor of a municipality in Venezuela, and therefore is a person who held public office in the country. Given his position, the Commission understands that his detention, in the alleged circumstances, reportedly seeks not only to remove him from the political scene, but also to prevent him from continuing to exercise his political rights in the country as an elected official.

19. According to the applicant, despite the search efforts carried out by the proposed beneficiary's family members and legal team, including visits to the GOES headquarters, to date they have not received official information about his whereabouts or location. It came to light that the proposed beneficiary is allegedly subject to criminal proceedings as a result of public statements made by the head of the MPPRIJP on national television. However, despite this public statement, the state authorities have refused to officially recognize the detention or determine the conditions in which he is being held. It has also been indicated that the proposed beneficiary remains incommunicado. Consequently, the Commission considers that the official whereabouts of the proposed beneficiary, and the authority that may have ordered his detention, if this is the case, are unknown at the moment.

20. In addition to the above, the proposed beneficiary has various health issues for which he has been prescribed medical treatment that must be maintained on a continuous and permanent basis. A medical report confirms that he presents with a clinical picture that includes "type 2 diabetes mellitus", "metabolic syndrome", "grade 2 arterial hypertension", "heart disease with tachyarrhythmia" and "depressive anxiety disorder". In this sense, the Commission expresses its concern regarding the lack of knowledge of his whereabouts, since this would prevent the guaranteeing of the minimum conditions necessary for the protection of his fundamental rights, such as those referring to the medical attention that he may require.

21. The Commission also emphasizes that, in the current context, the proposed beneficiary's family members and attorneys have been unable to seek his protection due to the refusal of the authorities to receive the corresponding complaints, and of the judicial authorities to process a writ of *habeas corpus*. In this sense, the Commission observes that the family members do not have the possibility of requesting protection measures at the internal level nor of guaranteeing that the necessary actions are adopted to determine the proposed beneficiary's current location. This situation acquires greater relevance considering that GOES agents have been identified as being responsible for his detention.

22. In light of all the above, and as long as the State fails to provide clear and precise information about his situation, the Commission believes that the proposed beneficiary remains in a state of complete

¹⁶ IACHR, [Resolution 8/25](#), Precautionary Measures No. 25-25, 26-25, Víctor Manuel Borjas Albornoz and Manuel Alejandro Muñoz Camacho regarding Venezuela, January 26, 2025.

¹⁷ IACHR [Resolution 105/24](#), Precautionary Measure No. 1426-24, Jesús Alexander Armas Monasterios regarding Venezuela, December 31, 2024.

¹⁸ IACHR [Resolution 79/24](#), Precautionary Measure No. 896-24, Leocenis Manuel García Osorio regarding Venezuela, October 28, 2024.

vulnerability, with no protection against the risks he may currently be facing. These conditions could pose an imminent threat to his life and personal integrity.

23. Upon requesting information from the State, the Commission regrets its lack of response. Although the foregoing is not enough per se to justify the granting of a precautionary measure, it prevents the Commission from being aware of the observations or measures taken by the State to address the alleged risk that the proposed beneficiary faces. Therefore, the Commission does not have elements that would allow it to dispute the facts alleged by the requesting party, nor to assess whether the risk that the proposed beneficiary faces has been addressed or mitigated. In this regard, the Commission expresses its particular concern given that State agents, who hold a special responsibility as guarantors of the proposed beneficiary's human rights, have been identified as possibly being responsible for his detention, since they have him in their custody.

24. Taking into account the foregoing, the Commission finds that, from the applicable *prima facie standard*, it is sufficiently proven that the rights to life and personal integrity of Fernando Loaiza Chacón face a situation of serious risk, since his whereabouts or fate are unknown to date after his detention on March 14, 2025.

25. Regarding the requirement of *urgency*, the Commission finds that it has been fulfilled, insofar as the proposed beneficiary's whereabouts remain unknown, and because, with the passage of time, the likelihood of violations of his rights increases. Of particular concern is the lack of information on his detention conditions and the medical care and medication he should be receiving. Therefore, the Commission considers it necessary to adopt immediate measures to safeguard his rights.

26. Regarding the requirement of *irreparable harm*, the Commission maintains that it has been met, since the potential impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARY

27. The Commission declares Fernando Loaiza Chacón as the beneficiary of the precautionary measures, who is duly identified in this proceeding.

V. DECISION

28. The Commission understands 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, the Commission requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Fernando Loaiza Chacón. In particular, provide official information on whether he is in the custody of the State and the circumstances of his detention, or on the measures taken to determine his whereabouts or fate;
- b) implement sufficient measures to ensure that the conditions of detention of the beneficiary are compatible with applicable international standards. In particular the following:
 - i. facilitate contact with his relatives, representatives and trusted lawyers;
 - ii. inform officially about the legal situation of the beneficiary in the framework of the criminal proceedings in which he is allegedly involved, such as the reasons for which he has not been released to date, and whether he has been presented to a court for review of his detention; and

- iii. immediately carry out a medical assessment of his health situation and guarantee access to the necessary medical care and treatment;
- c) implement the necessary measures so that the beneficiary can carry out his activities as mayor and opposition political leader without being subjected to threats, harassment, intimidation, or acts of violence;
- d) consult and agree upon the measures to be implemented with the beneficiary and his representatives; and
- e) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

29. The Commission requests that Venezuela report, within 15 days from the date of notification of this resolution, on the adoption of the requested precautionary measures and update that information periodically.

30. The Commission emphasizes that, pursuant to Article 25(8) of its Rules of Procedure, the granting of precautionary measures and their adoption by the State do not constitute a prejudgment regarding the possible violation of the rights protected in the American Convention and other applicable instruments.

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

32. Approved on March 31, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan, Second Vice-President; Roberta Clarke; and Carlos Bernal Pulido, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary