
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 46/2024**

Precautionary Measure No. 862-24
María Andreina Oropeza Camacho regarding Venezuela
August 10, 2024
Original: Spanish

I. INTRODUCTION

1. On August 8, 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 Ladies of Liberty Alliance (“LOLA”, or “the applicants”)¹ urging the Commission to require that the State of Venezuela (“the State” or “Venezuela”) adopt the necessary measures to protect the rights to life and personal integrity of María Andreina Oropeza Camacho (“the proposed beneficiary”), state coordinator of the campaign command of presidential candidate Edmundo González. According to the request, the proposed beneficiary has been in a state of “forced disappearance” since August 6, 2024, following an alleged arbitrary raid on her residence by agents of the General Directorate of Military Counterintelligence (DGCIM) in Venezuela.

2. In accordance with Article 25 (5) of its Rules of Procedure and the Inter-American Convention on Forced Disappearance of Persons, the Commission requested observations from the State on August 8, 2024. However, the state has not submitted information to date, and the granted period has since expired.

3. Upon analyzing the submissions of fact and law furnished by the applicants, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that her current location is unknown to date. Therefore, 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 María Andreina Oropeza Camacho. In particular, inform whether the beneficiary is in the custody of the State and her current circumstances, or provide information on the measures aimed at determining her whereabouts or fate, and b) report on the actions taken in order to investigate the alleged facts that gave rise to the adoption of this precautionary measure, so as to prevent them from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicants

4. María Andreina Oropeza Camacho is the state coordinator of María Corina Machado’s campaign command. According to the request, she has been missing since August 6, 2024, after undergoing an alleged arbitrary search at her residence by agents of the General Directorate of Military Counterintelligence (DGCIM). Hours earlier, the proposed beneficiary had criticized the DGCIM’s “Operation Tun Tun”, a campaign that allows the filing of “hate cases” against the current regime, via telephone calls.

5. It was reported that the proposed beneficiary was able to record and broadcast live from her social networks when the State agents raided her residence, located in the city of Guanare, in the state of Portuguesa, Venezuela. Her cellphone was then confiscated. It was alleged that there is no official search warrant. Videos attached to the file show a group of men, some of them hooded, forcing their way into where she was located. The proposed beneficiary can be heard saying, “I don’t know why they are doing that, I’m not a criminal.” The request also stated that, after managing to open the door, the men went up the stairs to where

¹ The applicants reported that the proposed beneficiary is a 30-year-old activist and leader of LOLA in Portuguesa, Venezuela, since 2022.

the proposed beneficiary was located. The applicants stated that no arrest warrant was issued, and she is therefore considered “abducted.”

6. The request included an attached video recorded by the proposed beneficiary’s mother, in which she reports the disappearance of her daughter and requests help in locating her. In that video, she detailed that she has searched for the proposed beneficiary in all the detention centers in Guanare and Acarigua, but has not received any information on her whereabouts or current health. As documentary support, the request added a press release from CNN Brazil, dated August 7, 2024, in which it is reported that opposition leader María Corina Machado had denounced the proposed beneficiary’s arrest. The press release presented María Corina’s statement on the matter: “The regime just took her by force and we do not know where she is. She was abducted! I urge everyone, both within and outside of Venezuela, to demand her immediate release.” Lastly, a press release from the website *globo.com* was added, with the following title: “Venezuelan opposition reports that the regional head of campaign was arrested. The video shows the arrest.”

B. Response from the State

7. The IACHR requested information from the State on August 9, 2024. To date, and with the granted period having expired, no response has been received.

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

8. The mechanism of precautionary measures is part of the Commission’s function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the IACHR Statute. The mechanism of precautionary measures is set forth in Article 25 of the Commission’s Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm to persons.

9. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have repeatedly stated that precautionary and provisional measures have a dual nature, one protective and the other precautionary.² Regarding the protective nature, these measures seek to avoid irreparable harm and preserve the exercise of human rights.³ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.⁴ Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. They aim to safeguard the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, in this way, 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

² I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), 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 (Available only in Spanish).

³ I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish).

⁴ 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).

allow the State concerned to comply with the final decision and, if necessary, implement the ordered reparations.⁵ In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

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

10. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.⁶ Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.⁷ This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without entering into determinations on the merits.⁸

11. As a *preliminary matter*, the Commission considers that Article 25, paragraph 6.c of the Rules of Procedure has been complied with, given that the proposed beneficiary is part of the requesting organization and has not had the opportunity to provide her explicit consent given her current situation.

12. In addition, in view of the nature of the facts described by the applicants, 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, 1998,⁹ considers forced disappearance “[...] 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.”¹⁰ The Inter-American Commission also highlights what was

⁵ I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; [Matter of “El Nacional” and “Así es la Noticia” newspapers](#), Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; [Matter of Luis Uzcátegui](#), Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19 (Available only in Spanish).

⁶ I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (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.

⁷ IACHR, [Resolution 2/2015](#), Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; [Resolution 37/2021](#), Precautionary Measure No. 96/21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

⁸ In this regard, the Court has indicated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” 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 (Available only in Spanish).

⁹ [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](#).

¹⁰ [Inter-American Convention on Enforced Disappearance of Persons](#), Belém do Pará, Brazil, June 9, 1994.

established by the United Nations Working Group on Enforced or Involuntary Disappearances, in the sense that “there is no time limit, no matter how short, for an enforced disappearance to occur.”¹¹

13. Regarding the *context*, the Commission recalls that it has been monitoring the rule of law and human rights situation in Venezuela, and has included the country in Chapter IV.B of its Annual Report since 2005.¹² It has also issued press releases, country reports, and established the Special Follow-up Mechanism for the Country, known as MESEVE. In its 2021 Annual Report, the Commission noted that temporary enforced disappearances have been systematically practiced in Venezuela, mainly against persons perceived as opponents.¹³ These occur mostly due to the deliberate reluctance of the authorities to report the whereabouts of detained persons, as well as not bringing persons before the courts within the legal 48-hour period after detention.¹⁴ In various testimonies collected by the IACHR, there is the suggestion that temporary forced disappearances are a tool of political repression in Venezuela.¹⁵ In its 2023 Annual Report, the Commission 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.¹⁶ More recently, and in light of the events that took place on election day on July 28, 2024, the Commission condemned the serious human rights violations denounced during the repression of the post-election protests in Venezuela.¹⁷ The IACHR was also informed of at least 11 cases of enforced disappearance.¹⁸

14. These contextual elements are relevant to the extent that they show seriousness and consistency in the allegations presented regarding the proposed beneficiary.

15. In analyzing the requirement of *seriousness*, the Commission considers not only the stated context, but also the situation that the proposed beneficiary faces. She has been missing since August 6, 2024, after being allegedly detained by DGCIM agents during a live broadcast on her social media. In this regard, the Commission takes note of the videos attached to the file and disseminated by various media.¹⁹ This video shows a group of State security agents (some of them hooded) forcing entry to where she was located, while the proposed beneficiary expresses: “I don’t know why they are doing that, I’m not a criminal.” From this moment forward, there has been no information on her current location or health. This situation has been confirmed by a video message sent by the proposed beneficiary’s mother, which has been attached to the file, in which she details that she has looked for her in all the detention centers in Guanare and Acarigua, but has not received any information on her current location.

16. The Commission recalls that, according to inter-American standards, the State is obligated to maintain an updated record of detentions, promptly provide information about the person’s whereabouts and

¹¹ 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.

¹² IACHR, [2023 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, approved on December 31, 2023, para. 1.

¹³ IACHR, [2021 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II, approved on May 26, 2022, para. 82.

¹⁴ *Ibidem*, para. 82

¹⁵ IACHR, [2021 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II, approved on May 26, 2022, para. 84.

¹⁶ IACHR, [2023 Annual Report, Ch. IV.B. Venezuela](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, approved on December 31, 2023, Recommendation 8.

¹⁷ IACHR, Press Release 174/24, [Venezuela: IACHR and Special Rapporteur for Freedom of Expression Condemn Serious Human Rights Violations During Post-Election Protest Repression](#), July 31, 2024.

¹⁸ *Ibidem*.

¹⁹ See: CNN, Maduro Regime detains collaborator of María Corina Machado in Venezuela: Arrest was broadcast on Instagram, August 7, 2024; LA REPUBLICA, [Nicolás Maduro Regime abducts María Oropeza, an opponent who works with María Corina Machado, August 7, 2024](#).

health, and, if the person is in State custody, present them before a competent judicial authority within legal timeframes while fully respecting judicial guarantees at all times.²⁰

17. The Commission regrets the lack of response from the State of Venezuela to its request, despite the seriousness of the allegations. Although the foregoing is not sufficient *per se* to justify the granting of a precautionary measure, it does prevent the Commission from having observations from the State and therefore from analyzing whether the allegations of the applicants may be disproved. This is especially crucial given the seriousness of the situation, which is exacerbated by the context she is in. Additionally, according to the allegations, the proposed beneficiary was detained by state agents, and her whereabouts remain unknown.

18. In addition to the above, the Commission also takes into account that there are no available internal means to request protection in favor of the proposed beneficiary. Her mother does not have any official information about her legal situation, such as an arrest or search warrant, which would allow her to challenge the actions allegedly taken by state agents before the competent judicial authority. Since there is no access to this information, and the State has not issued a response in this regard, the Commission considers that the proposed beneficiary is in a situation of complete lack of protection in relation to the situations she could be facing at present given that her whereabouts are unknown.

19. Under these circumstances, based on the *prima facie* standard applicable to precautionary measures, the Commission concludes that there is a sufficient basis to establish a serious risk to the rights to life and personal integrity of María Andreina Oropeza Camacho. This is due to the situation she has been facing since August 6, 2024, date from which her whereabouts or fate have since been unknown.

20. Regarding the *urgency* requirement, the Commission considers that it has been met, inasmuch as while the circumstances that the proposed beneficiary faces and her alleged disappearance continue, the passage of time in itself is likely to lead to the materialization of further violations of her rights. Additionally, as previously noted, there has been no information about her whereabouts or fate, even after the search efforts made by her mother in regional detention centers. In these circumstances, the Commission understands that the immediate adoption of measures to safeguard the proposed beneficiary's rights is imperative.

21. 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 irreparable harm.

IV. BENEFICIARY

22. The Commission declares María Andreina Oropeza Camacho as the beneficiary of the precautionary measures, who is duly identified in this proceeding.

V. DECISION

23. The 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, the Commission requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of María Andreina Oropeza Camacho. In particular, inform whether the beneficiary is in the custody of

²⁰ IACHR, [2021 Annual Report, Ch. IV.B, Venezuela](#), OEA/Ser.L/V/II, approved on May 26, 2022, para. 86.

the State and her current circumstances, or provide information on the measures aimed at determining her whereabouts or fate, and

- b) report on the actions taken in order to investigate the alleged facts that gave rise to the adoption of this precautionary measure, so as to prevent them from reoccurring.

24. 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.

25. 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 of any violation of the rights protected in the American Convention and other applicable instruments.

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

27. Approved on August 10, 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