

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUCIÓN 4/2025**

Precautionary Measure No. 1436-24

Angélica Patricia Chavarría Altamirano regarding Nicaragua

January 10, 2025

Original: Spanish

I. INTRODUCTION

1. On December 23, 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 Human Rights Collective Nicaragua Nunca Más (“the applicant” or “the requesting party”), urging the Commission to request that the State of Nicaragua (“the State” or “Nicaragua”) adopt the necessary measures to protect the rights to life, personal integrity, and health of Angélica Patricia Chavarría Altamirano (“the proposed beneficiary”). According to the request, police officers detained the proposed beneficiary and her partner—who had serious health problems—on May 19, 2024, under house arrest, with no possibility of communicating. Following her partner’s death in September 2024, family members have been unable to know her whereabouts or fate in Nicaragua.

2. Pursuant to Article 25(5) of its Rules of Procedure, the IACHR requested information from the State on December 26, 2024. To date, the State has not replied to the Commission and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law furnished by the applicant, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that her rights to life, and personal integrity are at risk of irreparable harm. Therefore, it requests that Nicaragua: a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect her rights to life and personal integrity; b) detail if the beneficiary is in the custody of the State, the circumstances, and conditions of her detention. In particular, report on the place of her detention, and allow access to her legal representatives and family, as well as the necessary health care; and c) report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

II. BACKGROUND INFORMATION

4. Following the beginning of the crisis of the human rights situation in Nicaragua and the working visit carried out in May 2018, the Commission formed the Special Follow-up Mechanism for Nicaragua (MESENI) in order to follow up on the recommendations made to the State, as well as to maintain the respective monitoring for the purposes relevant to the mandates of the IACHR.¹ Similarly, the IACHR installed the Interdisciplinary Group of Independent Experts (GIEI) of Nicaragua, which issued a report that analyzed the events that took place in April and May 2018.² For its part, the IACHR decided to include Nicaragua in its Annual

¹IACHR, Press Release No. 134/18, [IACHR Issues Report on Nicaragua’s Serious Human Rights Situation](#), June 22, 2018; Press Release No. 135/18, [IACHR installs the Special Follow-up Mechanism for Nicaragua \(MESENI\)](#), June 25, 2018; Press Release No. 274/18, [Press Release about Nicaragua](#), December 19, 2018; Press Release No. 113/20, [Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them](#), May 16, 2020.

²IACHR, Press Release No. 145/18, [IACHR Announces Establishment of Interdisciplinary Group of Independent Experts for Nicaragua](#), July 2, 2018; GIEI, [Report on the Acts of Violence occurred between April 18 and May 30, 2018](#), December 21, 2018.

Report in Chapter IV.B as of 2018, in accordance with the grounds established in its Rules of Procedure.³ In parallel, the Commission, under its monitoring mandate, has issued reports on the human rights situation in Nicaragua. These reports include a series of recommendations to the State aimed at ensuring the respect and protection of individuals' rights in accordance with its international obligations.⁴

5. In addition to the above, the Commission has consistently expressed, both in its annual report and in press releases, its concern over the escalating crisis and serious human rights violations in the country, addressing the situation from various perspectives. The Commission has also addressed the persistence of acts of persecution⁵; the intensification of surveillance, harassment, and selective repression against individuals seen as opponents of the government, as well as human rights defenders, and independent journalists.⁶ It has also highlighted the widespread impunity and the prolonged breakdown of the rule of law,⁷ the criminalization of opposition female and male leaders,⁸ the deportation of people deprived of liberty due to political reasons and the loss of nationality,⁹ the repressive escalation against members of the Catholic Church,¹⁰ the absence of conditions for free and fair elections,¹¹ the arbitrary detention of human rights defenders, journalists, and members of the Catholic Church¹², and the government's repressive strategy to silence critical voices to the government ahead of the 2024 regional elections.¹³

6. Considering the foregoing, the Commission has urged the State of Nicaragua, among other aspects, to comply with its obligations regarding human rights¹⁴; to implement the recommendations issued

³ IACHR, Annual Report 2018, [Chapter IV.B Nicaragua](#); Annual Report 2019, [Chapter IV.B Nicaragua](#), February 24, 2020; Annual Report 2020, [Chapter IV.B Nicaragua](#), 2 February 2021; Annual Report 2021, [Chapter IV.B Nicaragua](#), May 2022; Annual Report 2023, [Chapter IV.B Nicaragua](#), December 31, 2023.

⁴ IACHR, [Report: Closure of Civic Space in Nicaragua](#), OEA/Ser.L/VIII.Doc.212/23, September 23, 2023; [Persons deprived of liberty in Nicaragua in connection with the human rights crisis that began on April 18, 2018](#), OEA/Ser.L/V/II. Doc. 285, October 5, 2020; [Report on Forced Migration of Nicaraguan Persons to Costa Rica](#), OEA/Ser.L/V/II. Doc.150, September 8, 2019; [Report on Gross Human Rights Violations in the Context of Social Protests in Nicaragua](#), OEA/Ser.L/V/II.Doc.86, June 21, 2018.

⁵ IACHR, Press Release No. 6/19, [IACHR denounces the weakening of the rule of law in the face of serious human rights violations and crimes against humanity in Nicaragua](#), January 10, 2019; Press Release No. 90/19, [IACHR Condemns Continuing Acts of Repression in Nicaragua during Negotiating Table Talks](#), April 5, 2019.

⁶ IACHR, Press Release No. 80/20, IACHR, [Two Years into Nicaragua's Human Rights Crisis, the IACHR Stresses its Permanent Commitment to Victims and Confirms the Consolidation of a Fifth Phase of Repression, April 18, 2020](#), 152/21, [IACHR Condemns the Serious Escalation of Repression in Nicaragua](#), June 18, 2021.

⁷ IACHR, Press Release No. 93/21, [Three Years After the Start of the Human Rights Crisis in Nicaragua, IACHR Condemns Ongoing Impunity](#), April 19, 2021.

⁸ IACHR, Press Release No. 145/21, [IACHR and OHCHR Categorically Condemn Criminal Prosecution of Presidential Precandidates and Urge State of Nicaragua to Release Them Immediately, June 9, 2021](#); Press Release No. 172/21, [Nicaragua: IACHR and OHCHR Demand an End to Arbitrary Arrests and the Release of All Individuals Detained Since the Start of the Crisis in Nicaragua](#), July 9, 2021. 238/21, [IACHR and OHCHR Condemn Criminalization, Failure to Enforce Due Process, and Serious Conditions of Detention for Individuals Who are Perceived to Be Government Critics in Nicaragua](#), September 10, 2021; Press Release RD026/22, [REDESCA Condemns the Cancellation of the Membership of 26 Universities and Associations for Academic and Social Purposes by the National Assembly of Nicaragua](#), February 10, 2022.

⁹ IACHR, Press Release No.021/23, [IACHR Welcomes Release of Political Prisoners in Nicaragua and Rejects Arbitrary Deprivation of Nationality](#), February 13, 2023.

¹⁰ IACHR, Press Release No. 184/22, [IACHR Condemns Acts of Repression and the Arrests of Members of the Catholic Church in Nicaragua, August 19, 2022](#).

¹¹ IACHR, Press Release No. 248/22, [IACHR Warns of Lack of Conditions for Free and Fair Municipal Elections in Nicaragua](#), November 4, 2022.

¹² IACHR, Press Release No. 123/23, [IACHR Rejects Continued Repression and Human Rights Violations in Nicaragua](#), June 16, 2023; IACHR, Press Release No. 184/23, [Nicaragua: IACHR and OHCHR urge the State to release Monsignor Rolando Álvarez and guarantee his human rights](#), August 18, 2023; Press Release No. 218/23, [IACHR Urges the State of Nicaragua to Cease Persecution of the Catholic Church](#), September 15, 2023.

¹³ IACHR, Press Release No. 243/23, [IACHR and RELE: Nicaragua must cease repression against indigenous communities on the Caribbean Coast](#), October 10, 2023.

¹⁴ IACHR, Press Release No. 6/19, [IACHR denounces the weakening of the rule of law in the face of serious human rights violations and crimes against humanity in Nicaragua](#), January 10, 2019; Press Release No. 26/19, [IACHR Condemns Increasing Attacks on the Press and Ongoing Human Rights Violations in Nicaragua](#), February 6, 2019; Press Release No. 90/19, [IACHR Condemns Continuing Acts of Repression in Nicaragua during Negotiating Table Talks](#), April 5, 2019.

by the IACHR¹⁵; to cease acts of persecution against people identified as opponents of the government and to reestablish democratic guarantees¹⁶; to release individuals that remain arbitrarily detained in inadequate conditions of detention¹⁷; to reestablish and give effect to the full enjoyment of civil and political rights¹⁸; and to put an end to the repression and persecution of those who seek the return of democracy in Nicaragua or exercise their public freedoms.¹⁹ More recently, on June 11, 2024, the Commission and its Office of the Special Rapporteur for Freedom of Expression (SRFoE, or RELE for its acronym in Spanish) expressed concern over the dire situation of individuals arbitrarily deprived of their liberty in Nicaragua. They urged that their lives and integrity be guaranteed, and called for their immediate release.²⁰

7. The Commission noted that on September 5, 2024, 135 individuals considered opponents of the regime who were arbitrarily detained in Nicaragua under deplorable conditions and allegations of torture and ill-treatment were released and transferred to Guatemala. However, it condemned the arbitrary deprivation of their Nicaraguan nationality and the seizure of their assets. On this matter, the IACHR urged Nicaragua to guarantee the right to nationality, to cease repression in the country and to release all people who continue to be arbitrarily detained.²¹

8. Lastly, the Commission reaffirmed its jurisdiction over Nicaragua and continues to fulfill its monitoring mandates through MESENI, as well as through the analysis and processing of cases, petitions, and precautionary measures.²² In this regard, the Commission emphasized that the State of Nicaragua continues to be bound by all the international instruments to which it is a party, such as the American Convention on Human Rights.²³

III. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicant

9. The applicant states that the proposed beneficiary, who is 38 years old, is employed at Keller Williams, a real estate company. She was the partner of Humberto Ortega, late brother of President Daniel Ortega and commander of the National Directorate of the Sandinista National Liberation Front (FSLN) between 1979 and 1990. As background information, it was reported that the proposed beneficiary supported protesters during the April 2018 protests. As a result, a neighbor sympathetic to the ruling party allegedly threatened her. She therefore decided to relocate to another address with Humberto Ortega, and avoided expressing herself on social networks for fear of reprisals. Subsequently, the proposed beneficiary faced

¹⁵ IACHR, Press Release No. 113/20, [Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them](#), May 16, 2020.

¹⁶ IACHR, Press Release No. 249/20, [IACHR Calls for Persecution of People Identified as Dissidents to End and for Democratic Guarantees to be Reestablished in Nicaragua](#), October 10, 2020.

¹⁷ IACHR, Press Release No. 145/21, [IACHR and OHCHR Categorically Condemn Criminal Prosecution of Presidential Precandidates and Urge State of Nicaragua to Release Them Immediately, June 9, 2021](#); Press Release No. 172/21, [Nicaragua: IACHR and OHCHR Demand an End to Arbitrary Arrests and the Release of All Individuals Detained Since the Start of the Crisis in Nicaragua](#), July 9, 2021, Press Release No. 197/2022, [IACHR and REDESCA: Immediate release of political prisoners in deplorable conditions in Nicaragua is urgently needed](#), September 5, 2022.

¹⁸ IACHR, Press Release No. 218/22, [In light of serious allegations regarding the closure of civic spaces in Nicaragua, UN and IACHR Special Rapporteurs urge authorities to comply with their international obligations to respect and guarantee fundamental freedoms](#), September 28, 2022.

¹⁹ IACHR, Press Release No. 24/2023, [The IACHR and OHCHR condemn the escalation of human rights violations in Nicaragua](#), February 17, 2023.

²⁰ IACHR, Press Release No. 132/2024, [Nicaragua: IACHR Urges to Guarantee the Life and Integrity of Persons Arbitrarily Detained and to Immediately Release Them](#), June 11, 2024.

²¹ IACHR, Press Release No. 217/24, [Nicaragua: IACHR repudiates the arbitrary deprivation of nationality of the 135 people released](#), September 13, 2024.

²² IACHR, Press Release 312/2021, [IACHR Stresses Its Competent Jurisdiction Concerning Nicaragua and laments Nicaragua's Decision to Denounce the Charter of the OAS in a Context of Serious Human Rights Violations](#), November 20, 2021.

²³ IACHR, Press Release 312/21, previously cited.

repression following an interview with Humberto Ortega on May 19, 2024, during which he alleged that members of the regime had attempted to kill him.

10. On May 19, 2024, the proposed beneficiary and her partner received a call informing them that the police surrounded their residence in Managua. That night, she sent messages to her relatives expressing her concern “about a possible arrest or that they would be placed under house arrest.” That day, the raid and the arrest of both individuals at their residence were carried out. They informed their relatives that authorities had confiscated their computers and cell phones. On May 20, 2024, the proposed beneficiary was seen in Galerías Santo Domingo accompanied by two armed police officers and an agent. That same day, a work colleague reported seeing her arrive at her place of employment escorted by police officers to tender her resignation. According to the applicant, the last time that the proposed beneficiary’s family members were able to communicate with her was on May 20, 2024.

11. On June 11, 2024, it was reported that Mr. Humberto Ortega’s health had become complicated, leading to his transfer to a medical facility. However, the proposed beneficiary was not mentioned. Her relatives repeatedly approached the police officers stationed outside her house to inquire about her, but they were denied any information. On September 30, 2024, Humberto Ortega passed away in a hospital while in custody. It was then allegedly confirmed that the proposed beneficiary was not in their shared residence, which concerned her family as they did not have any information on her whereabouts. On October 1, 2024, an audio message recorded by Humberto Ortega on June 9, 2024, was released. In it, he declared himself a ‘political prisoner’ under house arrest and stated that both he and the proposed beneficiary had been stripped of all their freedoms.

12. According to the request, in early October 2024, her relatives went to clean one of the proposed beneficiary’s residences in Managua. Members of the Office of the Attorney General showed up and unsuccessfully attempted to enter. Her family had to relocate internally due to reprisals. It was reported that a police commissioner requested information on the location of the proposed beneficiary’s mother. The proposed beneficiary’s relatives continued to visit the property where she had lived with Humberto Ortega to inquire about her whereabouts. However, an officer told them that “that girl is a vagabond, she goes out and gets lost”, presumably trying to shift responsibility away from the state.

13. The request stated that the proposed beneficiary’s bank accounts were frozen and blocked between October 6 and 8, 2024. It was later revealed that an arrest warrant had been issued against any of the proposed beneficiary’s relatives. To date, Angélica Chavarría’s whereabouts remain unknown, and there are no records to indicate that she has been prosecuted for any crime. It was reported that the proposed beneficiary has hypertension and endometriosis, and therefore requires ongoing medical attention and daily medication. Prior to being detained, she was scheduled for a medical appointment to use a blood pressure Holter²⁴ to assess her health. Lastly, the applicant described the proposed beneficiary’s situation as a “forced disappearance.”

B. Response from the State

14. The IACHR requested information from the State on December 26, 2024. To date, the State has not responded to the Commission’s request.

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

15. The precautionary measures mechanism is part of the Commission’s function of overseeing compliance with the human rights obligations set forth in Article 41(b) of the American Convention on Human Rights, also included in Article 18(b) of the Statute of the IACHR. The precautionary measures mechanism is described in Article 25 of the Rules of Procedure of the Commission. In accordance with that Article, the

²⁴ A device intended to monitor her blood pressure over an extended period.

Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm to people.

16. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have repeatedly established that precautionary and provisional measures have a dual nature, both protective and precautionary²⁵. Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.²⁶ 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.²⁷ Regarding 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.²⁸ 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.

17. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.²⁹ 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.³⁰ This is better suited to be addressed

²⁵I/A Court H.R., Matter of the Yare I and Yare II Capital Region Penitentiary Center (Yare Prison), Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; Matter of Carpio Nicolle et al. v. Guatemala, Provisional Measures regarding Guatemala, Order of July 6, 2009, considerandum 16.

²⁶I/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.

²⁷I/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).

²⁸I/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).

²⁹I/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.

³⁰IACHR, 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.

by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of the Rules of Procedure, which can be resolved without making any determination on the merits.³¹

18. The Commission observes that the alleged situation placing the proposed beneficiary at risk is not an isolated event and, on the contrary, it corresponds to the current context of Nicaragua, which is particularly hostile towards individuals considered, perceived, or identified as opponents of the government and, in general, towards any person critical of the current national government.³² This context has intensified over time.³³ Taking into account the foregoing, the Commission will proceed to analyze the procedural requirements regarding the proposed beneficiary's situation in Nicaragua.

19. Regarding the requirement of *seriousness*, the Commission finds it to be met, as the applicant states that the proposed beneficiary's whereabouts have been unknown since her arrest by state agents on May 19, 2024. The Commission observes that, according to the applicant, the proposed beneficiary was reportedly arrested at her residence with her partner for several months, without communication with the outside world. However, after the proposed beneficiary's partner died on September 30, 2024, in a hospital, her relatives claimed that she was not in the residence. Since then, the family has been unable to determine the whereabouts of the proposed beneficiary.

20. In this regard, the Commission has no evidence that the proposed beneficiary was presented before the competent Nicaraguan courts, nor is there any information on criminal or judicial proceedings against it. In this sense, the Commission understands that her family members are unable to activate the corresponding resources for her protection. This includes the possibility of knowing whether the proposed beneficiary is receiving medical care to treat her health issues.

21. The Commission observes that, after the arrest, her family repeatedly visited the residence, where she was believed to be detained, in an attempt to obtain information about her situation. However, despite her family members' efforts, the state authorities did not provide official data on the proposed beneficiary or her current whereabouts. Therefore, to date, it has not been possible to confirm his whereabouts or obtain official information about her current state.

22. Having requested information from the State under Article 25 of the Rules of Procedure, the Commission regrets the lack of response to the request. 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 would have been reportedly implemented to address the situation that places the proposed beneficiary at risk dispute the facts alleged by the applicant. Therefore, the Commission does not have information that would allow it to assess whether the situation that places the proposed beneficiary at risk has been mitigated, nor regarding the actions taken to determine her whereabouts or fate. The Commission also notes that the proposed beneficiary may be in the custody of the State, which should have details on her location and current situation.

³¹ 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 in this regard: I/A Court H.R., Matter of James et al. regarding Trinidad and Tobago, Provisional Measures, Order of August 29, 1998, considerandum 6; Matter of Barrios Family Vs. Venezuela, Provisional Measures, Order of April 22, 2021, considerandum 2.

³² IACHR, Report: Closure of Civic Space in Nicaragua, OEA/Ser.L/VIII, Doc. 212/23, September 23, 2023, paras. 6, 20, and 62; 2022 Annual Report, Chapter IV.B Nicaragua, paras. 35-65 and 177; Press Release No. 123/23, IACHR Rejects Continued Repression and Human Rights Violations in Nicaragua, June 16, 2023; Press Release No. 184/23, Nicaragua: IACHR and OHCHR urge the State to release Monsignor Rolando Álvarez and guarantee his human rights, August 18, 2023; Press Release No. 218/23, IACHR Urges the State of Nicaragua to Cease Persecution of the Catholic Church, September 15, 2023; Press Release No. 152/21, The IACHR condemns the serious escalation of repression in Nicaragua, June 18, 2021; Press Release No. 2/21, The IACHR condemns the intensification of harassment in Nicaragua, January 6, 2021; Annual Report 2023, Chapter IV.B Nicaragua, December 31, 2023, paras. 5, 36, and 138.

³³ IACHR, Press Release No. 113/20, Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them, May 16, 2020; Annual Report 2020, Chapter IV.B Nicaragua, paras. 46-52; 2023 Annual Report, Chapter IV.B Nicaragua, December 31, 2023, para. 19.

23. The Commission highlights that the proposed beneficiary's family has not had communication with her and is unaware of her legal situation; including, for example: the existence of an investigation file against her, the status of the investigation, the reasons for her detention, the existence of an arrest warrant, whether the legal case has undergone judicial reviews, her place of detention, the detention conditions, or the possibility of contacting legal representation of her choice, among other matters. Given that contact with the proposed beneficiary has not been established, the situation that places her at risk is further exacerbated by the inability to determine her whereabouts and verify her current condition. In this regard, the Commission recalls that the Inter-American Court has indicated, in the *Matter of Juan Sebastián Chamorro et al. v. Nicaragua*, that "detention without communication not only makes it impossible to verify the current situation of the proposed beneficiaries, their conditions of detention, and their health status, but it also implies a curtailment of the procedural guarantees of all detainees."³⁴

24. In light of the foregoing considerations and the *prima facie* standard, the Commission believes that the proposed beneficiary's rights to life and personal integrity are at serious risk, given that, to date, no official information has been provided regarding her fate, whereabouts, or current situation.

25. Regarding the requirement of *urgency*, the Commission finds that it has also been met, to the extent that the passage of time without establishing her whereabouts is likely to generate greater impact on the proposed beneficiary's rights to life and personal integrity. In this regard, her whereabouts remain unknown, and it has not been possible to obtain any information about her current location or health. Additionally, the Commission does not have any information from the State regarding the actions that may be taken to address or mitigate the risk that the proposed beneficiary faces, nor about any measures to determine her whereabouts.

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

V. BENEFICIARY

27. The Commission declares Angélica Patricia Chavarría Altamirano, who is duly identified in this proceeding, as the beneficiary.

VI. DECISION

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

- a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect her rights to life and personal integrity;
- b) detail if the beneficiary is in the custody of the State, the circumstances, and conditions of her detention. In particular, report on the place of her detention, and allow access to her legal representatives and family, as well as the necessary health care; and
- c) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

³⁴ I/A Court H.R., *Matter of Juan Sebastián Chamorro et al. regarding Nicaragua*, Provisional Measures, Order of the Inter-American Court of Human Rights of June 24, 2021, paragraph 36.

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

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

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

32. Approved on January 10, 2025, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; and Andrea Pochak, members of the IACHR.

Jorge Meza Flores
Assistant Executive Secretary