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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 93/2024**

Precautionary Measure No. 1249-24

**Víctor Boitano Coleman regarding Nicaragua**

December 4, 2024

Original: Spanish

**I. INTRODUCTION**

1. On November 10, 2024, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by the Human Rights Collective *Nicaragua Nunca Más* (“the applicant” or “the requesting party”), urging the Commission to request that the State of Nicaragua (“the State” or “Nicaragua”) adopt the necessary measures to protect the rights to life and personal integrity of Víctor Boitano Coleman (“the proposed beneficiary”). According to the request, armed men in civilian clothing and police officers arrested the proposed beneficiary on April 23, 2024. Since then, his whereabouts and fate in Nicaragua have not been known.

2. Pursuant to the provisions in Article 25(5) of its Rules of Procedure, the IACHR requested information from the applicant on November 18, 2024, and the applicant sent their response on November 18, 2024. The IACHR requested information from the State on November 25, 2024. To date, the State has not replied to the Commission and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law furnished by the applicant, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that his rights to life, and personal integrity are at risk of irreparable harm. Therefore, it requires that Nicaragua: a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity; b) inform whether the beneficiary is in the custody of the State, and the circumstances and conditions of his detention. In particular, report on the place of his detention, allowing access to his legal representatives and family members, as well as the necessary health care, and ensure that he is brought before judicial authorities to review and monitor any continued detention; and c) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

**II. BACKGROUND INFORMATION**

4. Following the beginning of the crisis of the human rights situation in Nicaragua and the working visit carried out in May 2018, the Commission formed the Special Follow-up Mechanism for Nicaragua (MESENI) in order to follow up on the recommendations made to the State, as well as to maintain the respective monitoring for the purposes relevant to the mandates of the IACHR.<sup>1</sup> Similarly, the IACHR installed the Interdisciplinary Group of Independent Experts (GIEI) of Nicaragua, which issued a report that analyzed the events that took place in April and May 2018.<sup>2</sup> For its part, the IACHR decided to include Nicaragua in its Annual

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<sup>1</sup> IACHR, Press Release No. 134/48, *IACHR Issues Report on Nicaragua’s Serious Human Rights Situation*, June 22, 2018; Press Release No. 135/18, *IACHR Launches Special Monitoring Mechanism for Nicaragua (MESENI)*, June 24, 2018; Press Release No. 274/18, *Press Release about Nicaragua*, December 19, 2018; Press Release No. 113/20, *Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them*, May 16, 2020.

<sup>2</sup> IACHR, Press Release No. 145/18, *IACHR Announces Establishment of Interdisciplinary Group of Independent Experts for Nicaragua*, July 2, 2018; GIEI, *Report on the events of violence that occurred between April 18 and May 30, 2018* December 21, 2018.

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

5. In addition to the above, the Commission has consistently released statements expressing concern over the escalating crisis and serious human rights violations in the country, addressing the situation from various perspectives. Among these concerns, the Commission has addressed the persistence of acts of persecution;<sup>5</sup> the intensification of surveillance, harassment, and selective repression against individuals seen as opponents of the government, as well as human rights defenders, and independent journalists.<sup>6</sup> It has also highlighted the widespread impunity and the prolonged breakdown of the rule of law,<sup>7</sup> the criminalization of opposition female and male leaders,<sup>8</sup> the deportation of people deprived of liberty due to political reasons and the loss of nationality,<sup>9</sup> the repressive escalation against members of the Catholic Church,<sup>10</sup> the absence of conditions for free and fair elections,<sup>11</sup> the arbitrary detention of human rights defenders, journalists, and members of the Catholic Church,<sup>12</sup> and the government's repressive strategy to silence critical voices to the government ahead of the 2024 regional elections.<sup>13</sup>

6. Considering the foregoing, the Commission has urged the State of Nicaragua, among other aspects, to comply with its obligations regarding human rights;<sup>14</sup> to implement the recommendations issued

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

<sup>4</sup> IACHR Report: [Closure of Civic Space in Nicaragua](#), OEA/Ser.L/VIII.Doc.212/23, September 23, 2023; [Persons deprived of liberty in Nicaragua in connection with the human rights crisis that began on April 18, 2018](#), OEA/Ser.L/V/II. Doc.285, October 5, 2020; [Report on Forced Migration of Nicaraguans to Costa Rica](#), OEA/Ser.L/V/II. Doc.150, September 7, 2019; [Report on Gross Human Rights Violations in the Context of Social Protests in Nicaragua](#), OEA/Ser.L/V/II. Doc.86, June 21, 2018.

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

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

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

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

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

<sup>10</sup> IACHR, Press Release No. 184/22, [IACHR condemns acts of repression and the detention of members of the Catholic Church in Nicaragua](#), August 19, 2022.

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

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

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

<sup>14</sup> IACHR, Press Release No. 6/19, [IACHR Denounces the Weakening of the Rule of Law in the Face of Grave Human Rights Violations and Crimes against Humanity in Nicaragua](#), January 10, 2019; Press Release No. 26/19, [IACHR Denounces Escalation of Attacks on the Press and Persistence of Human Rights Violations in Nicaragua](#), February 6, 2019; Press Release No. 90/19, [IACHR Condemns Persistence of Acts of Repression in Nicaragua in the Context of the Negotiating Table](#), April 5, 2019.

by the IACHR;<sup>15</sup> to cease acts of persecution against people identified as opponents of the government and to reestablish democratic guarantees;<sup>16</sup> to release individuals that remain arbitrarily detained in inadequate conditions of detention;<sup>17</sup> to reestablish and give effect to the full enjoyment of civil and political rights;<sup>18</sup> and to put an end to the repression and persecution of those who seek the return of democracy in Nicaragua or exercise their public freedoms.<sup>19</sup> More recently, on June 11, 2024, the Commission and its Office of the Special Rapporteur for Freedom of Expression (SRFoE, or RELE for its acronym in Spanish) expressed concern over the dire situation of individuals arbitrarily deprived of their liberty in Nicaragua. They urged that their lives and integrity be guaranteed, and called for their immediate release.<sup>20</sup>

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

8. Lastly, the Commission reaffirmed its jurisdiction over Nicaragua and continues to fulfill its monitoring mandates through MESENI, as well as through the analysis and processing of cases, petitions, and precautionary measures.<sup>22</sup>

### **III. SUMMARY OF FACTS AND ARGUMENTS**

#### **A. Information provided by the applicant**

9. According to the applicant, the proposed beneficiary is a 63-year-old former member of the Nicaraguan National Army. By way of background, it was reported that he was arrested without a warrant and subjected to psychological torture in 2011. In 2018, he traveled to Italy, and returned to Nicaragua in September 2023. It is alleged that his current situation is related to publications critical of the Nicaraguan regime, in which he has denounced acts of corruption and abuse of power. In his publications, the proposed beneficiary exposed alleged cases of government corruption and acts of repression.

10. According to the applicant, on April 23, 2024, the proposed beneficiary was arrested at his home by armed plainclothes agents and police officers. The detention was reportedly carried out with violence. His daughter and his wife were allegedly beaten and it was stated that the police officers did not have a warrant.

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<sup>15</sup> IACHR, Press Release No. 113/20, Two years after its visit to Nicaragua, the IACHR warns and condemns the non-compliance with its recommendations and urgently calls on the State to implement them, May 16, 2020.

<sup>16</sup> IACHR, Press Release No. 249/20, IACHR Calls for the Immediate Cessation of Acts of Persecution against Persons Identified as Opponents of the Government and the Reestablishment of Democratic Guarantees in Nicaragua, October 10, 2020.

<sup>17</sup> IACHR, Press Release No. 145/21, IACHR and OHCHR Categorically Condemn the Criminal Prosecution of Presidential Pre-candidates and Urge the State of Nicaragua to Immediately Release Them, June 9, 2021; Press Release No. 171/21, IACHR and OHCHR Demand an End to Arbitrary Arrests and the Release of All Individuals Detained Since the Start of the Crisis in Nicaragua, June 9, 2021; Press Release No. 197/2022, IACHR and REDESCA: Urge immediate release of political prisoners in deplorable conditions in Nicaragua, September 5, 2022.

<sup>18</sup> IACHR, Press Release R218/22, In light of serious allegations regarding the closure of civic spaces in Nicaragua, UN and IACHR Special Rapporteurs urge authorities to comply with their international obligations to respect and guarantee fundamental freedoms, September 28, 2022.

<sup>19</sup> IACHR, Press Release No.24/2023, IACHR and OHCHR Condemn Escalation of Human Rights Violations in Nicaragua, February 17, 2023.

<sup>20</sup> IACHR, Press Release No.132/2024, Nicaragua: IACHR Urges to Guarantee the Life and Integrity of Persons Arbitrarily Detained and to Immediately Release Them, June 11, 2024.

<sup>21</sup> IACHR, Press Release No. 217/24, IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua, September 13, 2024.

<sup>22</sup> IACHR, Press Release 312/2021, IACHR reaffirms its competence over Nicaragua following decision to denounce the OAS Charter in a context of grave human rights violations, November 20, 2021.

Since then, his family has neither received any official information about his whereabouts nor been able to communicate with him.

11. Between April and October 2024, his wife and daughter reportedly inquired about the proposed beneficiary at least 16 times at the Directorate of Judicial Aid, known as “El Chipote Nuevo,” and the Jorge Navarro Penitentiary Center. They did not receive any response. His family members have reportedly filed requests with several offices including the National Penitentiary System (SPN) and various detention centers. Despite complying with all the legal procedures required for visit approval and verification of the detainee’s state, they have not received any official information confirming his whereabouts or current health.

12. Regarding his health, the proposed beneficiary reportedly has several conditions that require continuous medical attention and specialized treatment, such as hypertension, diabetes, circulatory problems, and sleep apnea. He reportedly has a mental disorder (delirium of persecution and depression) caused by the psychological torture he endured during his detention in 2011. The applicant voiced deep concern over the absence of information regarding his health since his arrest.

13. It was indicated that there was allegedly no record of a judicial process in the Nicarao System since the date of his arrest. However, information showed that two hearings were held. On September 11, 2024, a trial hearing was scheduled. However, his defense attorney was not allowed to communicate with the proposed beneficiary and was denied access to the case files, thereby severely hindering their ability to prepare an adequate defense. It was alleged that his family members have not been able to file formal complaints before the competent authorities due to the lack of information on the existence of a judicial process related to the case.

14. Lastly, the applicant alleged that the proposed beneficiary’s family members were subject to surveillance and threats. These circumstances reportedly forced them to leave the country. His daughter left in June 2024 and his wife left in October 2024.

#### **B. Response from the State**

15. The IACHR requested information from the State on November 25, 2024. To date, the State has not responded to the Commission’s request.

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

16. The precautionary measures mechanism is part of the Commission’s function of overseeing compliance with the human rights obligations set forth in Article 41(b) of the American Convention on Human Rights, also included in Article 18(b) of the Statute of the IACHR. The precautionary measures mechanism is described in Article 25 of the Rules of Procedure of the Commission. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to people.

17. 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>23</sup> Regarding the protective nature, these measures seek

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<sup>23</sup> 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).

to avoid irreparable harm and protect the exercise of human rights.<sup>24</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 in case the measures are not adopted.<sup>25</sup> Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.<sup>26</sup> 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.

18. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard.<sup>27</sup> 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.<sup>28</sup> 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 the Rules of Procedure, which can be resolved without making any determination on the merits.<sup>29</sup>

19. The Commission observes that the alleged situation placing the proposed beneficiary at risk is not an isolated event and corresponds to the current context of Nicaragua, which is particularly hostile

<sup>24</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; [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)

<sup>25</sup> 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).

<sup>26</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; [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).

<sup>27</sup> 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.

<sup>28</sup> 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.

<sup>29</sup> In this regard, the Court has stated 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).



towards individuals considered, perceived, or identified as opponents of the government and, in general, towards any person critical of the current Nicaraguan government.<sup>30</sup> This context has intensified over time.<sup>31</sup> Taking into account the foregoing, the Commission will proceed to analyze the procedural requirements regarding the proposed beneficiary's situation in Nicaragua.

20. Regarding the requirement of *seriousness*, the Commission considers it to be met, given that, according to the applicant, the whereabouts or fate of the proposed beneficiary have been unknown since his detention by state agents on April 23, 2024. The Commission observes that the proposed beneficiary was reportedly arrested at his home without a warrant. In response to concerns regarding the arbitrary nature of his detention, the Commission has no evidence that shows that the proposed beneficiary was ever brought before the competent Nicaraguan courts. The Commission understands that, in the absence of a criminal or judicial file, or any knowledge of its processing, his family members and legal representation are unable to activate the appropriate legal remedies for his protection. This includes the possibility of knowing whether the proposed beneficiary is receiving medical attention for his health issues.

21. The Commission notes that, following the arrest, his family members visited various penitentiary centers on multiple occasions and sent letters to the National Penitentiary System in an attempt to obtain information about his whereabouts and detention status. Given that the family members had to leave the country for their own safety, the Commission observes that there are no individuals nearby who can continue to advocate for the proposed beneficiary's situation. Despite his family members' efforts while they were in the country, the state authorities did not provide official information on his current location. Therefore, to date, it has not been possible to confirm his whereabouts or obtain official information about his current state.

22. Having requested information from the State under Article 25 of its Rules of Procedure, the Commission regrets the lack of response to the request for information. Although the foregoing is not sufficient *per se* to justify the granting of a precautionary measure, the lack of response from the State prevents the Commission from knowing the adopted measures that are purportedly being implemented to address the situation that places the proposed beneficiary at risk and to dispute the facts alleged by the applicant. Therefore, the Commission does not have information that would allow it to assess whether the situation that places the proposed beneficiary at risk has been mitigated, nor regarding the actions taken to determine the whereabouts or fate of the proposed beneficiary. The Commission also notes that the proposed beneficiary may be in the custody of the State, which should have information on his location and current situation.

23. The Commission highlights that his family members have not been informed on the proposed beneficiary's legal status, which would provide information such as: the existence of an investigation file against him; the procedural status of the investigation; the reasons for his detention; the existence of an arrest warrant; whether the judicial case has undergone judicial reviews; his place of detention; the conditions of his detention; the possibility of contacting legal representation of their choice, among other details. Since no communication has been established with the proposed beneficiary, the risk he may be facing would be aggravated by the impossibility of knowing where he is and verifying his current condition. In this regard, the Commission recalls that the Inter-American Court has indicated, in the *Matter of Juan Sebastián Chamorro et al.*

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<sup>30</sup> IACHR, Report: [Closure of Civic Space in Nicaragua](#), OEA/Ser.L/VIII.Doc.212/23, September 23, 2023, paras. 6, 20 and 62; Annual Report 2022, [Chapter IV.B Nicaragua](#), paras. 35-65, 177; Press Release No. 123/23, [IACHR Rejects Continued Repression and Human Rights Violations in Nicaragua](#), June 16, 2023; Press Release No. 184/23, [Nicaragua: IACHR and OHCHR urge the State to release Monsignor Rolando Álvarez and guarantee his human rights](#), August 18, 2023; Press Release No. 218/23, [IACHR Urges the State of Nicaragua to Cease Persecution of the Catholic Church](#), September 15, 2023; Press Release No. 152/21, [IACHR Condemns Growing Harassment in Nicaragua](#), June 18, 2021; Press Release No. 2/21, [IACHR Condemns Growing Harassment in Nicaragua](#), January 6, 2021; Annual Report 2023, [Chapter IV.B Nicaragua](#), December 31, 2023, paras. 5, 36, and 138.

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

*v. Nicaragua*, that “detention without communication not only makes it impossible to verify the current state of the proposed beneficiaries, the conditions of their detention, and their health status, but it also implies a curtailment of the procedural guarantees of all detainees.”<sup>32</sup>

24. In view of the foregoing considerations and in light of the *prima facie* standard, the Commission considers that the rights to life and personal integrity of the proposed beneficiary are at serious risk to the extent that, to date, there has been no official information about his fate or whereabouts, or about his current situation.

25. Regarding the requirement of *urgency*, the Commission deems that it has been met, inasmuch as the passage of time without establishing his whereabouts is likely to generate greater impacts on the rights to life and personal integrity of the proposed beneficiary. In this regard, his whereabouts remain unknown, and it has not been possible to obtain any information about his location or health. Additionally, the Commission does not have any information from the State regarding the actions that may be taken to address or mitigate the risk faced by the proposed beneficiary, nor about any measures to determine his whereabouts.

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

#### **V. BENEFICIARY**

27. The Commission declares Víctor Boitano Coleman, who is duly identified in this procedure, as the beneficiary.

#### **VI. DECISION**

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

- a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;
- b) inform whether the beneficiary is in the custody of the State, and the circumstances and conditions of his detention. In particular, report on the place of his detention, allowing access to his legal representatives and family members, as well as the necessary health care, and ensure that he is brought before judicial authorities to review and monitor any continued detention; and
- c) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

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

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

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<sup>32</sup> I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, Provisional Measures, Order of the Inter-American Court of Human Rights of June 24, 2021, paragraph 36 (Available only in Spanish).

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

32. Approved on December 4, 2024, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Jorge Meza Flores  
Assistant Executive Secretary