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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 26/2024**

Precautionary Measure No. 438-15  
**Members of the Venezuelan Program of Education-Action on Human Rights  
(PROVEA) regarding Venezuela**  
April 29, 2024  
(Follow-up and Extension)

**I. INTRODUCTION**

1. Between 2020 and 2024, the Inter-American Commission on Human Rights (hereinafter “the Inter-American Commission,” “the Commission,” or “the IACHR”) received a request for extension of precautionary measures filed by the Venezuelan Program of Education-Action on Human Rights (PROVEA) and the Center for Justice and International Law (CEJIL) urging the IACHR to require that the Bolivarian Republic of Venezuela (hereinafter “Venezuela” or “the State”) protect the rights of all members of the PROVEA organization’s team. According to the request, the members of PROVEA are at risk in the framework of their work as human rights defenders in the current context of Venezuela, considering the visibility of the institution and its coordinators, the frequent stigmatizing statements made by high state authorities in the media, the surveillance and monitoring by state actors.

2. Pursuant to Article 25 of the Rules of Procedure, the IACHR requested information from the State on July 16, 2020; August 2, 2021; July 30, 2022; and March 20, 2024, to obtain its comments on the request for extension. The IACHR received no response from the State, and the deadlines have expired. The representation submitted communications annually, the last one on April 12, 2024.

3. Upon analyzing the submissions of fact and law presented by the representation in the current context of Venezuela, the Commission considers that the information presented shows *prima facie* that the members of the PROVEA organization are in a serious and urgent situation since their lives and personal integrity are at risk. Consequently, by Article 25 of the IACHR Rules of Procedure, the Commission requests that Venezuela: a) adopt the necessary measures to guarantee the life and personal integrity of the persons identified as members of the PROVEA team; b) adopt the necessary measures so that the beneficiaries can carry out their activities as human rights defenders without being subjected to acts of violence, threats, and harassment; c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and d) report on the actions taken to investigate the alleged facts that led to these precautionary measures, so as to prevent them from reoccurring.

**II. BACKGROUND INFORMATION**

4. On October 14, 2015, the Inter-American Commission granted precautionary measures in favor of Rafael Uzcátegui, Esperanza Hermida, Inti Rodríguez, and Marino Alvarado, members of PROVEA.<sup>1</sup> On December 24, 2019, it extended the precautionary measures in favor of Mr. Carlos Patiño, who assumed the position of Coordinator of PROVEA in 2016.<sup>2</sup> In the respective resolutions of the precautionary measures, the IACHR noted the relevance of the work of the PROVEA organization “in the framework of the preparation of reports on the human rights situation in Venezuela, which include issues of broad national and international coverage.”<sup>3</sup> Likewise, it highlighted the differentiated risk impact faced by the institution’s coordinating team members who, “due to their visibility, protagonism and representativeness in the

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<sup>1</sup> IACHR. [Resolution No. 36/15 \(PM 438-15\). Matter of Marino Alvarado et al. regarding Venezuela](#), October 14, 2015.

<sup>2</sup> IACHR. [Resolution No. 63/19 \(PM 438-19\). Matter of Carlos Patiño regarding Venezuela](#), December 24, 2019.

<sup>3</sup> IACHR. [Resolution No. 36/15 \(PM 438-15\). Matter of Marino Alvarado et al. regarding Venezuela](#), October 14, 2015, para.

organization, turn out to be the most exposed members in Venezuela's current context."<sup>4</sup> Similarly, the Commission analyzed the "conjunction of speeches made by senior officials, about the work of some members of the organization, and the alleged materialization of acts of violence," which included kidnapping, beatings, and other acts of violence with the use of firearms against the beneficiaries, allegedly because of their work defending human rights through the organization.

5. In both granting resolutions, the Commission requested the State adopt necessary measures to preserve the life and personal integrity of the identified persons, as well as measures to carry out their activities as human rights defenders without being subjected to acts of violence, threats, and harassment. The Commission requested that the measures to be adopted be agreed upon with the beneficiaries and their representatives and that information be provided on the actions implemented to investigate the alleged events that led to the precautionary measures and prevent such events from reoccurring.

6. Since 2017, the Commission observed that the State has not submitted a response to these precautionary measures.

### **III. SUMMARY OF THE INFORMATION PRESENTED BY THE REPRESENTATION**

7. The representation alleged that the situation of the members of the PROVEA has been worsening over time, extending the threatening situation of the coordination of the institution to all its members. In this regard, they requested the extension of these precautionary measures in favor of 16 people who make up the PROVEA organization: (1) Óscar Murillo, (2) Lissette González, (3) Lisandro Raúl Cubas, (4) Juderkis Aguilar, (5) Rodolfo Montes de Oca, (6) Elienai González, (7) Joyffer Briceño, (8) Pilar Desirée González, (9) Óscar Calles, (10) Olga Villasmil, (11) Aimée Hernández, (12) José Manuel Rojas, (13) Liliana Mendoza, (14) Eduardo Torres, (15) Sergio González, and (16) Dick Antonio Guanique Garvan. When requesting the extension, the representatives expressed concern that state authorities continue to make public statements against the PROVEA organization and its members, describing them as protecting terrorists, "*vende patria*" [which means "one who sells their country"] receiving financing from the CIA [American Central Intelligence Agency], or foreign currencies to destabilize the country, among others. At the same time, they expressed that, along with the indicated allegations, third parties reportedly make threats and incite to violence against the members of PROVEA or attacks on its headquarters. The representation added that such events occur in the context of the closure of civil society spaces and criminalizing the defense of human rights. In addition, more recently, the representation reported threatening events such as persecution and surveillance allegedly carried out by state agents against the members of PROVEA.

*i. Context of closing the participation spaces of Venezuelan civil society and its impact on the organization PROVEA*

8. The representation provided information on the context in which the work of the members of PROVEA takes place. For example, the humanitarian aid initiative led by the organization called the "Music for Medicines" project has been criminalized and discredited by the State, which has linked such actions to CIA destabilizing plans in Venezuela. According to the portal "Con el Mazo Dando," it has been indicated that this "attempts to undermine the Bolivarian Government" through rock festivals, as well as "attracting young people from the opposition."

9. On April 27, 2021, the representatives reported that on March 30, 2021, Administrative Order No. 001- 2021, as amended by Administrative Order No. 002-2021 for the Unified Registry of Obligated Subjects before the National Office against Organized Crime and Financing of Terrorism (ONCDOFT), which severely reduces civic space in the country, as well as the defense of human rights and humanitarian work by promoting the criminalization of civil society organizations for receiving financing from abroad, equating it with terrorism. The representation added that a bill called "Law on Supervision, Regularization, Action and Financing of Non-Governmental Organizations and Related Organizations" continues to advance, which is

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<sup>4</sup> IACHR. [Resolution No. 63/19 \(PM 438-19\). Matter of Carlos Patiño regarding Venezuela](#), December 24, 2019, para. 38.

another strategy to restrict and criminalize the work of civil society.

10. In this line, the representation added that on Friday, July 30, 2021, the station of the radio program PROVEA, entitled “Son Derechos,” which was broadcast daily from the popular radio station “Radio Fe y Alegría,” received a notice from authorities of CONATEL (the state body that controls Venezuelan radio and television) that the program should be taken off the air to avoid sanctions against the station. The reportedly occurred after a series of calls from CONATEL since 2019, “showing their disagreement with some of the interviews or topics discussed in a radio program, including threats by the entity to take the program off the air.” Currently, the program is off the air, leading PROVEA to broadcast its content recordings via social networks.

11. The representation indicated suffering reprisals for cooperating with international organizations by providing the information it has managed to document about the human rights situation in Venezuela. For example, in the public version edited by the Venezuelan government of its response to the investigation of the International Criminal Court (ICC) for the alleged crimes against humanity committed in Venezuela, the representation indicated that the organization PROVEA is identified as a source for the Report of the Independent International Fact-Finding Mission on Venezuela of the United Nations. In particular, the director general of PROVEA was pointed out as a “fervent opponent of the Maduro government.” According to the representation, this situation exposes the organization to a high level of risk, which is susceptible to increase as the procedures regarding Venezuela before the ICC progress.

12. The representation reported that, on May 16, 2022, the current beneficiaries received a notification from the Criminal Court notifying them of the admission of the private accusation of continued aggravated defamation filed by the governor of the State of Carabobo, Rafael Lacava, against the beneficiary Marino Alvarado Betancourt and another person. According to the representation, “[t]his act of criminalization and misuse of criminal law against him occurs after the defender Alvarado, [...] publicly requested the investigation of the material, intellectual and entire chain of command of those who carry out extrajudicial executions in the Carabobo State.”

13. The representation noted that, in the prominent context against human rights defenders, there is an “official discourse in Venezuela, particularly disseminated through the official television program “Con el Mazo Dando,” which qualifies those who defend rights as traitors and destabilizing agents.” According to the representation, the risks alleged against the members of PROVEA are not limited to the beneficiaries, “but all the personnel of the organization assumes this risk,” the proposed beneficiaries.

*ii. Accusations by high authorities against the PROVEA organization and its members*

14. Over time, the representation warned of allegations attributable to high state authorities, mainly through social networks or public media against PROVEA and its members, with the dissemination of false information or pejorative ratings. For example, in 2020, following a post by PROVEA on social networks about the capture of 13 people who allegedly planned an attack on President Nicolás Maduro, he described it as a “linked organization and defender of the alleged invaders” and “an organization financed by the CIA, which one day defended the human rights of this country.” In addition, the government’s deputy minister of international communication, William Castillo, published about PROVEA: “[t]his private franchise, disgustingly rented to Washington, exonerates the mercenary failures hired to KILL VENEZUELAN and validates their action with a pathetic and shameful rhetorical resource ‘closure of peaceful channels.’”

15. That same year, the program “Con el Mazo Dando,” hosted by the then president of the National Constituent Assembly, Diosdado Cabello, and broadcast on the state television channel, published a note accusing PROVEA of being a “tariffed” NGO that “claims mercenary incursion into the country” and that “lays bare the true political and ideological intentions that these American franchises hide under the mantle of ‘human rights defenders.’” It also showed photographs of the faces of the beneficiaries Rafael Uzcátegui, general coordinator, and Marino Alvarado, research coordinator of PROVEA.

16. In 2021, in the “Negative Billboard” section of the program, Diosdado Cabello accused

beneficiary Alvarado of defending armed gangs that intended to “assassinate and destabilize the country.” Mr. Cabello also referred to the beneficiary Rafael Uzcátegui on receiving funds from the United Kingdom. He accused the non-governmental organizations of being “instruments that the powers use to destabilize the peoples” and once again referred to PROVEA before the courts. He also accused civil society organizations of “*vende patrias*” and of being controlled by governments of world powers.

17. Even in 2021, the PROVEA was pointed out by Foreign Minister Jorge Arreaza in a message on his Twitter account in which he indicated, “[r]eading this on a day of joy for the country only generates a doubt for me. Is this organization called PRO-OAS or PRO-DEA?” Subsequently, the executive secretary of the General Police Council and director of human rights of the Ministry of Foreign Affairs responded: “I am afraid that both Chancellor, but with those little people we must do pro-FILAXIS with bad vibes... they are absolute toxicity with their bitterness and frustration.” In 2021, the commander of the FAES (Special Action Force), Miguel Domínguez, accused PROVEA of laundering drug money and conspiring against the country. In 2023, during the broadcast of a podcast, President Maduro quoted PROVEA, indicating: “Take note PROVEA, since the year 96 he was in his wanderings receiving bills from the gringos”. In this context, he refers to the fact THAT PROVEA contributed to the capture of Maduro as an activist in the 1990s.

*iii. Death threats and calls for aggression against members of the PROVEA organization in the context of stigmatizing statements by high state authorities*

18. According to the representation, whenever there is an accusation by a public official against PROVEA, it is accompanied by reactions from people related to the government who call for violence and feed the climate of hostility against the organization. In this regard, there were reports of accusations and threats on social networks that refer to the PROVEA with phrases such as: “I hope they get shot,” “these have to be cut off from the gringo financing and all that suspicious of it, ALL OF THOSE WHO CONSPIRE AGAINST THE GREAT HOMELAND will end up biting the dust you bastards #FuriaBolivarianaEnAlerta (#BolivarianFuryOnAlert)”; “PROVEA- NGO of terrorists”; “we are going to kill you and so you cannot claim Human Rights [...]”. In 2021, the comment of a businessman with more than 13 thousand followers stood out, who made a call on social networks to go to the headquarters of PROVEA and attack its members, indicating “[h]ow many will join me to go to the headquarters of PROVEA tomorrow to fall for the MMGB that sent to trill this?” (sic). The supporters shared the message and wrote responses such as: “[i]f I could burn that shit down so that not even the evil memory of that garbage remains, how much damage they do is enough”; “[w]ill there be a long line? Don’t leave me the liver because that’s where I’ll hit them”; and “[p]erfect, first we’ll read them their human rights, and then we’ll beat them up.”

19. The representation indicated that, although moments are identified in which the accusations against PROVEA are intensified, these are reportedly “constant,” providing lists of links with stigmatizing manifestations on social networks. It was stated that, after statements transmitted by the highest state authority on national television, “on social networks there continue to be people who directly link the organization with terrorists, mercenaries, and as defenders of people whose objective, according to the official discourse, was to kill Venezuelans.” In this regard, on September 3, 2021, the representation referred to a death threat received through a direct message on the social networks of PROVEA on August 3, 2021, which read: “1 gold and three silver. And for you, lead [bullets]. Coup plotters.” The representation indicated that the PROVEA team constantly goes to the headquarters and exposes themselves to the attacks announced in media and social networks.

*iv. Insecurity and risk events faced by PROVEA members*

20. It was indicated that the administrative, education and defense, communication, and institutional management staff of PROVEA have expressed high levels of stress, fear, and anguish to continue their activism work in this context of hostility and threats. In addition, PROVEA staff expressed great fear of going to the organization’s headquarters and that the attacks and threats announced on social networks will materialize, in addition to the possibility of arbitrary searches and arrests. The representation reported that the members of PROVEA adopted self-protection measures.

21. In this sense, it was reported that armored glass was installed in the office, which is said to be strong enough to withstand grenade attacks. In addition, cameras were installed in the office and the houses of some members of PROVEA. In the same way, a transport mechanism was created for the members of PROVEA to avoid the use of public transport. It was indicated that PROVEA is located near government buildings, where pro-government groups circulate “in many cases very violent.” This entails seriousness because “there are constantly calls on social networks and other media to go to the headquarters of PROVEA TO burn it or attack its members.” In these circumstances, “they almost permanently see officials of the SEBIN [Bolivarian National Intelligence Service] hooded around the PROVEA offices.”

22. The representation alleged that, on September 20, 2022, around 10:30 a.m., while some members of PROVEA held a press conference at the headquarters of the institution with relatives of detained victims who demanded their release, they were informed that outside the headquarters of PROVEA, there were SEBIN officials, who expressed their intention to enter the headquarters. Beneficiary Inti Rodríguez reportedly denied them entry, indicating that he would only allow them entry with an official order, to which they told him that “it would not be difficult for them.” The agents allegedly requested identity documents from Rodríguez, taking a photograph of his identity card. The beneficiary also reportedly asked for the names of the agents, who refused to provide them. In that scenario, the members of PROVEA, journalists, and relatives of detained victims remained locked in the office for 30 minutes until the agents left the entrance of the institution but remained around the building, so all the people inside PROVEA left the headquarters together. According to the representation, “It is another act of intimidation and harassment coming from the government and through the use of security forces that seek to hinder the work of human rights defense carried out by PROVEA.”

23. More recently, on December 13, 2023, the representation pointed out that, on November 23, 2023, while the members of PROVEA were holding a workshop with training for union leaders in San Felipe, state of Yaracuy, at noon, two SEBIN officials presented themselves. The officials requested to enter to verify that the activity was being carried out and take photos, and they explicitly asked about beneficiary Marino Alvarado. The people in charge of security did not allow the entry of the SEBIN agents, who later withdrew.

24. On November 24, 2023, officials of the Lara state police were present at a closed activity concerning the right to water carried out with PROVEA, requesting to know what it was and if they could participate. The representation reported that they were told that the activity that day would not be public but with already identified guests. Subsequently, two unregistered people entered the premises, “and took photos of the spaces and the participants. The participants identified these people as alleged SEBIN officials. They were challenged and urged to withdraw, and they did so.” On November 25, 2023, between 8:00 a.m. and 10:00 a.m., a white vehicle without plates, supposedly those that “commonly use the SEBIN in the state of Lara,” was installed in front of the center where the activities of PROVEA took place. The representation stated, “We maintain that these incidents constitute acts of harassment against defenders while they carry out their defense work.”

25. According to the representation, on February 20, 2024, around 4:00 p.m., three members of PROVEA proposed beneficiaries, Dick Antonio Guanique Garvan, Rodolfo Montes de Oca, Óscar Enrique Calles Toro, were allegedly chased by a vehicle without plates and with dark glass, “similar to those used by the Venezuelan police.” The persecution allegedly occurred, leaving the PROVEA office at the end of the workday. Likewise, the chase reportedly lasted 10 minutes, “and sometimes the car that was chasing them approached them at dangerous distances for two moving vehicles.”

26. Lastly, the representation reported that, on February 27, 2024, the beneficiary Rafael Uzcátegui was informed that his name was included in a government list of persons whose passport would be annulled. Subsequently, the beneficiary was able to confirm that he had a “red alert” linked to his passport and at the International Airport of Maiquetía, due to the fact that he would have a “high profile,” as his social networks were being monitored. Although he managed to renew his passport, on March 13, 2024, at the moment of withdrawing the new document, a state official communicated him that “the validity of the new

passport depended on him ceasing his activities, and that in order to leave the country he had to previously notify the [Administrative Service of Identification, Migration and Aliens] so that they would withdraw the 'silent alert' that would remain in force in the country's airports. At the same time, it warned him that, if he attempts to leave the country without prior notice, he would be subject to arrest."

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

27. The precautionary measures mechanism is part of the Commission's overseeing compliance with the human rights obligations outlined in Article 106 of the Charter of the Organization of American States. These general oversight functions are established in Article 41(b) of the American Convention on Human Rights and Article 18(b) of the IACHR Statute. The mechanism of precautionary measures is outlined in Article 25 of the Commission's Rules of Procedure. Under that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons.

28. 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 precautionary.<sup>5</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.<sup>6</sup> To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left if the measures are not adopted.<sup>7</sup> As for 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 request is pending before the inter-American system is resolved. Their objective is to ensure the integrity and effectiveness of an eventual decision on the merits, thus avoiding further infringement of the rights at issue. This situation may adversely affect the final decision's valuable effect (*effet utile*). In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to guarantee the ordered reparations.<sup>8</sup> In the process of reaching a decision, and according to Article 25(2) of the 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 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 a 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.

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<sup>5</sup> Inter-American Court of Human Rights (IACHR). 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; I/A Court H.R. Case of Carpio Nicolle et al. v. Guatemala. Provisional Measures. Resolution of July 6, 2009, considerandum 16.

<sup>6</sup> I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of February 8, 2008, considerandum 8; I/A Court H.R. Case of Bámaca Velásquez. Provisional Measures regarding Guatemala. Order of January 27, 2009, considerandum 45; I/A Court H.R. Matter of Fernández Ortega et al. Provisional Measures regarding Mexico. Order of April 30, 2009, considerandum 5; I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina. Order of November 23, 2017, considerandum 5.

<sup>7</sup> I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina. Order of November 23, 2017, considerandum 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 9; I/A Court H.R. Matter of the Criminal Institute of Plácido de Sá Carvalho. Provisional Measures regarding Brazil. Order of February 13, 2017, considerandum 6 [only in Spanish].

<sup>8</sup> I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of February 8, 2008, considerandum 7; I/A Court H.R. Matter of "El Nacional" and "Así es la Noticia" newspapers. Provisional Measures regarding Venezuela. Order 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.

29. 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 using the *prima facie* standard of review to determine whether a severe and urgent situation exists.<sup>9</sup> Similarly, the Commission recalls that, by its 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.<sup>10</sup> This is better suited to be addressed by the Petition and Case system. The following analysis relates only to the requirements outlined in Article 25 of the Rules of Procedure, which can be resolved without determining the merits.<sup>11</sup>

30. To the extent that the representatives have requested the “extension” of these precautionary measures, the Commission recalls that one of the requirements is that the alleged facts have a “factual connection” with the events that called for the initial adoption of the precautionary measures. In this regard, the Commission understands that the proposed beneficiaries share the following common points with the current beneficiaries of the precautionary measures: (i.) they are members of the PROVEA organization in various positions and with different responsibilities; (ii.) they work at the same PROVEA headquarters; (iii.) they are the subject of multiple events against THEM because of their relevance to the PROVEA organization; (iv.) the events presented focus on both those who exercise coordination tasks in PROVEA (the current beneficiaries) and those who do not; and (v.) all the people who make up the PROVEA organization would face the same situation of lack of protection for continuing to work for it. In this way, the Commission considers that the requirement of factual connection is met to the extent that the proposed beneficiaries share elements of risk identified against the beneficiaries.

31. When analyzing compliance with the procedural requirements, Article 25 (6) of its Rules of Procedure establishes that the Commission shall consider the context in which it is inserted.

32. Consequently, the IACHR recalls the specific context of Venezuela, which it has been closely monitoring. Currently, this country is incorporated into Chapter IV.B of the Annual Report of the IACHR by Article 59, paragraphs 6. a.i, 6.a.ii, 6. d. i and 6.d.iii of the Rules of Procedure.<sup>12</sup> In 2017, through its *Democratic Institutionalization, Rule of Law and Human Rights in Venezuela Report*,<sup>13</sup> the Commission “documented the progressive weakening of democratic institutions and the deterioration of the human rights situation. This situation was caused, in large part, by the different interference of the Executive Branch on the Judiciary, which adopted decisions that affected the powers of the National Assembly (AN) and undermined the

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<sup>9</sup>I/A Court H.R. Matter of Inhabitants of the communities of the Miskitu indigenous people of the North Caribbean Coast Region of Nicaragua. Extension of Provisional Measures. Order of August 23, 2018, considerandum 13 [only in Spanish]; I/A Court H.R. 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. Provisional Measures regarding Brazil. Order of July 4, 2006, considerandum 23.

<sup>10</sup>Inter-American Commission on Human Rights (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.

<sup>11</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 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; I/A Court H.R. Case of Barrios Family v. Venezuela. Provisional Measures. Order of April 22, 2021, considerandum 2 [only in Spanish].

<sup>12</sup>IACHR. [Rules of Procedure of the Inter-American Commission on Human Rights](#), 2013, Art. 59.6: “a. 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 [...]”.

<sup>13</sup>IACHR. [Democratic Institutionalization, Rule of Law and Human Rights in Venezuela](#), OEA/Ser.L/V/II. December 31, 2017.

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principle of separation of powers.”<sup>14</sup>

33. As the IACHR indicated in its *2022 Annual Report*, over the years, “acts of persecution against human rights defenders and, in general, against persons who made public their dissent with the government continued to be documented. The absence of judicial independence in the country hinders access to justice for victims of human rights violations and creates an environment of impunity.”<sup>15</sup> The Commission noted that the situation of human rights defenders in Venezuela has been a constant concern due to the violence they face and the adverse context to exercise their defense role, in which intense campaigns of discredit, stigmatization, and acts of harassment predominate in retaliation for this activity.<sup>16</sup> In the Commission’s opinion, human rights defenders in the country continue to face an environment of stigmatization and intense harassment because of their work. Of particular concern is the instrumentalization of “anti-hate” or “anti-terrorism” legislation or “international cooperation” to criminalize defense activities directly or indirectly.<sup>17</sup>

34. When analyzing the requirement of *seriousness*, the Commission considers that it has been met. The IACHR considers it essential to remember that certain members of the PROVEA organization, mainly those with coordination roles and broad visibility on behalf of the said organization, have been beneficiaries of precautionary measures since 2015 and 2019. In this regard, it is severe that, despite the validity of such precautionary measures, the State has ceased to provide a formal response to this Commission. Despite the actions taken to obtain a response from them, the Commission has not received any recent information indicating that it has adopted protection measures in favor of the current beneficiaries. On the contrary, all the information available, both in this matter and from monitoring the country’s situation, allows this Commission to affirm that state agents, including high authorities of the country, have been adopting actions against the beneficiaries and intensifying their situation of risk, instead of mitigating it.

35. Consequently, the Commission understands that, in the absence of adequate measures to protect the beneficiaries, who have international protection, the State has yet to take any recent action to address the situation faced by the members of the PROVEA organization. This has led to the risk factors identified by the Commission in 2015 and 2019 being concentrated not only on the people who hold coordination positions but also on the rest of the people who make up the organization. On that understanding, the Commission evaluates that the State has acted, and continues to act, contrary to what was decided in these precautionary measures. In this regard, the IACHR notes with concern that the State authorities themselves have informed the beneficiary Uzcátegui that his social networks are monitored and that the validity of his passport and the authorizations to leave the country would depend “on him ceasing his activities.”

36. This situation impacts on the validity of the risk and the analysis regarding those proposed beneficiaries. In this regard, the Commission notes that a pattern of accusations and expressions continues from the high state authorities to disseminate stigmatizing and delegitimizing messages about the work of defending human rights carried out by the beneficiaries and proposed beneficiaries. In this line, it is pointed out that those who work for the PROVEA organization are classified as “those who sell their homeland,” “terrorists,” “defenders of terrorists/armed gangs/mercenaries,” or instruments of foreign governments. In this regard, the IACHR recalls that the state authorities have a particular role as guarantors of human rights, having duties of special care in the public debate. According to the Inter-American Court:

public officers have the position of guarantor of the fundamental rights of people, and, therefore, their statements cannot ignore these or constitute forms of direct or indirect interference for those who seek to contribute to the defense of human rights. This duty of special care is particularly accentuated in situations of more significant social conflict or social or political polarization precisely because of the set of risks that they may imply for

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<sup>14</sup> IACHR. [2022 Annual Report Chap. IV.B – Venezuela](#), OEA/Ser.L/V/II. April 1, 2023, para. 2.

<sup>15</sup> IACHR. [2022 Annual Report Chap. IV.B – Venezuela](#), OEA/Ser.L/V/II. April 1, 2023, para. 7.

<sup>16</sup> IACHR. [2022 Annual Report Chap. IV.B – Venezuela](#), OEA/Ser.L/V/II. April 1, 2023, paras. 98 and 111.

<sup>17</sup> *Ibidem*.



specific people or groups at any given time. Therefore, it is not only the responsibility of the state authorities to respect such rights but also to guarantee them, including against third parties.<sup>18</sup>

37. In this regard, the Commission notes that the existence and dissemination of stigmatizing and pejorative expressions by state authorities against human rights defenders “contribute to exacerbating the climate of hostility and intolerance by different sectors of the population, which can affect the life and personal integrity of defenders, increasing their vulnerability.”<sup>19</sup>

38. Faced with the dissemination of expressions against PROVEA and its members, the Commission observes that, in effect, these would be driven to third parties to make death threats and calls for violence against the members of PROVEA. According to the examples provided, there are intentions that they will be killed or attacked, as well as calls to attack them at their workplace. In this scenario of hostility, the IACHR notes that incentives are generated so that the threats made from virtual reality are translated into concrete actions of risk to the life and integrity of the beneficiaries. In this regard, recently, the representation reported on risk events that indicate the possibility of severe damage, including surveillance and follow-up allegedly executed by state agents, with the taking of photos and alleged attempts to register the participants. The IACHR also notes that the events occur during the work activities of PROVEA members or in the vicinity of the institution’s headquarters. The most recent event, on February 20, 2024, reportedly indicates that the members of the PROVEA organization are monitored and chased by vehicles without identification plates, and may be from the Venezuelan police, which would put them in a situation of vulnerability.

39. The Commission highlights that it is particularly worrying that the alleged facts have been attributed to state actors in Venezuela. This situation impacts on the safety of the PROVEA organization’s members. It adds to the state’s lack of protection measures, which are called to guarantee and defend their human rights.<sup>20</sup> Even though the members of the PROVEA organization adopted self-protection measures, the Commission notes that the alleged risk continues to this day.

40. Considering the specific characteristics of this matter in the context in which it is inserted, the Commission concludes that it has been established *prima facie* that the rights to life and personal integrity of the members of the PROVEA team are at serious risk.

41. The IACHR considers the *urgency* requirement met since the facts described suggest that the risk not only continues but is likely to be exacerbated over time, mainly considering the recently reported death threats, acts of follow-up, and surveillance. The preceding, given the lack of protection measures implemented by the State and the continuity of the human rights defense work carried out by the proposed beneficiaries, indicates that the members of PROVEA face an imminent risk that requires the adoption of measures to safeguard their lives and personal integrity.

42. The Commission finds that the requirement of irreparable harm is met since the possible impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

43. Finally, considering the context in which this precautionary measure is inserted and the relevance of the work of human rights defenders for democracy, the Commission deems it pertinent to recall, in the same line as the Inter-American Court, that:

fulfilling the duty to create the necessary conditions for the effective enjoyment of the rights

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<sup>18</sup> I/A Court H.R. [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast Region regarding Nicaragua](#). Extension of Provisional Measures. Resolution of the Inter-American Court of Human Rights of August 23, 2018, considerandum 12.

<sup>19</sup> IACHR. [Resolution No. 63/19 \(PM 438-19\). Matter of Carlos Patiño regarding Venezuela](#), December 24, 2019, para. 42; and IACHR. Resolution 76/2021 (PM 475-21). Bertha María Deleón Gutiérrez regarding El Salvador September 19, 2021, para. 31.

<sup>20</sup> IACHR. [Resolution 25/2023](#) (PM 61-23). Members of the Pataxó Indigenous People located in the Barra Velha and Comexatibá Indigenous Lands in the state of Bahia regarding Brazil, April 24, 2023, para. 51.

established in the Convention is intrinsically linked to protecting and recognizing the importance of the role played by human rights defenders, whose work is fundamental for strengthening democracy and the rule of law. The Court also recalls that their monitoring, reporting, and education activities are essential to the observance of human rights, as they act as guarantors against impunity. This complements the role of the States and the Inter-American Human Rights System.<sup>21</sup>

## **V. BENEFICIARIES**

44. The IACHR considers that, as members of the PROVEA organization, the beneficiaries of precautionary measures under Resolution 36/15 of October 14, 2015, and Resolution 63/19 of December 24, 2019, continue to be beneficiaries of these precautionary measures.

45. Likewise, the following are declared as new beneficiaries, as they are members of the PROVEA organization: (1) Óscar Murillo, (2) Lissette González, (3) Lisandro Raúl Cubas, (4) Juderkis Aguilar, (5) Rodolfo Montes de Oca, (6) Elienai González, (7) Joyffer Briceño, (8) Pilar Desirée González, (9) Óscar Calles, (10) Olga Villasmil, (11) Aimée Hernández, (12) José Manuel Rojas, (13) Liliana Mendoza, (14) Eduardo Torres, (15) Sergio González, and (16) Dick Antonio Guanique Garvan. All these persons are duly identified in this procedure.

## **VI. DECISION**

46. The Inter-American Commission concludes that this request meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm outlined in Article 25 of its Rules of Procedure. Consequently, the Commission requests that the State of Venezuela:

- a) adopt the necessary measures to guarantee the life and personal integrity of the persons identified as members of the PROVEA team;
- b) adopt the necessary measures so that the beneficiaries can carry out their activities as human rights defenders without being subjected to acts of violence, threats, and harassment;
- c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d) report on the actions taken to investigate the alleged facts that led to these precautionary measures, so as to prevent them from reoccurring.

47. The Commission also requests that the Government of Venezuela inform the Commission within 20 days from the date of this resolution on the adoption of the required precautionary measures and update that information periodically.

48. The Commission emphasizes that, under Article 25 (8) of its Rules of Procedure, the granting and extension 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.

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

50. Approved on April 29, 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.

Tania Reneaum Panszi  
Executive Secretary

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<sup>21</sup> I/A Court H.R. [Matter of the Nicaraguan Center for Human Rights and the Permanent Commission of Human Rights \(GENIDH-CPDH\) regarding Nicaragua](#). Provisional Measures. Order of October 20, 2023, para. 23.