

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 15/2023**

Precautionary Measure No. 66-23

Carlos Eduardo Salazar Ojeda *et al.* (Trade Union Leaders of the Civil Society Organization National Trade Union Coalition of Workers) regarding Venezuela

April 1, 2023

Original: Spanish

**I. INTRODUCTION**

1. On January 25, 2023, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by *Defiende Venezuela* (“the applicants”), urging the Commission to require that the State of Venezuela (“Venezuela” or “the State”) adopt the necessary measures to protect the rights to life and personal integrity of Anneliese Josiel Toledo Castillo, Carlos Eduardo Salazar Ojeda, Elsa Isabel Castillo González, José Paulino Patines Guanique, Leída Rosa Brito de Lobo, Petra Margot Monasterios, and Rafael Octavio Arreaza Padilla (“the proposed beneficiaries”), who were identified as union leaders and members of the civil society organization National Trade Union Coalition of Workers (*Coalición Sindical Nacional de Trabajadores*, CSNT). According to the request, the proposed beneficiaries are at risk as a result of threats, harassment, and surveillance actions by State agents.
2. In accordance with Article 25(5) of its Rules of Procedure, the Commission requested information from both parties on March 1, 2023, receiving the information from the applicants on March 11, 2023. The State has not provided information to date.
3. Upon analyzing the submissions of fact and law presented by the applicants, the Commission considers that the information presented shows *prima facie* that the proposed beneficiaries are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Therefore, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiaries; b) adopt the necessary protection measures so that the beneficiaries can continue to carry out their union leadership activities without being subject to threats, intimidation, harassment or acts of violence; c) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and d) report on the actions taken in order to investigate the alleged facts that led to the adoption of this resolution, so as to prevent such events from reoccurring.

**II. SUMMARY OF FACTS AND ARGUMENTS**

**A. Information provided by the requesting organization**

4. The request is made in favor of the following union leaders: Anneliese Josiel Toledo Castillo, Carlos Eduardo Salazar Ojeda, Elsa Isabel Castillo González, José Paulino Patines Guanique, Leída Rosa Brito de Lobo, Petra Margot Monasterios and Rafael Octavio Arreaza Padilla, members of the civil society organization National Trade Union Coalition of Workers (*Coalición Sindical Nacional de Trabajadores*, CSNT).

5. Initially, the applicants noted the context of alleged attacks on trade union rights and their leaders in Venezuela since the 2000s. According to the applicants, after the monetary conversion applied in 2018 in Venezuela, the National Budget Office (ONAPRE) created the “Process of Adjustment of the Remuneration System of the Public Administration, Collective Conventions, Special Tables, Strategic Companies” (“ONAPRE instruction”). The purpose of this technical instruction is allegedly to “regulate the salary tabulators of public workers; as well as to guide on how much they should charge in premiums and bonuses, according to their scales of professionalization, seniority and other skills”. In this sense, since May 2020, public workers have noticed “problems in the ONAPRE instruction, which they already considered to be an attack on many of their labor claims.”
6. In March 2022, Nicolás Maduro reportedly decreed an increase in the monthly minimum wage for all workers in the National Public Administration, as well as the amount for retirements and pensions, by 1700% compared to the previous minimum wage. The payment of the new salary has reportedly changed from the second half of April 2022. However, according to the applicants, public administration workers cut back on payments. Furthermore, the instruction allegedly disregards the current collective agreements and imposes a benefits tabulator that reduces the integral salary of workers between 40% and 70%.
7. The applicants reported that, due to the disagreement with the ONAPRE instruction, in March 2022, teachers, nurses and administrative employees from different sectors, assets and retirees came out to protest. This has purportedly served to make the authorities take some steps back, such as the payment of 105 days of holiday bonus to education workers and the dismissal of the head of the ONAPRE. It was indicated that the unions wanted the rule to be annulled.
8. The applicants indicated that the demonstrations exacerbated from August 2022, due to changes in the payment of holiday bonuses. On August 22, 2022, “hundreds of public workers” mobilized again. On August 23, 2022, representatives of trade union organizations from the health and education sector protested in the *Esquina de Salas*, near the Ministry of Education in Caracas, to reject the ONAPRE instruction. According to the applicants, in some cases, the National Police of Venezuela (PNB) and the National Guard of Venezuela (GNB) have allegedly not allowed the mobilization to pass.
9. On August 24, 2022, the Supreme Court of Justice (TSJ) has reportedly declared inadmissible an appeal for nullity and precautionary *amparo* against the ONAPRE’s claim, allegedly for the breach of formal requirements. On September 28, 2022, five trade union representatives, workers and representatives of labor rights organizations were purportedly received by the representative of the ILO mission to deliver documents on the situation of trade union leaders.
10. On October 6, 2022, leaders of the university sector and public workers reportedly called a new protest in front of the headquarters of the Office of the Attorney General (*Fiscalía General*), in the center of the city of Caracas, with the aim of claiming the alleged non-payments of salaries and bonuses by the Government, as well as a fractional payment decision of the bonus corresponding to the month of December. Moreover, the applicants indicated that six persons had been arrested on the orders of the judge in charge of the Fourth Court of Control in Crimes against Terrorism.
11. According to the applicants, since January 9, 2023, thousands of workers have protested simultaneously across the country. In the state of Táchira, teachers reportedly resumed demonstrations in the streets, allegedly led by Elsa Castillo, accompanied by health workers, demanding that their salary claims fit the real value of the food basket. On January 23, 2023, new mobilizations have purportedly occurred.

12. Mr. Carlos Eduardo Salazar Ojeda is said to be a union leader, coordinator and member of the CSNT. According to the requesting organization, in the first days of June 2022, he was on a bus to his home, and when he was on the road, units of the Venezuela's National Intelligence Service (SEBIN) detained him "in a strategic area without a telephone signal." The officials' excuse has reportedly been that they were looking for a kidnapper. According to the proposed beneficiary, they took down all the people who were on board of the vehicle and asked them to show their identity cards. One of the SEBIN officials told Mr. Salazar that the kidnapper was just like him. At that time, Mr. Salazar allegedly began telling the other passengers his name and about his union struggle. As a result, passengers began yelling at officials to leave him alone. Later, he has reportedly arrived home without any problems.
13. On June 23, 2022, the members of the CSNT, including Carlos Eduardo Salazar Ojeda, Anneliese Josiel Toledo Castillo, Elsa Isabel Castillo González and José Paulino Patines Guanique reportedly called a rally in the municipality of Libertador of the Capital District, to address the Confederation of Workers of Venezuela (CTV), but there were dozens of "colectivos" because there was an event with the Hugo Chávez Battle Units (UBCH). As noted by the applicants, the "colectivos" are "paramilitary groups" known, organized and financed by the government. At 11:00 a.m., PNB officials allegedly approached Mr. Salazar and told him, "Either you talk to the authority or we will catch you again in Guarenas, in Caiza Park." They have reportedly told him: "Either you face this as a man or at any moment we take you whenever we want." At that time, Mr. Salazar allegedly told a worker of Siderúrgica del Turbio, S.A. (SIDETUR) that, if in two hours he had not returned, it was a kidnapping. The proposed beneficiary was then mounted in a pickup truck with two officials. According to the applicants, Mr. Salazar spent five hours with State agents. During that time, officials allegedly gave him a tour between the main headquarters of SEBIN, known as "the Tomb" and "the office" and told him, in a threatening tone: "Keep calling people for Miraflores", "you guys want to knock us down", "we already won in Colombia and we're going to win in Brazil", "how do you expect us to pay you what you ask for if Russia is giving away the oil", "it's you, boy, it's that fucking coalition that."
14. On July 11, 2022, the members of the CSNT reportedly filed a complaint with the Public Ministry addressed to the Attorney General of Venezuela (*Fiscal General de la República*) rejecting the harassment, arrests and forced disappearances of union leaders, as it is allegedly the case of Emilio Negrín, who is also said to be a member of the CSNT. According to the applicants, to date no response has been received from the Attorney General.
15. Elsa Isabel Castillo González allegedly is a teacher, union leader and member of the CSNT. The proposed beneficiary purportedly reported that "since the first days of August 2022, she had been noticed that PNB officials were persecuting them." On August 10, 2022, PNB officials allegedly pursued the vehicle in which the proposed beneficiaries Anneliese Josiel Toledo Castillo, Carlos Eduardo Salazar Ojeda, Elsa Isabel Castillo González and José Paulino Patines were traveling. According to the applicants, after finishing their meal, they got into the van and prepared to leave the place, but the route through which they were going to leave was blocked by PNB officials. Attempting to exit by another route, they were approached by four PNB on motorcycles pointing firearms at them, who told them to stop.
16. The agents have reportedly asked for their identity cards and to put their phones on the hood of the truck. Then, a truck has purportedly arrived, the deputy director of SEBIN allegedly got off, and told them: "I know you [Salazar] and your family, they have the country in turmoil, they are looking to overthrow the government", "the State is going to use all the force it has because it is not going to allow anyone to overthrow it, and I as a representative of the State am going to protect my

president, your president”, “you already have a warning [Paulino] and you already have two [Salazar]”, “ when the first student throws a stone, you are going to be imprisoned”.

17. On August 15, 2022, Ms. Castillo purportedly reported to the media having received threats from State security bodies. On August 23, 2022, workers belonging to the teacher and university education union protested again to demand the repeal of the ONAPRE instruction. From the early hours of that day, the proposed beneficiaries have allegedly been persecuted in various points of the city until they reached the rally. On August 24, 2022, they were reportedly pursued by plainclothes police officers purportedly from SEBIN and PNB, who allegedly punctured the tires of the van in which they were traveling.
18. On November 11, 2022, Mr. Salazar reported that when he was preparing to pick up his 11-year-old daughter at her school, SEBIN officials positioned themselves at the head of this educational unit “to initiate a persecution against Mr. Salazar and his family.” In late November 2022, PNB officials purportedly dressed as civilians allegedly showed a photo of Ms. Castillo to her ex-husband and asked him if she was the mother of his daughters. Immediately, out of fear, he has reportedly replied that he did not know her, but one of the men replied: “She is the mother of your daughters and tell her that if she continues to give statements we will fuck her up.”
19. On January 12, 2023, when Ms. Castillo was returning to the city of Caracas in a van owned by a company, she has allegedly noticed that the bus was coming at low speed on the highway, a situation she told the driver. He allegedly replied that “they were going at that speed because they didn’t want to have problems with the GNB officials, because they knew she was in the van.” On January 16, 2023, in the city of Caracas, teachers led by Ms. Castillo mobilized towards the Ministry of Education. At the end of the demonstration, Ms. Castillo, Mr. Salazar and other members of the CSNT were allegedly chased by a vehicle and four motorcycles without plates. On January 17, 2023, Ms. Castillo reported that a small vehicle is constantly parked in front of her residence “to monitor her and they have even photographed her and her two daughters.” Moreover, the proposed beneficiary has purportedly indicated that she was the subject of constant threats from armed groups known as “*colectivos*”.
20. On February 23, 2023, while Ms. Castillo and Mr. Salazar were leading a demonstration in the municipality of José Félix Ribas, Guárico State, the teachers who attended the demonstration have reportedly seen the presence of two vehicles each with four SEBIN officials. The applicants indicated that the proposed beneficiaries were “harassed by several vehicles without license plates at a place where they stayed until the following day.” On February 24, 2023, they were allegedly travelling to the town of Valle de la Pascua, when they were purportedly arrested by the checkpoint (*alcabala*) of the GNB, located on the outskirts of Tucupido. Later, when they were arriving in Valle de la Pascua, they have been allegedly arrested again by another checkpoint of the GNB.
21. On February 25, 2023, Ms. Castillo and Mr. Salazar have purportedly travelled again, heading to the municipality of Julián Mellado in the state of Guárico. During the trip, they have reportedly observed that the vans that they had sighted in José Félix Ribas were following them again. Subsequently, Ms. Castillo and Mr. Salazar have allegedly travelled to the municipality of Ortiz, Guárico, when they reportedly observed that the trucks hid in a farmhouse, so “they had to devise an escape maneuver with the people who attended the demonstration to be able to get out of there, it consisted of misleading them with a teacher who is very similar physically to [Ms. Castillo].” On March 3, 2023, two SEBIN officials on motorcycles allegedly parked in the block of Ms. Castillo’s residence, after her participation in a press conference in front of the Transport Federation (Fedetransporte).

22. Additionally, the applicants claimed that the government has seduced union leaders of other organizations trying to “appease the street”, but the CSNT has reportedly kept people protesting every Monday nationwide in the face of May 1, 2023, International Workers’ Day. This, according to the applicants, allegedly intensifies SEBIN’s surveillance and persecution of all members of the CSNT. As noted by the applicants, union leaders from different municipalities are suffering persecution and intimidation by the government, after the demonstrations called and led by the CSNT.
23. The applicants stated that “on recent occasions” the State has imprisoned and tortured social and/or trade union leaders to deter street demonstrations aimed at obtaining wage demands. The protest and alleged arbitrary arrests of a group of workers of the public company Siderúrgica del Orinoco “Alfredo Maneiro”, CA, located in Ciudad Guayana, Bolivar State, in January 2023, were mentioned. In addition, a protest was mentioned by a group of coffee farmers, members of the National Union of Coffee Farmers, in February 2023, in the village of Sanare, Lara State. The applicants stated that, in both cases, the demonstrators had to give up their claims in exchange for the State releasing their fellow workers and/or farmers with precautionary measures. In this sense, the applicant considers that similar situations could occur with the proposed beneficiaries to have “negotiation cards” with the demonstrators and achieve the definitive dissolution of the “union struggle” in Venezuela.
24. Finally, the proposed beneficiaries have reportedly gone several times to the headquarters of the Office of the Attorney General, in the city of Caracas to file new complaints, however, they were allegedly rejected. On one occasion, the authorities have purportedly said that they could not receive them because they were “on guard”, therefore, they had to travel long distances to file a complaint.

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

25. The IACHR requested information from the State on March 1, 2023. However, the State has not submitted any information to date.

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

26. 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 (“OAS”), based upon Article 41(b) of the American Convention on Human Rights (“American Convention”) and Article 18(b) of the IACHR Statute. Moreover, the precautionary measures mechanism is described in Article 25 of the Rules of Procedure, according to which the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to prevent irreparable harm.
27. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.<sup>1</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of

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

human rights.<sup>2</sup> To do this, the IACHR shall assess the problem raised, the effectiveness of State actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures were not adopted.<sup>3</sup> Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the consideration of the IACHR. They aim to safeguard the rights at risk until the 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.<sup>4</sup> In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

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

28. 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.<sup>5</sup> Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual criminal liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in other applicable instruments. This<sup>6</sup> is better suited to be addressed by the Petition and Case system. The following analysis relates exclusively

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

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

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

<sup>5</sup> See in this regard: 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 the Inter-American Court of Human Rights of August 23, 2018, considerandum 13 [only in Spanish]; I/A Court H.R. [Matter of Children Deprived of Liberty in the “Complexo do Tatuapé” of the Fundação CASA](#). Request for extension of provisional measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006, considerandum 23.

<sup>6</sup> IACHR. Resolution 2/2015. Precautionary Measure No. 455-13. [Matter of Nestora Salgado regarding Mexico](#). January 28, 2015, para. 14; IACHR. Resolution 37/2021. Precautionary Measure No. 96-21. [Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua](#). April 30, 2021, para. 33.

to the requirements set forth in Article 25 of the Rules of Procedure, which can be resolved without making any determinations on the merits.<sup>7</sup>

29. The Commission reaffirms its jurisdiction over the State of Venezuela, in the terms outlined in the Cases that have been submitted to the Inter-American Court in the framework of the Petition and Case System, such as the *Case of Alfredo José Chirinos Salamanca et al. v. Venezuela* submitted to the Inter-American Court on February 16, 2022.<sup>8</sup>
30. In analyzing the situation presented, the Commission considers it relevant to understand the alleged facts in the context in which they are inserted. As the commission has been monitoring, Venezuela is facing a deepening of the country's political and social crisis and widespread repression, which has led to the absence of the rule of law.<sup>9</sup>
31. In its 2017 report on the human rights situation in Venezuela, the Commission identified a context of stigmatization and criminalization of those who convene and participate in public demonstrations<sup>10</sup>, together with acts of threats and harassment against human rights defenders<sup>11</sup>. In 2019, the IACHR highlighted a report by the International Labor Organization (ILO) on Venezuela, and indicated that an environment of hostility, interference and exclusion from social dialogue was established for employers' and workers' organizations not related to the government.<sup>12</sup> Also, it was found that attacks, acts of harassment, imprisonment, assassinations and assaults against employers' and workers' organizations not related to the government and union leaders occur on a recurring basis in Venezuela.<sup>13</sup>
32. In its 2021 annual report, the IACHR highlighted that, until July 2021, at least 11 union leaders had been reportedly arrested.<sup>14</sup> The Commission also noted the complaints received by the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights, which indicated that there are allegedly no guarantees for the exercise of trade union rights in the country, due to the undue interference in trade union organizations and a pattern of persecution of trade union leaders.<sup>15</sup> Recently, in March 2023, the Commission and its Special Rapporteurship for Freedom of Expression noted that in Venezuela there is a hostile environment against human rights organizations, in which smear campaigns, stigmatization and acts of harassment predominate as a result of their advocacy activities.<sup>16</sup>
33. When analyzing the *seriousness* requirement, the Commission considers it pertinent to take into account the indicated context, as well as the specific characteristics of the seven proposed beneficiaries who are trade union leaders and members of the civil society organization National

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<sup>7</sup> In this regard, the Court has indicated 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 seriousness and urgency and the necessity to avoid irreparable harm to persons." See in this regard: I/A Court H.R. Matter of James et al. regarding Trinidad and Tobago. Provisional Measures. Order of the Inter-American Court of Human Rights of August 29, 1998, considerandum 6; I/A Court H.R. Case of Barrios Family v. Venezuela. Provisional Measures. Order of the Inter-American Court of Human Rights of April 22, 2021, considerandum 2 [only in Spanish].

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

<sup>9</sup> IACHR. 2019 Annual Report of the IACHR. Chapter IV B. Venezuela, para. 1.

<sup>10</sup> IACHR. Democratic Institutionalization, Rule of Law and Human Rights in Venezuela. December 31, 2017, para. 231

<sup>11</sup> IACHR. Democratic Institutionalization, Rule of Law and Human Rights in Venezuela. December 31, 2017, para. 234.

<sup>12</sup> IACHR. 2019 Annual Report of the IACHR. Chapter IV B. Venezuela, para. 112.

<sup>13</sup> IACHR. 2019 Annual Report of the IACHR. Chapter IV B. Venezuela, para. 112.

<sup>14</sup> IACHR. 2021 Annual Report of the IACHR. Chapter IV B. Venezuela, para. 126.

<sup>15</sup> IACHR. 2021 Annual Report of the IACHR. Chapter IV B. Venezuela, para. 164.

<sup>16</sup> IACHR and SRFoE. The IACHR and SRFoE express concern about a bill that limits citizen participation in Venezuela. March 6, 2023.

Trade Union Coalition of Workers (CSNT). According to the information available, the Commission understands that the proposed beneficiaries were involved and have led, to date, mobilizations seeking better working conditions and the repeal of the ONAPRE instruction. In that sense, the applicants reported on a series of events that have allegedly occurred between 2022 and 2023. In this regard, the Commission understands the seriousness of the situation presented in view of the following elements that have been occurring regarding its members:

- direct questioning of SEBIN agents to their union work while the proposed beneficiaries were travelling (see *supra* para. 16);
- threats by State security forces (see *paras.* 13; 18);
- threats and harassment of PNB agents during arrests (see *supra* para. 13);
- persecution of PNB officials while the proposed beneficiaries were on public roads or in transport vehicles (see *supra* paras. 12 and 19).
- pursuits reportedly include vehicle and motorcycle tracking without license plates (see *supra* para. 15);
- the proposed beneficiaries were aimed at with firearms after persecution by PNB officials in order to stop their vehicle (see *supra* para. 13 and 15);
- monitoring of the proposed beneficiaries on their way to places of protest (see *supra* paras. 20 and 21);
- SEBIN and PNB officials allegedly punctured the tires of the truck in which the proposed beneficiaries were being transported (see *supra* para. 17).
- monitoring by SEBIN officials in the daily activities of the proposed beneficiaries, as in the school of the daughter of one of the proposed beneficiaries (see *supra* para. 18);
- intimidation of persons close to the proposed beneficiaries (see *supra* para. 18); and
- monitoring by unidentified vehicles in front of residences where photographs of the proposed beneficiaries and their family members are taken (see *supra* paras. 19 and 21).

34. The Commission understands that the facts alleged, understood as a whole, allow identifying a continuity of threats and harassment over time against the seven proposed beneficiaries, as union leaders of the civil society organization National Trade Union Coalition of Workers (*Coalición Sindical Nacional de Trabajadores*, CSNT). Specifically, the IACHR observes the repeated monitoring and surveillance actions of the proposed beneficiaries since 2022, allegedly from State agents, making use of threats and firearms. Furthermore, the IACHR stresses that the events of recent threats, even using the children of the proposed beneficiaries, reportedly seek to stop the proposed beneficiaries from exercising their work as union leaders and calling mobilizations in the country. The Commission also considers that, in the light of the information available, there allegedly is very close monitoring by law enforcement officials of the movements of the proposed beneficiaries within the framework of the demonstrations in which they purportedly support and convene in the country in favor of labor and union rights.



35. Having requested information from the State under Article 25 of the Rules of Procedure, the Commission regrets the lack of response to the request for information made in this matter on March 1, 2023. Although the foregoing is not sufficient *per se* to justify the granting of a precautionary measure, the lack of response from the State prevents the Commission from knowing the measures that have been reportedly implemented to address the situation that places the proposed beneficiaries at risk and dispute the facts alleged by the applicants. Therefore, the Commission does not have information to assess whether the situation that is said to be placing the proposed beneficiary at risk has been mitigated.
36. In addition to the request for information made to the State within the framework of this proceeding, the Commission notes, from the information of the applicants, that the alleged situation faced by union leaders was brought to the attention of the Attorney General of Venezuela, at least in July 2022 (see *supra* para. 14). Subsequently, the applicants indicated that they have sought to file new complaints but they were reportedly rejected by the country's Office of the Attorney General (see *supra* para. 24). Consequently, the Commission emphasizes that the State, despite having knowledge of the alleged situation, has not implemented any protection measure in favor of the beneficiaries. This is particularly relevant in view of the fact that, according to the applicants, State agents are responsible for acts of harassment and threats against the proposed beneficiaries.
37. Due to the foregoing, the Commission considers, from the *prima facie* standard and in the current context of Venezuela, that it is sufficiently proven that the rights to life and personal integrity of the proposed beneficiaries are at serious risk.
38. Regarding the requirement of *urgency*, the Commission considers that it is fulfilled, given the imminent materialization of a possible impact on the life and integrity that the proposed beneficiaries are allegedly exposed to, since the threats and harassment were maintained over time. The Commission takes into account that the facts presented are reportedly perpetrated by State agents, which purportedly put the proposed beneficiaries in a special situation of helplessness. On the other hand, the Commission does not have information from the State to assess the actions that are being taken to address the situation placing the proposed beneficiaries at risk.
39. Regarding the requirement of *irreparable harm*, the Commission considers that it has been met, since the potential impact on the rights to life, personal integrity, and health constitutes, by its very nature, the greatest situation of irreparability.

## **V. BENEFICIARIES**

40. The Commission declares that the beneficiaries of this precautionary measure are: (1) Carlos Eduardo Salazar Ojeda, (2) Elsa Isabel Castillo González, (3) Anneliese Josiel Toledo Castillo, (4) José Paulino Patines Guanique, (5) Leída Rosa Brito de Lobo, (6) Petra Margot Monasterios, and (7) Rafael Octavio Arreaza Padilla, as union leaders and members of the civil society organization National Trade Union Coalition of Workers (*Coalición Sindical Nacional de Trabajadores*, CSNT). These persons are duly identified in this proceeding in the terms of Article 25 of the Rules of Procedure.

## **VI. DECISION**

41. The Inter-American Commission on Human Rights considers that the matter at hand meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Accordingly, the IACHR requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiaries;
  - b) adopt the necessary protection measures so that the beneficiaries can continue to carry out their union leadership activities without being subject to threats, intimidation, harassment or acts of violence;
  - c) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
  - d) report on the actions taken in order to investigate the alleged facts that led to the adoption of this resolution, so as to prevent such events from reoccurring.
42. The Commission requests the State of Venezuela to inform, within a period of 15 days, as from the date of this resolution, on the adoption of the precautionary measures requested and to periodically update such information.
  43. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute prejudgment on any violation of the rights protected under the applicable instruments.
  44. The Commission instructs its Executive Secretariat to notify this resolution to the State of Venezuela and the applicants.
  45. Approved on April 1, 2023, by Margarete May Macaulay, President; Esmeralda Arosemena de Troitiño, First Vice-President; Roberta Clarke, Second Vice-President; Julissa Mantilla Falcón; Edgar Stuardo Ralón Orellana; and Carlos Bernal Pulido, members of the IACHR.

Jorge Meza Flores  
Assistant Executive Secretary