
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 31/2024**

Precautionary Measure No. 288-24
Joel Antonio García Hernández regarding Venezuela
May 13, 2024
Original: Spanish

I. INTRODUCTION

1. On February 28, 2024, 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 *Observatorio Venezolano de Prisiones - OVP* (“the requesting party” or “the applicant”), urging the Commission to require that the State of Venezuela (“the State” or “Venezuela”) adopt the necessary measures to protect the rights of Joel Antonio García Hernández (“the proposed beneficiary”). The request alleged that the proposed beneficiary works as a lawyer for the deemed “political prisoners” in Venezuela, and uses his social media to denounce the abuses carried out by the Venezuelan penal system. Due to these actions, he has allegedly been the target of threats.

2. In the terms of Article 25.5 of its Rules of Procedure, the IACHR requested information from the parties on February 29, 2024. The applicants responded on April 17, 2024. To date, the State has not submitted its response, and the granted timelines have expired.

3. Upon analyzing the submissions of fact and law furnished by the applicants in Venezuela’s current context, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that his rights to life and personal integrity are at risk of irreparable harm. Therefore, it requests that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of Joel Antonio García Hernández, in accordance with the applicable international standards and obligations, including acts of risk attributable to third parties; b) implement the necessary measures so that the beneficiary can carry out his work as a defense lawyer without being subjected to acts of intimidation, threats, or other acts of violence in the exercise thereof; c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and d) report on the actions taken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicant

4. The proposed beneficiary is a 61-year-old lawyer specializing in criminal law, and also works as a university professor. He has been involved in the advocacy of people considered “political prisoners” in Venezuela, as a private lawyer; and in the promotion of human rights, as vice-president of FUNDECI - Defense of Human Rights in Venezuela. He allegedly represented Juan Requesens, former representative (*diputado*) and leader of the political party “Primero Justicia”; Marino Alvarado, activist, and human rights defender; and Roland Carreño, journalist. He currently represents college student John Álvarez.¹ He sought to provide legal aid to those convicted in the so-called “Cancerbero Case”, but his request for private counsel was denied. He has reportedly known about the case concerning Rocío San Miguel, a human rights defender. It was indicated that he had been denied the possibility of being her private attorney, so he only reports on the case via social

¹ It was indicated that his process presents irregularities. The lawyer denounced that the young man was a victim of torture. He reportedly lost the sight of his left eye and suffered injuries to his left kidney and right leg.

media.

5. The proposed beneficiary allegedly has first-hand knowledge of the crisis in the criminal justice system. He reportedly uses his social networks as a means of dissemination, arguing that in Venezuela there is no rule of law, and due process is not respected. He reportedly denounces acts of torture committed in the country's prisons and jails, as well as other violations of fundamental rights.

6. In April 2019, officers of the Bolivarian National Police detained him in the Bolivarian Libertador municipality of the Capital District, and proceeded to strip him of his vehicle and money. On that occasion, he was not arrested. The event was denounced on social networks, and was attributed to an inspector. At the time, he was representing Juan Requesens and Roberto Marrero. That same year, during his television program "Con el Mazo Dando", Diosdado Cabello, the member of the National Assembly, accused the proposed beneficiary of having participated in a conspiracy to assassinate the governor of the state of Táchira, Freddy Bernal. He was accused, in specific, of having had contact with the mercenary who was to commit the homicide. During a press conference in his defense, the proposed beneficiary indicated that he did not associate to commit a crime and that he was not a traitor to the country. He reported that he had been harassed by this person because he offered to assist him in the escape of former congressman Juan Requesens. This situation arose, again, in the case of Rocío San Miguel who was accused of participating in a conspiracy to murder that same State official.

7. In the morning of February 7, 2024, the proposed beneficiary was at the Palace of Justice of the Metropolitan Area of Caracas. He was about to visit the Second Court of First Instance in Functions of Control of the Metropolitan Area of Caracas, along with the General and Deputy Consuls of Chile in Venezuela, in relation to a case involving two brothers of Chilean nationality (the "Cancerbero Case"). The diplomatic representatives requested the legal services of the lawyer in accordance with the provisions of the Vienna Convention, given that their nationals had been denied the right to consular visits on repeated occasions. Although they had sent communications to the Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela, they had not received a timely and adequate response. On that occasion, their request to intervene in the process was denied. It was alleged that they were considered parties to the process, and that there was no availability to address their request.

8. As the proposed beneficiary and the two consular authorities were leaving the courthouse, they were approached at the courthouse door (which is the same door used to exit the premises) by a man he described as "dark, tall, stocky, and wearing a yellow Nautica jacket on his left shoulder". According to his statement, the subject addressed him directly and gave him an ultimatum with a threatening attitude. The man allegedly referred to his denunciations on social networks: "Stop posting shit or it will be bad for you. Look me in the face". The lawyer asked him if he was threatening him, and the man replied that he could take the statement as he pleased. At that moment, the Consul General of Chile intervened: "Leave it, Joel, let me talk to him." The man then asked who he was, but he responded, "That doesn't matter." Afterwards, the official identified himself: "Look, I am a diplomat, I am the Chilean Consul and he is the lawyer who is assisting me", but the man did not allow him to conclude and interrupted by saying: "You may be the Chilean Consul, but you are in Venezuela, so shut up".

9. A few seconds later, three security agents from the Palace of Justice approached. The man sneaked away and went down the corridor. When they reported the incident, the staff simply took down their names. They also insisted that they did not know who the person was, and that it was the first time they had seen him. After the fact, they agreed that they would be accompanied by one of the security agents until they left the premises. In this regard, the proposed beneficiary stated that, rather than providing them with protection, he felt that their intention was to keep a close eye on them. The lawyer reported this threat on social networks and emphasized that if anything happened to him, he would hold the national government

responsible. On February 8, 2024, he met with personnel from the Office of the United Nations High Commissioner in Venezuela, and it was agreed to communicate the incident to the Office of the Special Rapporteur on the independence of judges and lawyers.

10. In April 2024, it was reported that the lawyer lives in a constant state of anxiety due to the well-founded fear of being attacked while practicing his profession. The proposed beneficiary continues to engage in human rights advocacy and activism. Regarding the case of Rocío San Miguel, it was indicated that he is still barred from being declared her attorney in fact. It was reported that on April 1, the Public Prosecutor's Office filed formal charges against Ms. San Miguel and her ex-partner Alejandro Gonzalez even though they did not have a reliable legal representative.

11. The proposed beneficiary reportedly seeks to keep a low profile while continuing to carry out the activities inherent to his litigation work in Venezuela. On February 29 and March 5, 2024, the attorney alleged that he had observed individuals following him inside the facilities during his visits to the Palace of Justice. In particular, when he requests information in order to be sworn in as Ms. San Miguel's legal counsel. He stated that when he visits the Prosecutor's Office, the same thing happens as in the courts of justice. On February 29, the same day he was in court, he reported seeing a man who followed him closely three times, since he entered until he left. Due to these recent incidents of being followed, he insisted that he feels harassed.

12. He stated that fellow defenders have advised him to be very careful, because he has no protection measures in place. Lastly, it was indicated that complaints were filed with the Public Prosecutor's Office and the Ombudsperson's Office on February 21, 2024. However, to date there has been no timely or adequate response and the proposed beneficiary's current state continues to be that of total and absolute defenselessness before the state agencies.

B. Response from the State

13. The IACHR requested information from the State on February 29, 2024. To date, the State has not submitted a response and the granted deadline has since expired.

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

14. 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 IACHR Statute. 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 an irreparable harm to persons.

15. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have repeatedly stated that precautionary and provisional measures have a dual nature, both protective and precautionary.² Regarding the protective nature, these measures seek to

² 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 March 30, 2006, considerandum 5; Case of Carpio Nicolle et al. v. Guatemala, Provisional Measures, Order of July 6, 2009, considerandum 16.

avoid irreparable harm and protect the exercise of human rights.³ 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.⁴ Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the study 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.⁵ 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.

16. 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.⁶ 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 the American Convention or other applicable instruments.⁷ This is better suited to be addressed by the Petition and Case System. The following analysis relates exclusively to the requirements set forth in Article 25 of the Rules of Procedure, which can be resolved without making any determinations on the merits.⁸

17. When analyzing compliance with the procedural requirements, Article 25(6) of its Rules of

³ 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, Request for Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5.

⁴ I/A Court H.R., Matter of Milagro Sala, Request for Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5; 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.

⁵ 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.

⁶ 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 [only in Spanish]; Matter of the children and adolescents deprived of their liberty in the “Complexo do Tatuapé” of the Fundação CASA, Request for extension of provisional measures regarding Brazil, Order of July 4, 2006, considerandum 23.

⁷ 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.

⁸ 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 gravity and urgency and the necessity to avoid irreparable damage to persons.” See: I/A Court H.R., Matter of James et al. regarding Trinidad and Tobago, Provisional Measures, Order of August 29, 1998, considerandum 6; Case of Barrios Family v. Venezuela, Provisional Measures, Order of April 22, 2021, considerandum 2 [in Spanish].

Procedure establishes that the Commission shall consider the context in which it is inserted.

18. The IACHR recalls the specific context of Venezuela. Currently, Venezuela 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 its Rules of Procedure.⁹ In 2017, through its *Democratic Institutions, Rule of Law and Human Rights in Venezuela Report*,¹⁰ the Commission “documented the progressive weakening of democratic institutions and the deterioration of the human rights situation. This situation originated, in large part, due to the various interferences of the Executive Branch over the Judiciary, which adopted decisions that affected the competences of the National Assembly (AN) and undermined the principle of separation of powers.”¹¹

19. In the aforementioned report, the Commission identified a pattern of multiple acts of harassment, persecution through the media, dismissal from public office of dissident politicians, political disqualification, irregular searches of private property, and acquiescence in the face of violent acts against opposition members and, in general, those who expressed their dissent to the policies of the government of Venezuela.¹² In addition, the Commission detailed the existence of acts of criminalization, arbitrary detentions, and impairments of rights to life and personal integrity against the proposed beneficiary.¹³ In this context, the Commission found that human rights defenders who represented persons who were detained because of their political stance were also subject to multiple acts of threats, harassment, and criminalization.¹⁴ This adverse environment for the defense of human rights has persisted over time.¹⁵

20. More recently, on February 20, 2024, the Commission condemned the decision of the government of Venezuela to suspend the activities of the Technical Advisory Office of the United Nations High Commissioner for Human Rights (OHCHR) in Venezuela.¹⁶ The decision came after a statement by that office regarding the enforced disappearance of human rights defender Rocío San Miguel.¹⁷ The decision of the Venezuelan government showed its refusal to international scrutiny in the field of human rights, which is particularly serious in a country characterized by the closure of all democratic space and the absence of the rule of law.¹⁸

21. Having specified the foregoing, the Commission considers it important to understand the facts that the proposed beneficiary has faced in light of the hostile context towards human rights defenders, and to take into account the particular context of persons who provide legal defense services to persons detained

⁹ IACHR, [Rules of Procedure of the Inter-American Commission on Human Rights](#), 2013, Art. 59.6: “a serious breach of the core requirements and institutions of representative democracy mentioned in the Inter-American Democratic Charter, which are essential means of achieving human rights, including: i. there is discriminatory access to or abusive exercise of power that undermines or denies the rule of law, such as systematic infringement of the independence of the judiciary or lack of subordination of State institutions to the legally constituted civilian authority; ii. there has been an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order [...] d. The presence of other structural situations that seriously affect the use and enjoyment of fundamental rights recognized in the American Declaration, the American Convention or other applicable instruments. Factors to be considered shall include the following, among others: i. serious institutional crises that infringe the enjoyment of human rights; [...] iii. serious omissions in the adoption of the necessary measures to make fundamental rights effective, or in complying with the decisions of the Commission and the Inter-American Court [...]”.

¹⁰ IACHR, [Democratic Institutions, Rule of Law and Human Rights in Venezuela](#), OEA/Ser.L/V/II. Doc.209/17, approved by the IACHR on December 31, 2017.

¹¹ IACHR, [Annual Report 2022, Chapter IV.B – Venezuela](#), April 1, 2023, para. 2.

¹² IACHR, [Democratic Institutions, Rule of Law and Human Rights in Venezuela](#), OEA/Ser.L/V/II. Doc.209/17, December 31, 2017, para. 164.

¹³ Op. cit., para. 165.

¹⁴ Op. cit., para. 39.

¹⁵ IACHR, [2022 Annual Report Chapter IV.B – Venezuela](#), April 1, 2023, para. 111; and [Annual Report 2023, Chapter IV.B-Venezuela](#), December 31, 2023, para. 28.

¹⁶ IACHR, Press Release [Venezuela: IACHR Condemns Expulsion of Technical Equipment of the UN High Commissioner for Human Rights](#), February 20, 2024.

¹⁷ Ibidem

¹⁸ Ibidem

because of their dissidence to the current government of Venezuela. These contexts give special seriousness to the situation that the proposed beneficiary faces and place him in a situation of vulnerability.

22. When analyzing the requirement of *seriousness*, the Commission considers that, firstly, it has been met. In reaching this determination, the Commission considers that the incidents that the proposed beneficiary has faced in Venezuela takes place in a context of continuous hostility towards persons who carry out legal defense, such as the work he performs.

23. Secondly, the Commission observes that the proposed beneficiary has aided the legal defense of various persons protected under precautionary measures in recent years. In this sense, he was a lawyer for Marino Alvarado, member of the Venezuelan Program of Education-Action in Human Rights (*Programa Venezolano de Educación y Acción en Derechos Humanos*, PROVEA) who was granted precautionary measures in 2015.¹⁹ He was also part of the legal team that represented and requested protection in favor of Juan Requesens (former congressman and leader of the political party “Primero Justicia”) who was granted precautionary measures in 2018.²⁰ In addition, he represented Roberto Marrero (militant of the political party “Voluntad Popular” and then member of the working team of Mr. Juan Guaidó), who was granted precautionary measures in 2019.²¹ The foregoing is relevant to the extent that the proposed beneficiary has had to take internal actions to protect the rights of its defendants. In the current context of Venezuela, this implies exposing himself to possible threats and harassment.

24. Consequently, the proposed beneficiary has not only been aware of the particular situations of its principals, but has also shared the various risk factors assessed by the Commission in the aforementioned precautionary measures. For example, the precautionary measures in favor of Juan Requesens and Roberto Marrero were granted when they were deprived of their liberty and under State custody. This implies that their legal counsel, which includes the proposed beneficiary, had to file visitation requests or internal actions to receive information on where they were detained, as appropriate. Any proceeding concerning the proposed beneficiary allegedly required interaction with state agents who were potentially involved in the risk events assessed by this Commission. In addition, the Commission notes that the proposed beneficiary not only denounces, in a formal way, the situations that his defendants face, but also makes them public. He disseminates these cases via social media platforms with the intention of ensuring widespread awareness within Venezuela, especially considering the prevailing circumstances.

25. Third, the Commission deems that the same situation is happening, at present, in the case of Rocío San Miguel, a human rights defender, who was granted precautionary measures in 2012²² and was detained in 2024. In this regard, both the proposed beneficiary and Rocío San Miguel have been involved, in different time frames, as participants in a conspiracy to assassinate Mr. Freddy Bernal, governor of the state of Táchira. Due to this accusation, Rocío San Miguel is currently deprived of her liberty and she was not allowed any contact with her trusted attorney, despite having requested it on several occasions. In this regard, it was reported that the criminal proceedings against Rocío San Miguel allegedly continue without the participation of the proposed beneficiary.

26. Fourth, the Commission notes that the proposed beneficiary frequently visits the facilities of the Palace of Justice in Caracas, Venezuela, in connection with other cases he is assisting in. As part of these activities, on February 7, 2024, he was threatened by an unknown person as he was leaving the Palace. This

¹⁹ IACHR, [Resolution 36/2015. Precautionary Measure No. 438-15. Matter of Marino Alvarado et al. regarding Venezuela](#), October 14, 2015.

²⁰ IACHR, [Resolution 79/2018. Precautionary Measure No. 1039-18. Juan Carlos Requesens Martínez regarding Venezuela](#), October 11, 2018, footnote on page 1.

²¹ IACHR, [Resolution 16/2019. Precautionary Measure No. 70-19. Roberto Marrero and Sergio Vergara regarding Venezuela](#), March 27, 2019.

²² IACHR, [Precautionary Measure No. 349-11. Rocío San Miguel. Venezuela](#), January 18, 2012.

threat was made against diplomatic personnel who had requested legal support in consular matters. Subsequently, on February 29 and March 5, 2024, the proposed beneficiary reported that he was being closely followed by unidentified individuals at the Palace of Justice and other institutions of the justice department. Considering these allegations, the Commission understands that there are individuals who seek information on the proposed beneficiary's movements and proceedings in the facilities of the Venezuelan Justice System. The presence of these individuals is not subtle, as the alleged intention is that the proposed beneficiary be aware that he is under surveillance during his travels.

27. Fifth, the Commission notes that, even though the facts have been reported to the Public Prosecutor's Office, no protective measures have been implemented in favor of the proposed beneficiary. At the same time, the State has not presented any elements to show why protection measures are not necessary in this case given the context accredited before this Commission. The available information shows that the actions of the State agents were focused on monitoring the proposed beneficiary rather than providing him with protection or preventing the reported incidents against him. Furthermore, given the presence of diplomatic personnel in one of the events reported, the Commission does not have elements to assess that protection measures were taken to safeguard their rights.

28. Lastly, and as a sixth point, a relevant element to consider in this matter is the action of third parties who, within the framework of their actions in support of the current government of Venezuela, adopt threats and actions of violence against people identified as "enemies of the political process" of Venezuela.²³ Over the years, the Commission has identified various acts of violence attributed to such civil groups which has received many names, such as "Bolivarian circles,"²⁴ "shock groups,"²⁵ or the so-called "collectives."²⁶ Given these circumstances, the Commission considers the threat received and the constant monitoring of the proposed beneficiary to be particularly serious, and in the framework of its work as legal defender. It is also worrisome that, despite the actions of these unidentified persons, there is no protection measure in favor of the proposed beneficiary under the current context.

29. Due to the foregoing, the Commission considers, from the *prima facie* standard, and in Venezuela's current context, that the proposed beneficiary's rights to life and personal integrity are at serious risk.

30. With regard to the requirement of *urgency*, the Commission considers that it has been met, given that the facts described suggest that risk is likely to continue and exacerbate over time, particularly in the field of work as a human rights defender. In addition, the Commission observes that the proposed beneficiary continues to speak out, in public, against the government and also continues to represent persons deprived of their liberty. This suggests the possibility that the events of risk may materialize. Therefore, it is necessary to adopt measures to protect the rights to life and personal integrity of the proposed beneficiary immediately, so that he can continue to carry out his work freely.

31. As it pertains to the requirement of *irreparable harm*, the Commission considers that it is met, since the possible impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARY

²³ IACHR, [Report on the Situation of Human Rights in Venezuela](#), OEA/SerL/V/II.118, December 29, 2003, para. 244

²⁴ Op. cit., para. 244.

²⁵ IACHR, [Democracy and Human Rights in Venezuela](#), OEA/SerL/V/II.54, December 30, 2009, paras. 112 and 113.

²⁶ IACHR, [Democratic Institutions, Rule of Law and Human Rights in Venezuela](#), OEA/Ser.L/V/II. Doc.209/17, December 31, 2017, paras. 210 and 287.

32. The Commission declares Joel Antonio García Hernández, who is duly identified in this proceeding, to be the beneficiary of the precautionary measures.

V. DECISION

33. Given the aforementioned background, the IACHR considers that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, it requests that the Bolivarian Republic of Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Joel Antonio García Hernández, in accordance with the applicable international standards and obligations, including acts of risk attributable to third parties;
- b) implement the necessary measures so that the beneficiary can carry out his work as a defense lawyer without being subjected to acts of intimidation, threats, or other acts of violence in the exercise thereof;
- c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d) report on the actions taken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

34. The Commission also requests that the Government of Venezuela report, within 15 days from the date of this resolution, on the adoption of the required precautionary measures and to update this information periodically.

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

36. The Commission instructs the Executive Secretariat of the IACHR to notify this resolution to the State of Venezuela and the applicants.

37. Approved on May 13, 2024, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Jorge Meza Flores
Assistant Executive Secretary