

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 105/2024**

Precautionary Measure No. 1426-24

Jesús Alexander Armas Monasterios regarding Venezuela

December 31, 2024

Original: Spanish

I. INTRODUCTION

1. On December 19, 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 Defiende Venezuela (“the requesting party”) urging the Commission to request that the Bolivarian Republic of Venezuela (the “State” or “Venezuela”) adopt the necessary measures to protect the rights to life and personal integrity of Jesús Alexander Armas Monasterios (“the proposed beneficiary” or “Jesús Armas”). According to the request, the proposed beneficiary was detained by Venezuelan security forces on December 10, 2024, in Caracas, Venezuela. To date, there is no official information on the conditions of his current detention, or his state of health. The situation was classified as a “forced disappearance.”

2. Pursuant to the provisions of Article 25(5) of its Rules of Procedure and the Inter-American Convention on Forced Disappearance of Persons, the Commission requested information from the State on December 19, 2024. To date, the IACHR has not received a response from Venezuela and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law offered by the requesting party, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that his rights face a risk of irreparable harm. Consequently, pursuant to the provisions of Article 25 of its Rules of Procedure, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of Jesús Alexander Armas Monasterios. In particular, officially report whether he is in custody of the State and the circumstances of his detention; or else, the measures taken to determine his whereabouts or fate; b) establish the necessary measures to ensure that the beneficiary’s detention conditions are compatible with the applicable international standards on the matter, including: i. guaranteeing regular contact with and access to his family members, lawyers, and representatives; ii. officially report on the legal situation of the beneficiary in the framework of the criminal process in which he is said to be involved, as well as the reasons why he has not been released to date or taken before an independent court; iii. immediately carry out a medical evaluation of his health and guarantee access to the necessary medical care; 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 resolution, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. According to the request, Jesús Alexander Armas Monasterios is a former Caracas councilor (2013-2018), political activist, and human rights defender. He was detained by members of state security forces on December 10, 2024. The request indicated that his situation is framed in the context of state repression after the July 2024 presidential election. The detention was classified as a “forced disappearance.”

5. On that day, the proposed beneficiary was in a cafeteria in Caracas. He was scheduled to meet with a colleague to discuss the planning of activities in support of relatives of those deemed “political prisoners,” as well as to analyze allegations of human rights violations. At approximately 9:00 p.m., six hooded men, carrying firearms and uniforms without official insignia, reportedly entered the premises abruptly. It was reported that they acted with violence, forcing those present to remain silent and showing an intimidating attitude towards witnesses. Without identifying themselves or producing a warrant, the men allegedly handcuffed the proposed beneficiary, forcing him to board a van without identification plates. State agents moved quickly, leaving the area minutes after the incident.

6. The incident reportedly occurred a few days after Diosdado Cabello, Minister of the Interior and Justice, publicly mentioned Jesús Armas during his program “Con el mazo dando,” broadcast on December 4, 2024. The Minister accused the proposed beneficiary of collaborating with opposition activities and linked him, through an alleged letter from a “cooperating patriot,” to event monitoring activities organized by María Corina Machado.

7. After the detention, his relatives and legal representatives allegedly visited the detention centers of the Bolivarian National Intelligence Service (SEBIN) and the General Directorate of Military Counterintelligence (DGCIM). The authorities repeatedly denied his presence in these centers, generating greater uncertainty about his situation.

8. According to the request, on December 11, 2024, his relatives filed a complaint for enforced disappearance with the Attorney General’s Office, demanding the activation of a search process. In addition, they filed a complaint with the Ombudsperson’s Office, where they requested urgent measures to determine the proposed beneficiary’s whereabouts. They did not receive a response nor would it be known that any investigation had been initiated. Through a press conference in the vicinity of the Public Ministry, the relatives noted that the proposed beneficiary is suffering from asthma and allergies, so he allegedly has to receive constant medical treatments.

9. On December 12, 2024, the relatives tried to file a *Habeas Corpus* appeal before the Criminal Courts of Caracas. After several hours of waiting, the appeal was not received. They were informed that “the authorization of a chief had not arrived and they had to close the facilities of the Palace.” It is noted that the same appeal was attempted on December 13 and December 16, 2024. On both dates, the refusal was the same.

10. On December 12, 2024, the Minister of the Interior and Justice again mentioned Jesús Armas in his program, this time in reference to his detention; and it noted that “opposition political figures, such as María Corina Machado and Magali Meda, are happy with the capture, since it gives them the opportunity to continue their “media show.” The official said that the proposed beneficiary was arrested for his alleged participation in the hiring of people in order to provoke riots in the streets.

11. On December 14, 2024, the relatives went to the headquarters of El Helicoide, in the DGCIM of Boleíta, and at the headquarters of La Quebradita, seeking news of the proposed beneficiary; however, nowhere did they receive a response about his whereabouts. On December 17, 2024, the proposed beneficiary’s romantic partner reportedly learned that Jesús Armas was being held at the Zona 7 detention center of the Bolivarian National Police (PNB). She was informed that the proposed beneficiary was tortured by State security forces in a clandestine torture center of SEBIN, by mechanical asphyxiation with black bags on his face, and that he is in a deplorable state of health.

12. On December 19, 2024, the requesting party alerted that the proposed beneficiary did not spend the night in the aforementioned detention center. BNP security officers told his sentimental partner that he did not appear in the daily count that runs every morning. He was not given information about who ordered

the transfer or where he may have been taken. Since then, there is no information about the whereabouts and current detention conditions of the proposed beneficiary.

B. Response from the State

13. The Commission requested information from the State on December 19, 2024. However, despite the expiration of the given deadline, the State has not submitted its response to date.

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

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 Statute of the IACHR. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons.

15. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.¹ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.² To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.³ As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.⁴ In the process of reaching a decision, 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 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

¹ Inter-American Court of Human Rights (I/A Court H.R.), [Matter of the Yare I and Yare II Capital Region Penitentiary Center \(Yare Prison\)](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Case of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

² I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional Measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional Measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5.

³ I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

⁴ I/A Court H.R., [Matter of the 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.

- 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.⁵ Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.⁶ This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determinations on the merits.⁷

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

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

19. In its 2023 Annual Report, the Commission also observed the persistence of a coordinated repression policy, and recommended that the State of Venezuela refrain from carrying out illegal or arbitrary detentions. In cases where a person is deprived of their liberty, the State should ensure that all due process guarantees are upheld, including prompt presentation before an independent judicial authority, in order to prevent enforced disappearances, torture, and other cruel and inhumane treatment.¹² The Commission has recently condemned the practices of institutional violence in the context of the electoral process in Venezuela,

⁵ I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); [Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA](#), Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

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

⁷ In this regard, the Court has 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 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2.

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

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

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

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

¹² IACHR, [2023 Annual Report, Ch. IV.B. Venezuela](#), previously cited, Recommendation 8.

such as violent repression, arbitrary detentions, and political persecution.¹³ The strategy of detention and criminalization appears to be specifically targeted at individuals perceived as opponents of the regime, including journalists, opposition leaders, human rights defenders, and others.¹⁴

20. In particular, in the statement of August 15, 2024, the IACHR and its Office of the Special Rapporteur for Freedom of Expression (SRFOE) stated that the regime in power is sowing terror as a tool to silence the citizenry and perpetuate the ruling authoritarian regime in power, and that Venezuela must cease practices immediately that violate human rights and reestablish democratic order and the rule of law.¹⁵ It was found that detainees were subjected to criminal proceedings for crimes defined in ambiguous and broad terms, without the opportunity to be represented by a defense counsel of their choice, as public defenders were imposed on them. The IACHR stressed that “[t]he practices of state terrorism perpetrated by the current regime and observed by the Commission are not only aimed at the persecution of specific sectors, but also generate a climate of fear and intimidation among the Venezuelan population” which “amount also to a denial of the right to political participation.”¹⁶

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

22. In analyzing the requirement of *seriousness*, the Commission takes into consideration that, since December 10, 2024, the proposed beneficiary has been deprived of liberty by agents of the State of Venezuela. Although the Commission notes that a senior Venezuelan state official reportedly stated that the proposed beneficiary was arrested for his alleged participation in acts of unrest, linking him to opposition activities, the competent authorities of the justice system have not provided official information on minimum elements, such as: the possible existence of a criminal proceeding or investigation against him; the authority conducting the investigation; the type of criminal offense for which he is being investigated; whether he was taken to a competent court to review his detention; the place where he is being held; and the current conditions of his detention or his state of health. In this regard, it has been alleged that, following the detention of the proposed beneficiary, there is a refusal by various state authorities to provide information on where and how he is allegedly located.

23. The requesting party learned that the proposed beneficiary was allegedly subjected to torture practices, such as mechanical asphyxiation with black bags on his face by State security forces, and that he was in a deplorable state of health. Given this allegation, the Commission does not know if the proposed beneficiary has undergone any medical evaluation or received adequate treatment to safeguard his physical and mental integrity. Along these lines, there is also no information available to determine whether he has received medical attention for the pre-existing health conditions at the time of his arrest.

24. According to media publications,¹⁷ the proposed beneficiary’s romantic partner received the news that he was transferred to the Bolivarian National Intelligence Service (SEBIN) in El Helicoide, on December 19, 2024¹⁸; and that he was reportedly isolated from his relatives. In this regard, the Commission understands that, following the detention of the proposed beneficiary and despite having data where he could be detained, there is reportedly a situation of incommunicado detention. Consequently, his family members reportedly still do not have official information on the conditions in which he is currently, including his health status, or if he has been subjected to acts that violate his personal integrity. This lack of information prevents

¹³ IACHR, Press Release 184/24, [IACHR and SRFoE condemn State terrorism practices in Venezuela](#), August 15, 2024.

¹⁴ IACHR, Press Release 184/24, previously cited.

¹⁵ IACHR, Press Release 184/24, previously cited.

¹⁶ IACHR, Press Release 184/24, previously cited.

¹⁷ El Nacional, [They confirm the transfer of activist Jesús Armas to El Helicoide](#), December 19, 2024.

¹⁸ Social network “X,” [Another opposition leader transferred to El Helicoide](#), December 21, 2024.

family members from verifying his physical and mental integrity, as well as guaranteeing the protection of his fundamental rights.

25. The Commission also notes that there are no domestic avenues available to seek protection for the proposed beneficiary. According to the information provided, despite the attempts made by his relatives and representatives to file a writ of *habeas corpus* in favor of the proposed beneficiary, that writ was not received by the competent authorities. This refusal deepens his situation of helplessness. As long as this situation persists and the State fails to provide precise answers, the Commission considers that the proposed beneficiary is completely vulnerable in relation to the current situations he may be currently facing, under the State's custody. In the same way, after the submission of the complaint of enforced disappearance to the Prosecutor's Office, the Commission notes that the requesting party indicated that the activation of search actions in his favor is not known.

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

27. In summary, the Commission concludes that, based on the *prima facie* standard, it is sufficiently proven that the proposed beneficiary's rights to life and personal integrity are at serious risk, as it is unknown to date about the conditions of his detention and state of health following his detention on December 10, 2024, after being placed in solitary confinement without the possibility of activating judicial remedies in his favor.

28. With regard to the requirement of *urgency*, the Commission deems that it has been met given that, should the proposed beneficiary continue to face the situation described, he is likely to be imminently exposed to a greater impact on his rights. Thus, the Commission notes that, due to his status as a person deprived of liberty, the lack of communication with his family, as well as the absence of official information regarding his detention, there is an imminent risk of harm in the current context of the country. In addition, the Commission does not have information from the State to assess the actions that are being taken to address and mitigate the alleged risk faced by the proposed beneficiary. Therefore, it is necessary to immediately adopt measures to safeguard his rights to life and personal integrity.

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

IV. BENEFICIARY

30. The Commission declares Jesús Alexander Armas Monasterios beneficiary of the precautionary measures, who is duly identified in this proceeding.

V. DECISION

31. The Commission understands that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, the Commission requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Jesús Alexander Armas Monasterios. In particular, officially report whether he is in custody of the State and the circumstances of his detention; or else, the measures taken to determine his whereabouts or fate;
- b) establish the necessary measures to ensure that the beneficiary's detention conditions are compatible with the applicable international standards on the matter, including: i. guaranteeing regular contact with and access to his family members, lawyers, and representatives; ii. officially report on the legal situation of the beneficiary in the framework of the criminal process in which he is said to be involved, as well as the reasons why he has not been released to date or taken before an independent court; iii. immediately carry out a medical evaluation of his health and guarantee access to the necessary medical care;
- 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 resolution, so as to prevent such events from reoccurring.

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

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

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

35. Approved on December 31, 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.

Patricia Colchero
Chief of Staff
By authorization of the Executive Secretary